

Reporting for All

Challenges for the media in Nepal's Democratic Transition



CONTENTS

Background	1
Profile of the media and state of journalism	2
Key political issues in Nepal's transition	4
Monitoring five of Nepal's newspapers: 2009	9
Background	
Methodology	
Sources	
Newspapers analysed	
Conclusions	
Newspaper monitoring: 2010	13
Murder of radio operators creates insecurity	13
Focus group survey of journalists	14
Imperatives of a code of practice	16

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REPORTING FOR ALL: CHALLENGES FOR THE MEDIA IN NEPAL'S DEMOCRATIC TRANSITION

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Cover photo: With all the threats and challenges they face, Nepal's journalists are quick to every breaking news site (Photo: Kiran Panday)

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Background

After 10 years of civil conflict, the peace agreed with the Maoist insurgency movement in 2006 was followed by the institution in 2008 of a Constituent Assembly (CA) to oversee Nepal's political transition. The ceasefire of 2006 and the aftermath of the 2008 elections, were seen by the country's journalists as an opportune moment to put in place a legal framework equipped to promote the healthy growth of the media, on firm foundations of the public interest and the right to free speech. Nepal's journalists and their organisations played a central role in resisting the repression that was unleashed during the years of royal absolutism and turning back the tide, creating a popular movement for the restoration of democracy. Since the ceasefire, the journalists' community has secured legally protected rights to freedom of speech and freedom of association. Journalists moreover, were key participants in lobbying for and successfully securing the passage of a right to information law.

There have been worries since, that the momentum for positive change is being lost. Nepal's journalists and their organisations have in the circumstances, been consolidating their unity and solidarity as a means of defending a free media and seeking to develop and entrench a media culture that serves peace, reconciliation and the public good.

However, journalists in Nepal still face enormous challenges, not the least of them being security. Though formally ended, the Maoist insurgency has, in certain perceptions, implanted a cult of violence and spawned numerous emulative militant groups, which are smaller, uncoordinated and hence more dangerous. State institutions and authorities have at the same time shown a limited ability to protect lives and assure people of a secure environment. Maoist elements that are keen to enter the political mainstream and participate constructively in democratic politics feel betrayed that there is no sense of accountability for the years of royal absolutism and its structural and often hidden violence against the poor and the underprivileged.

This failure is seen in some circles to feed into a renewed cycle of violence. Since the 2006 peace agreement, a pattern of violence is evident in relation to the grievances of minority and marginalised groups, notably in the southern plains bordering India, or the *Terai*. A failure to implement many of the peace accord provisions and to respond adequately to minority group grievances is undermining the peace process. The situation is made more volatile by serious economic difficulties, exacerbated by natural disasters in 2008.

Fresh political turbulence arose in May 2009 with a long simmering dispute between Prime Minister Pushpa Kamal Dahal and the Chief of Staff of the Nepali Army (NA), General Rukmangad Katawal becoming public. Prime Minister Dahal, known alternately by the *nom de guerre* of Prachanda from his days as leader of the Maoist insurgents, was seeking to make the transition to a civilian *persona* after emerging unexpected winner in the April 2008 national elections. But in evident frustration at the complexity of the transition, he resigned soon afterwards, with important partners in the coalition he had put together openly opposing his effort to dismiss the army chief. Another coalition arrangement came into being, headed by Prime Minister Madhav Kumar Nepal from the third largest party in the national parliament – the Communist Party of Nepal (United Marxist-Leninist), known most often as the UML or as the Ma-Lay in local parlance. But this arrangement looked tenuous from the outset, and the resignation of Prime Minister Madhav Nepal in June 2010, following a nationwide general strike orchestrated by the Maoists in May, has resulted in a prolonged political stalemate, with the national parliament failing in several sittings afterwards, to agree on any form of successor government.

Attacks and threats against journalists reportedly decreased amid initial peace-making efforts, but violence targeting the media has been on the rise again amid new tensions and insecurities. Journalists continue to confront intimidation and psychological pressures. Editors are pressured through discriminatory allocation of advertising revenues. And journalists face the constant threat of dismissal for their work,



The FNJ conducted a series of workshops in Nepal on the theme of this report, culminating with a round-table of senior journalists and media stakeholders. Participants at the workshop in Biratnagar are at right and at the round-table in Nagarkot at right (Photos: Sukumar Muralidharan)



Journalists are often subject to strong-arm crowd control tactics while covering political demonstrations (Photo: Kiran Pandey)

with media proprietors being altogether too susceptible to political demands.

Anger in the southern plains (or *Terai*), the western regions and elsewhere is increasingly directed against journalists and media outlets for their coverage (or lack of coverage) of events and issues related to the political transition and minority interests. In 2008, newspapers in some districts were forced to close temporarily as a result of violence arising from frustration among some groups about information transmitted *via* news reports. It seemed that the veracity of the information was not the issue so much as what the news broadcasts said about political power and identity interests. Much of the anger and mistrust that targets the media is misdirected and misinformed. However it is also the case that a good deal of media output is aligned with political interests and does not pay due heed to the needs, views and sensitivities of all groups in Nepali society. In the lead-up to the Constituent Assembly elections in 2008, certain media outlets in Nepal, were found to be engaged in partisanship and the denial of opposing voices. In extreme cases, some were found to be actively engaged in disseminating false information about political opponents.¹

Senior journalists and journalists' organisations are worried that personnel in the many media establishments that have sprung up across the country lack sufficient awareness of and training in the principles of responsible journalism and the positive role of an independent media in a peaceful and democratic society. They worry that a failure by poorly trained media workers and others to understand and recognise the human rights of minorities can become a base for serving special interests, leading to renewed conflict. Integral to this concern is the limited availability of high-quality professional training focused on the principles of ethical and inclusive journalism.²

1 Nepal Press Council, *Campaign 2008, A Public Report on Media Monitoring for Nepal's Constituent Assembly Polls*, accessed November 12, 2010, from: http://www.presscouncilnepal.org/files/mmp_book.pdf.

2 See Friedrich Ebert Stiftung, 2007. *Political, Economic and Social Development in Nepal in the Year 2007*. and International Media Support, *Building for the Future: An Overview of the Nepal's Media and Recommendations for Development Priorities*, International Press Freedom and Freedom of

These concerns are framed by the rapid expansion of Nepal's media sector in recent years, notably the increase in FM radio stations from under 50 in 2004 to over 300 in 2007. As well, the number of licensed television stations rose to nine in 2007 from four in 2004, while about 2,600 registered daily, weekly and fortnightly newspapers were operating in 2007.³

Profile of the media and state of journalism

The Annual Report of the Nepal Press Council (NPC) for 2007-08, lists the following number of registered newspapers, per their frequency of publication.

Classification of Registered Newspapers	
Type of Newspaper	Total number
Daily	386
Twice a Week	23
Weekly	1871
Biweekly	321
Total	2601

Source: Nepal Press Council, Annual Report, 2008-09

Many workers in these new outlets (but also in more established media enterprises) have not had the benefit of professional training and are paid well below prescribed minimum wages. Most workers do not have security of tenure. On November 24, 2010, the Committee for the Fixation of Minimum Wages set up under Nepal's Working Journalists' Act (WJA) submitted its report to the Minister for Communications. The findings of this stator committee were chastening: 37 percent of Nepal's journalists are paid below prescribed minimum wages, while no fewer than 45 percent are working without letters of appointment. Among the media houses surveyed, 48 percent were in default in introducing basic measures such as retirement and welfare funds, medical cover and insurance.

Nepal's journalists had joined the long and hard battle for democracy and subsequently worked with the country's new power centres to introduce vitally needed amendments to the WJA. Among the abuses that were sought to be stopped, were the absence of letters of appointment for most journalists, and the continuing failure of media houses to invest in quality and skills development.

Since 2006, there has been a boom in the media in Nepal, which created favourable conditions for newspaper and broadcast professionals within media catering to the upper income demographic strata, generally more favoured by high-value advertisers. Yet, the situation for the vast majority of journalists, including those in Nepal's dynamic and expanding

Expression Mission to Nepal, Copenhagen, February 2008.

3 See Bhattarai, B. 2008. "Media Role in Building New Nepal". *The Kathmandu Post*. Kathmandu. 19 February, and Freedom House. 2008. *Freedom of the Press 2008 (Draft Country Reports)*, April 29, 2008.

radio sector, has not greatly improved.

Journalists' organisations, such as the Federation of Nepali Journalists (FNJ), the Nepal Press Union (NPU) and the National Union of Journalists' of Nepal (NUJ-N), argue that industry expansion without a commensurate rise in professional training and the assurance of decent working conditions, will seriously impair journalism practices that facilitate peace and reconciliation and serves the wider public good. Biased, inaccurate and insensitive reporting can easily exacerbate conflict.

Without discussion on these issues and adequate training in the skills and responsibilities essential to the profession, media personnel can contribute to content that fuels intolerance and prejudice. Journalists' organisations in Nepal argue that it is imperative at this time for media personnel across the country to work together for peace. Yet they are able to identify numerous instances when media reporting has served the opposite purpose: of aggravating conflict. Between the conclusion of the peace in 2006 and the elections of 2008, the security situation in the *Terai* remained unsettled, with a number of sectional groups seeking to influence the course of political negotiations through coercion and terror. Every time a bomb blast went off, the underground groups would compete to claim responsibility, with the numerous FM radio stations in the region often amplifying the discord. In the competition for political space that has followed the CA elections, several of the groups seeking to assert their distinct ethnic identity – such as the Magar, the Gurung, the Limbu and the Tharu – have often threatened and coerced journalists into falling in line with their perceptions.

In Nepal's post-conflict environment, there is an urgent need for individual journalists and media institutions (state and private) to strengthen a journalistic culture based on an ethical understanding that promotes and supports the public interest. This kind of journalism seeks to present all points of view in a fair and rational manner, is sensitive to conflict and its resolution, offers views of positive and practical solutions to problems within society and ultimately focuses on serving the public good.

Public service journalism (PSJ) functions on the premise that a tolerant, peaceful and just society depends on all people within a society being able to access fair, balanced and independent media that respects pluralism, diversity and human rights. PSJ ensures that all groups within society have the opportunity to engage in a constructive public dialogue. A sensitive media's facilitation of dialogue and peace-making is a counter to negativism. The ultimate goal of this approach is to provide a comprehensive, varied and balanced media of high quality that serves the public interest.

Reporting on issues and tensions related to ethnic diversity and inclusion, the traumas of past conflict and the fundamentals of current conflict, reconciliation and transitional justice, and democratic processes are especially relevant here. Journalists who follow the precepts of PSJ report in a responsible and ethical manner that promotes tolerance, understanding and unity between discordant factions and reduces conflict in society. More voices and



Journalists during the years of royal absolutism confronted tough situations on a daily basis (Photo: Bijay Rai)

points of view gain a fair hearing, and the public awareness of human rights increases. Integral to the success of this approach is that society as a whole comes to understand and feel the benefits of the positive role of an independent critical media.

A key factor in understanding how responsive the media is to the widest possible range of social concerns - an indispensable condition for good PSJ - is the extent to which it reflects the diversity of the society in which it functions in its language, staffing and other such parameters. With the growth of the media and its relative inattention to issues of human resource development, there has been a concentration in existing markets and relatively less priority for moving into areas that are not very well served. This is because by tapping existing markets the media firms spare themselves the expense and the effort needed to arrive at a thorough understanding of audience parameters. Unsurprisingly, the boom in the Nepali media has been concentrated to a large extent in the central development region of the country, which is dominated by the national capital Kathmandu and its environs. Following in a distant second position is the eastern region which includes Nepal's second largest city of Biratnagar. The mid and far-western regions, which were at the epicentre of the Maoist rebellion, have in comparison, been grossly under-served by media.



Photo journalists demonstrate against continued harassment and denial of access (Photo: Amit Sthapit)

Publications based on Development Regions					
Type of Newspaper	Eastern	Central	Western	Mid-Western	Far-Western
Daily	74	216	43	30	23
Twice a Week	2	10	3	2	6
Weekly	262	1321	48	77	63
Biweekly	42	245	29	4	1
Total	380	1792	223	113	93

Source: Nepal Press Council

Language issues have acquired a new public prominence since the peace agreement. In a nation of great linguistic diversity, Nepali was accepted as *lingua franca* with little reservation. But with political aspirations now unleashed and several of Nepal's ethnic and linguistic groups seeking to assert their claims to a fair share in power, there is an increasing tendency to question the primacy of Nepali and assert specific linguistic identities. The explosion of smaller identities since the CPA is a reality that Nepal's media has struggled to accommodate. Print cannot go beyond a point in addressing this complexity because Nepali has long been the medium of the literate classes and it has, aside from the literacy barrier, also to surmount the barrier of capacity. Television remains hamstrung by the capital investment required to get a viable broadcast on the air and by gaps in the electricity transmission grid. Radio however, retains immense potential to bring these smaller identities into the mainstream of the national political dialogue.

Smaller linguistic identities are able to access radio more than any other medium, simply because there are fewer barriers to entry. Observers of the Nepali media believe that it would be the logical progression from here to promote a vibrant sector of local news broadcasts. The term "local" has acquired a special connotation in Nepal today. Since the strong centralising force of the monarchy has been dismantled, politics has increasingly acquired a local flavour. At the same time, communities fear the loss of their ability to communicate in a language of their own. The dominance of Nepali in the media could be the first stage, they feel, of an assault on their culture, their ways of life and their livelihoods.

Local news in local languages is a way of overcoming these anxieties, and the space exists in Nepal for this category of media to flourish, with some good nurturing. The challenge that Nepal's journalists face is to bring all the voices arguing the case for change, within the scope of the medium.

Key political issues in Nepal's transition

Local news could also be the means through which the whole range of viewpoints on governance structures could be aired. In Nepal today, issues of linguistic identity have become entwined with the debate on the future political contours of the country, and in particular with the question of the federal governance form most appropriate to the needs and aspirations of the people. Against a federal demarcation purely on the basis of territorial boundaries, the debate has moved on to the need for recognising ethnic autonomies within the system of political devolution. An early impetus to this debate came from the politics of identity in the *Terai*, which has lately adopted the cultural – rather than the purely territorial – identity of the "Madhes" and asserted the principle that the entire southern plains should be a single autonomous political entity. The slogan of "Ek Madesh, Ek Pradesh" – or a single province for the entire Madhes – had a certain resonance at one time and was perceived with deep misgivings in other parts of the country, where it was seen to embody a dangerous potentiality: that the entire *Terai* region would constitute itself into an effective zone of autonomy, in turn putting the vital economic links to India in jeopardy for the middle and high-mountain regions of the country.

Linguistic federalism is an alternative proposition. The singular, unitary identity of the "Madhes" is seen not so much as intrinsic, but as a political construct that masks three distinct identities if not more. The linguistic federalism scheme conceives not of one single Madhes province, but of at least three, whose respective markers would be the "Maithili", "Bhojpuri" and "Awadhi" identities.

Nepal is indeed, a nation of very high ethnic diversity. Kathmandu district alone has, according to the 2001 census, 97 recognised ethnic groups, the highest in the country. And the district with the lowest number, Kalikot, itself has 34. For the country as a whole, the index of ethnic diversity, which is merely a convenient number to make a very complex reality simple, stands at 93.4 per cent. This indicates that Nepal is one of the most diverse countries in the world.⁴

According to the 2001 census, 14 of Nepal's districts were of "very high" and 29 were of "high" ethnic diversity. Another 18 were ranked as "moderately high" and eight as "moderate" in terms of ethnic diversity. Only six districts were categorised as "low" in terms of this index.

Official policy has been to enshrine Nepali as the national language in which all government transactions are conducted. English is encouraged in the educational system.

⁴ Pitamber Sharma, *Unravelling the Mosaic: Spatial aspects of ethnicity in Nepal*, Himal Books for Social Science Baha, Kathmandu, 2008, Chapter 3.



Protests against the November 2007 abduction and murder of Birendra Sah
(Photo: Amit Sthapit)

Under the 1990 constitution, a category of “languages of the nation” was also created in recognition of the sheer reality of linguistic diversity. For reasons that are varied, this official recognition has not been transformed into linguistic diversity in the media landscape. As the table shows, the print media in Nepal is dominated by the Nepali language, with English in a very distant second position in terms of the number of publications in existence.

Of the languages of Nepal, Maithili is the most widely spoken after Nepali. But the number of publications in this language is relatively modest. Newari has a significant number of publications and this is perhaps on account of the early champions it had as a language with a claim to a distinct status within Nepal. The state-owned Radio Nepal in the 1990s began broadcasts in Newari and Hindi.

As a consequence of the near universal comprehensibility of Nepali, the national conversation that is carried out through the media is potentially one that all sections can partake of. On the obverse side, the absence of a viable and accessible media in many of the smaller languages, could fuel political grievances about the relative lack of influence of these linguistic groups.

Recent years have seen the radio broadcast sector in Nepal, which was always remarkable for its energy and vitality, begin to acknowledge linguistic diversity. Radio broadcasts, both news and entertainment, in the country's lesser languages, such as Maithili, Bhojpuri, Tharu, Limbu, Magar and Awadhi, have now begun to attract significant audiences. And the institution of the phone-in makes this a participatory forum where illiteracy does not stand in the way. Economic means though continue to be a barrier, as too does accessibility, which still remains an issue for several communities in this country.

Political discord over language issues has also risen, best represented in the controversy over the decision by a Vice President of the newly proclaimed republic, Parmanand Jha, to take his oath in Hindi, which has no constitutional position in Nepal and is closely identified with the political movement to declare all of the Madhes as a unitary province with a single identity. The oath was held to be illegal by Nepal's Supreme Court and the Vice President advised to comply with the

requirement that one of the recognised languages be used. Since then, the mayor of Kathmandu has taken his oath in Newari. Though this did not stir up similar controversy as the vice-president's oath in Hindi, it points towards major political debates still to come over language issues.

Publications based on language					
Type of Newspaper	Daily	Twice a Week	Weekly	Biweekly	Total
Bhojpuri			1	1	2
English	21		49	25	95
Hindi	4		6		10
Hindi/Awadhi			1		1
Limbu/Kirati					0
Maithili	1		4		5
Nepali	337	21	1645	218	2221
Nepali/English	12	1	112	55	180
Nepali/English/Hindi			8	7	15
Nepali/English/Maithili	1				1
Nepali/English/Maithili/Hindi	1		3		4
Nepali/English/Newari			7	1	8
Nepali/English/Sanskrit/Hindi			3	1	4
Nepali/English/Tharu				1	1
Nepali/English/Tibetan			1	2	3
Nepali/Hindi	1	1	7	1	10
Nepali/Japanese				1	1
Nepali/Maithili	2		4	2	8
Nepali/Marawadi			1		1
Nepali/Newari			2	1	3
Nepali/Tamang			1	1	2
Newari	5		12	1	18
Tharu	1		4	1	6
Others			2	2	4
Total	386	23	1873	321	2603

The development of a PSJ culture in Nepal is already evident in reports like that which emerged in one of the country's largest circulated English-language dailies on the day that the Dashain observance began in October 2010. Dashain is a nation-wide cycle of festivals rooted in the Hindu faith but respected equally by all Nepal's religious communities. The front-page article on October 9, 2010, under the headline “Festivals fail to bring joy to families of disappeared” reported that:

Many families who lost their close ones during the armed conflict have not yet received the information regarding the whereabouts of their families till date.

Their continuous appeal for providing them with the information regarding the whereabouts of family members has not been addressed yet.

Three years have passed since the country has been declared as democratic federal republic state but still the state had not made public the whereabouts of persons got disappeared from the state. The Maoists too have not made public the whereabouts of the persons who were disappeared from their side.⁵

Evidently, the abdication of responsibility by the state and the Maoists' failure to live up to commitments made under the comprehensive peace accord, continues to cast a long and threatening shadow over Nepal's transition to a republican democracy. Most independent inquiries have found that popular faith in the democratic transition would be considerably enhanced if the erstwhile combatants – the former Royal Nepal Army now known as the Nepal Army (NA) and the Maoists – were to address past abuses in a spirit of accountability and reconciliation. But little, it seems, is being done to address these traumas or to check the climate of impunity for serious human rights violations during the war. People fear reprisals if they press for investigations into gross abuses. Advocacy group Human Rights Watch has noted that these failures violate Nepal's obligations under international law and are impeding resolution of the country's political and social disputes.⁶

A January 2010 report by the International Crisis Group (ICG) was even blunter. "Political parties have shown no interest in dealing with past crimes", it observed: "Indeed, they have exploited the lack of accountability to avoid reining in the unlawful activities of their own activists and to justify regular interference in the criminal justice system". In the circumstances, the ICG points out, "distress, frustration and a sense of betrayal have grown" for the relatives of the more than 1,000 recognised as "missing".⁷

The failure to curb impunity means that human rights abuses continue into the transition period. Also, unredressed grievances from the past create a climate in which particular social groups are impelled to make maximal demands which threaten the possibility of concord with others. An example would be the Tharu demand for an autonomous province, which would take in parts of the mid-western and far-western regions of Nepal. A relatively impoverished community, the Tharu were targets of systematic campaigns of intimidation and murder from both the Royal Nepal Army and the Maoists during the years of the war. As the ICG points out, of the 200 disappearances documented in the mid-western district of Bardiya, the "vast majority" were Tharu. And yet, the army it records, has since the ceasefire

"tried to cover up its offences and has refused to cooperate with investigations".⁸

As long as those who have been guilty of serious violations of human rights evade all processes of truth and accountability, reconciliation will remain a distant object. If the Tharu as a community are agitating for an autonomous province as a basic political entitlement, the causes could partly be because they have been denied their right to seek justice for past wrongs. A failure to address the abuses of the past in this manner, compounds the difficulties of achieving a fair and equitable political order in future.

Tension over the Tharu demand for provincial autonomy it is believed, led to the abduction and murder of the journalist J.P. Joshi in October 2008. Editor of the pro-Maoist paper *Janadisha* in Dhangadhi in the far-western region, Joshi's remains were discovered close to 50 days afterwards. Authoritative sources believe that he may have fallen out with the local Maoist leadership over the party's unwavering support for a Tharu autonomous province embracing parts of the present day mid-western and far-western developmental regions.

The Maoist leadership officially disclaimed all responsibility for Joshi's murder, but did not rule out the possibility that certain individuals connected to their party might have been involved.⁹ The Federation of Nepali Journalists (FNJ), after an investigation of its own, indicated that there were grounds to suspect that individuals connected to the Maoist unit in Kailali district were behind Joshi's murder.

As with human rights violations during the years of conflict, impunity has been the norm when it has come to investigating Joshi's murder. A commission of inquiry was set up to ascertain the truth with a 15-day long mandate. After repeated extensions of its term, the committee finally submitted its report late in 2009. Its findings are yet to be made public though, and an application under the Right to Information law by FNJ secretary Ramji Dahal of the Nepali language fortnightly paper, *Himal Khabar Patrika*, revealed that the commission had spent NPR (Nepali rupees) 3 million (around 40,100 USD) on its sittings, including in the acquisition of SIM cards for members' mobile phones. All this while, Joshi's impoverished family, *Himal Khabar Patrika* revealed, had received absolutely no financial support. Soon after these reports were published, Nepal's cabinet met to approve financial support of the order of NPR 1.5 million (around 20,050 USD) for Joshi's family. The conduct of the committee constituted to inquire into his murder has been referred to the Commission for Investigation of the Abuse of Authority (CIAA), a special body created under the 1991 constitution and expected after the CPA to function as a vital part of the process of national reconciliation.

Disappearances and extra-judicial killings from the war years remain an unrequited wrong. Internal displacement

5 "Festivals fail to bring joy to families of disappeared", *The Rising Nepal*, October 9, 2010, p1.

6 Human Rights Watch and Advocacy Forum, 2008. *Waiting for Justice: Unpunished Crimes from Nepal's Armed Conflict*. HRW. US. See also Heiselberg, S. et al. 2007, "An Inclusive Peace Process in Nepal and the Role of the EU". *Crisis Management Initiative*. December 2007.

7 International Crisis Group, "Nepal: Peace and Justice", Asia Report No. 184, 14 January 2010, p1.

8 Ibid, p7.

9 "Maoists might have hand in JP Joshi murder: Minister", *Republica*, dateline: Mahendranagar, January 30, 2009; accessed on November 12, 2010 from: http://www.myrepublica.com/~myrepub/portal/index.php?action=news_details&news_id=1531



Investigative reporter Uma Singh was dragged out of the modest room she occupied in the Terai town of Janakpur and murdered in January 2009 after writing with great persistence and commitment on the issue of internal displacement (Photos: Bikash Dware and Sukumar Muralidharan).

is another issue which looms large over post-conflict Nepal. Under the CPA, both sides committed themselves to make an early declaration of the land and buildings seized – whether public, governmental or private – and make quick restitution to the original owners. There was also a commitment made to “allow without any political prejudice the people displaced due to the armed conflict to return back voluntarily to their respective ancestral or former residence, reconstruct the infrastructure destroyed as a result of the conflict and rehabilitate and reintegrate the displaced people into the society”.¹⁰

Despite the adoption of a national policy for internally displaced persons (IDPs) in early-2007, the record in rehabilitation and restitution of illegally seized assets has been dismal. A report by an expert group in January 2010 points out: “More than three years after the government of Nepal and the Maoists ended their ten year conflict, up to 70,000 people displaced by the war remain unable or unwilling to return home. Ongoing political crisis has hampered the peace process and the prospects for reconciliation and durable solutions to displacement. Repeated Maoist commitments to return confiscated houses and land are yet to be honoured in several districts, and IDPs from non-Maoist political parties have found it particularly hard to recover property. The government return package has been limited to those officially registered, and in many districts, up to half of IDPs have been unable to register for assistance. The post-war economy is depressed and there is limited access to basic services in rural areas, so many returnees have had to go back to towns and cities again in search of work”.¹¹

Reporting on land seizures during the years of the civil war can prove positively hazardous, even fatal. The tragic case of Uma Singh, murdered in the *Terai* town of Janakpur in January 2009 testifies to this. Uma Singh had extensively documented a number of instances of land-grabbing by Maoist cadres. With the ceasefire and the transition to a democratic government,

considerable public pressure had been building for returning seized land to their prior owners. This was then – and still is – deemed a vital part of the process of national reconciliation, till lawful land reforms are instituted. The Maoist-led national government of the time, formally committed to national reconciliation, had issued necessary directives for the return of expropriated land, but often proven unable or unwilling to enforce its writ on local cadres.

In an article published in the Nepali language monthly *Sarokar* in October 2008, published in English translation on the website www.dainikee.com on January 6, 2009 -- five days before her brutal murder -- Uma Singh

reported: “The Maoists have not returned the seized land in Siraha district even three months after Maoist chairman and Prime Minister Pushpa Kamal Dahal directed his party cadres to do so. Some 1,200 *bigahas*¹² of land captured during the People’s War is still under Maoist control”.

She followed with a detailed catalogue of land seizures and an enumeration of the people affected by the expropriation of property. The intent of her campaigning journalism was clear: to render justice to all people in Dhanusha district in particular and the *Terai* region in general, who had been dispossessed and displaced on account of land seizures.

In the same article, Uma Singh named a powerful person from the Maoist political hierarchy in the *Terai*, since alienated from the party because of persistent differences on matters of tactics and strategy. This leader had, she reported, defied central directives from his party and the cabinet and persisted with the practice of forcible land expropriation. He was proving a reluctant learner, unwilling to adapt to the realities of the ceasefire and the new democratic compact in Nepal.

Seemingly taking his appointment to the key Ministry of Land Reforms as the sanction for unilateral decisions, this individual had been mobilising disadvantaged sections in the *Terai* in large numbers to forcibly seize and resettle land. This had earned him the ire of his ministerial colleagues in Kathmandu, particularly those tasked with running the Ministry of Home Affairs, which looks after issues of law and order. The Land Reforms minister though, would brook no opposition, repeatedly ignoring directives to cease the campaign from the Prime Minister and the cabinet.

With a number of interviews and first-hand accounts to buttress her reporting, Uma Singh wrote that this political campaign of forcible land seizure was motivated by fairly mundane calculations. Far from altruism, it was in reality, the other side of extortion. Indeed, the individuals and families that had been paying up the sums of money demanded by the Maoist guerrilla turned minister, had been able to hold off the threat of land confiscation.

From all the information available, the cause of Uma Singh’s murder seems to have been her journalism, which

¹⁰ Comprehensive Peace Agreement, November 2006, paragraphs 5.1.8 and 5.2.8.

¹¹ Internal Displacement Monitoring Centre and Norwegian Refugee Council, “Nepal: Failed Implementation of IDPs Policy Leaves Many Unassisted”, page 1, extracted on November 12, 2010 from: [http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/FFF5958EB13C0AF8C12576B900395E1D/\\$file/Nepal_Overview_Jan10.pdf](http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/FFF5958EB13C0AF8C12576B900395E1D/$file/Nepal_Overview_Jan10.pdf).

¹² This is a measure of area used for purposes of calculating the land-tax that every land-holder is liable for. It varies with the quality of the land and other such factors.



Journalists Tewari, Bohra and Ghimire were accused by the local Maoist leadership of involvement in the abduction of a colleague (Photo: Sukumar Muralidharan)

consistently took up the issue of illicit land seizures and demanded their restitution. Uma Singh was also fearless and outspoken in her reporting on the operations of numerous armed groups that had sprouted in the Terai region since the end of the insurgency, which were using the proximity of the Indian border as an easy cover and wreaking havoc with civilian life. The problems that women journalists faced were her special focus and she was through her commitment and courage, an example for the many younger women who chose to enter journalism after Nepal's 2006 transition to democracy.¹³

Another woman journalist, Tika Bista, was viciously assaulted in Rukun in the mid-western part of Nepal in December 2009. Bista had been threatened by the Maoists immediately after she published an article critical of them and the attack on her by a group of masked men, took place a month later. She was slashed across her arms and legs with sharp knives, thrown off a cliff, and left for dead. Bista was fortunate in that some friends who were anxious about her absence went looking and found her. She was flown to Kathmandu for prompt medical attention.

A few days later, local police arrested five people, including a local leader of the Young Communist League (YCL), the youth affiliate of the Maoist party, for the attack. Shortly afterwards, five more people were arrested, again including a central committee member of the YCL. Police also interrogated other local residents.

The outbreak of serious discord in the *Terai* over issues of "indigenous" peoples' rights against those of the settlers from the hills, also took a toll on media freedom. A senior and highly respected journalist, Ramesh Ghimire, who had been active in Janakpur for 48 years, began in consequence, to face constant threats from activists of the various Madhesi groups that sprouted in the Terai since the end of the Maoist insurgency.

Ghimire, the editor and publisher of *Dhanusha* weekly,

faced constant questions from anonymous callers, such as the reason why he was running a Nepali language publication in the *Terai* region, ostensibly the exclusive domain of another linguistic community. At a meeting with the IFJ in February 2009, Ghimire spoke of being threatened several times by anonymous callers. All through his many decades in journalism, he said, he never had any reason to believe that the people of Janakpur were resentful of a Nepali language newspaper being published in their town. Faced with rising threats and harassment, Ghimire's family chose voluntary exile in a nearby town, though he continued to live in Janakpur and to bring out his newspaper.

Accountability processes for attacks on journalists are often subject to unforeseen political pressures. Illustratively, in September 2010, the local Maoist leadership in the far-western district of Mahendranagar went public with accusations that three journalists in the district had been responsible for the abduction of a professional colleague, Pappu Gurung in 2007. The accusation caused outrage, since the three journalists named, Karna Bohra, Yubaraj Ghimire and Lakshman Tewari were all senior figures and widely respected in the profession. At a town hall meeting organised by the FNJ a few days afterwards, the Maoist leadership seemed to relent marginally. And the journalists were prepared to concede that their early reports – that the Maoist leadership was behind the momentary disappearance of Gurung – may have been in error.

The situation was retrieved by the prompt intervention of the FNJ, but underlying tensions remain. The reading among most journalists in Nepal was that this particular accusation against the local journalists was levelled by the Maoist leadership as a preemptive measure to head off criticism over an expected finding by the official investigations, that they may have been behind the killing of J.P. Joshi and prior to that, the journalist Prakash Thakuri.

A key provision of the CPA was the agreement that both the combatant parties – the NA and the Maoists – would voluntarily lock their armaments away, only retaining in the former instance, the basic requirements for legitimate peacetime engagements such as border patrolling. In this context of disarmament, a comprehensive process of security sector reform was to be set underway, including the democratisation of the NA and its absorption of a culture of loyalty to an elected civilian political order. Concurrently, the armed cadre of the Maoist party, called the Peoples' Liberation Army (PLA) within their own circles, were to be resettled in peacetime occupations, or integrated into the NA and placed under an appropriate chain of command.

Public attitudes towards this process, as reflected through the media, underwent a significant change as the Nepali peace process wore on. Early attitudes towards the army tended to be critical. The NA – in its earlier avatar as the RNA -- was seen as a bulwark of the monarchy which had been guilty of serious human rights violations during the years of insurgency. Following the 2008 elections and the emergence of the Maoists as the single largest party, however, a shift occurred in media perceptions. With a significant number of

¹³ A fuller report on the background and circumstances of Uma Singh's murder can be found in the report of the press freedom mission that visited Nepal in February 2009. See: *A Call to End Violence and Impunity*, International Press Freedom and Freedom of Expression Mission to Nepal, February 2009, contributed to by the IFJ and published by International Media Support, Copenhagen, pp 32-8, extracted on November 12, 2010 from: <http://www.i-m-s.dk/files/publications/1453%20Nepal.web.pdf>.

seats in parliament and an army that had been disarmed but not demobilised, the Maoists began to be seen as a possible source of dissonance in the democratic transition. As the ICG observes in an analysis published in August 2009: “The combination of the Maoists’ *de facto* power on the ground with *de jure* authority increased their opponents’ fears”.¹⁴

The Nepalese media seemingly reflected some of these wider fears. The chief of staff of the NA, General Rukmangad Katawal, was an individual towards whom civil society and the media had a distinctly ambivalent, if not an outright hostile, attitude. Katawal for instance, was widely believed to have been the author of a number of ardently royalist articles in the mass media, published under the *nom de plume* “Ajay P. Nath”, endorsing the gradual seizure of power by the palace after the declaration of a national state of emergency in 2001. His record as commander of the NA forces in the mid-western region during the height of the civil war had also drawn adverse comment. And his commitment to democracy and human rights – and in particular civilian political control – was far from clear.¹⁵

Katawal’s appointment as acting chief of staff in the NA, and his later regularisation in that position was resented by wide sections of civil society on these various counts. But with the shift in attitude after the 2008 elections, the NA came to be seen as a necessary prop of the democratic order in the face of the potential threat of a Maoist takeover.

Concurrently, a certain degree of scepticism about the merits of integrating PLA combatants into peace-time activities, including into appropriate billets in the NA, began to be voiced in the media.¹⁶

There are several key issues that need to be considered when tracking the course of Nepal’s peace process. Four critical issues have been identified from the frequency with which they occur in the civil society dialogue:

- (a) Fixing accountability for war-time violations of human rights and beginning the process of reconciliation;
- (b) Reversing the illicit seizures of land and property that occurred during the war years and agreeing on the principles under which lawful land reforms will be instituted;
- (c) Integrating Maoist combatants into peace-time occupations; democratising the Nepali army in its command structure and its ethos; and
- (d) Agreeing on the future contours of Nepal’s political order.

Retrospective assessments of the peace process have concluded that it was perhaps elite driven and not inclusive in its approach and the various items it brought onto the agenda.¹⁷ Issues were agreed without properly thinking through the full implications. More was offered by the seven-

party coalition that took up the governance of Nepal after the abdication of the king, than was demanded by the Maoist combatants as their conditions for the peace.

To assess how far the basic agenda of peace has remained in public focus through media coverage, this project undertook a monitoring exercise of five Nepali newspapers through two distinct points of time in 2009 and 2010. The results follow.

Monitoring five Nepali newspapers, 2009

Background

The month between August 15 and September 15, 2009, saw considerable political turmoil in Nepal, as the major parties contested the position of the Chairman of the powerful Constitutional Committee. When the post was eventually secured by Nilamber Acharya, a nominee of the Nepali Congress (NC) party, the Maoists intensified their opposition to the government led by the Communist Party of Nepal (United Marxist-Leninist) – most often known by the abbreviation “UML”. The Maoists threatened to create a parallel government. Such political deadlocks have become a major obstacle to the smooth running of the country’s government, a point consistently raised by members of civil society, most prominently journalists, lawyers and intellectuals. This group, which took a leading role in the removal of the monarchy and in the elections soon after, is still active in pushing for more democratic progress.

The period also saw vociferous protests from minority groups for their political and socio-economic rights. As the issue of making Nepal a federal state with ethnically-divided provinces came to the fore of the debate between the political parties, different ethnic groups, such as the Kirat Republican Workers’ Party and the Tharuhat Liberation Army, resorted to street protests and sometimes even violence to get their point across. The *Terai* region of the country remained volatile, with armed groups coming to the fore, both through violence and through dialogues with the government. The Vice President’s refusal to re-take his oath in Nepali, the only official language of Nepal, would also become an integral part of the Madhesi movement’s cause for more linguistic and social rights.

How did the media respond to these key challenges? Did the media live up to its newly acquired status as a critical watchdog that emphasises key incidents and players, and shapes peoples’ understanding? Even when issues of politics occupy centre-stage, does the media succeed in keeping a focus on other critical issues which are crucial to the peace process: such as rehabilitation of the Maoist combatants, land distribution and restitution and justice for the victims of the brutal 14-year-long civil war?

Methodology

In the month between August 15 and September 15, five Nepali dailies (two in English, and three in Nepali) were closely monitored to judge the content and nature of their articles, the biases present in their reporting, and the different perspectives with which they presented the ongoing peace

¹⁴ International Crisis Group, *Nepal’s Future: In Whose Hands*, Asia Report No: 173, 13 August 2009; available at this writing at www.crisisgroup.org, p1.

¹⁵ *Ibid*, p13.

¹⁶ *Ibid*, p2, especially footnote 9.

¹⁷ See Nishchal Nath Pandey, *New Nepal: The Fault Lines*, Institute of South Asian Studies, 2010 (published by Mandala Book Point, Kathmandu).

process in the country. These were: *Kantipur*, *Naya Patrika*, and *Aba* in Nepali, and *The Himalayan Times* and *Republica* in English.

News articles relating to the five identified issues were enumerated; the percentages thus represent the occurrence of these five issues as a percentage of the total number of articles devoted to *these five issues*, and not as a percentage of the total number of articles in the newspapers.

These five issues – the rehabilitation of combatants, land restitution, the political process, civil society/agitators, and reconciliation/justice – were chosen based on discussions with members of the FNJ and the IFJ and on observations of the general trend of reporting in Nepali newspapers.

The following scheme of categorisation was followed, since certain stories could be somewhat ambiguous and may not readily appear to belong within any of the categories:

- Under the head “Rehabilitation of Combatants”, the study classified all coverage of the debates on disqualified combatants, the handling of combatants by the U.N. Mission in Nepal (UNMIN), and the formation of a new army;
- Under “Land Restitution”, the study classified all coverage of policies on land reform and politicians’ comments on land restitution;
- Under “Political Process”, the study classified all stories dealing with the election of CA members, the Prime Minister’s visit to India and other countries, the constitution-forming process, the controversy over the Vice-Presidential oath, Maoist agitations, etc;
- Under “Civil Society/Agitators”, the study classified all the activities of professional groups and unions, the ethnic rights movement and linguistic rights movements.
- Finally, under “Reconciliation/Justice”, the study considered how the civil war’s victims were dealt with in the media, the status of disappeared people, reparations, compensation, and rehabilitation.

The findings of the survey are summarised in the tables that follow, the first of which represents the proportion of front page coverage devoted to each of the identified issues and the second of which provides the proportion of total coverage going into each.

Content of first page (per cent)					
Newspapers/ Issues	Kantipur	The Himalayan Times	Naya Patrika	Republica	Aba
Rehabilitation of combatants	18	9	27	9	0
Land restitution	0	0	0	0	0
Political process	58	86	73	72	75
Civil society/agitators	15	6	0	16	25
Reconciliation/justice	9	0	0	3	0
Total	100	101	100	100	100

Content of total coverage (per cent)					
Newspapers/ Issues	Kantipur	The Himalayan Times	Naya Patrika	Republica	Aba
Rehabilitation of combatants	12	12	9	8	0
Land Restitution	1	1	2	1	3
Political Process	53	45	67	54	27
Civil Society/Agitators	27	41	19	35	70
Reconciliation/Justice	7	1	3	3	0
Total	100	100	100	101	100

Issues revolving around the political process and the creation of a new constitution were found to have the most emphasis in all newspapers, as evidenced by front page coverage. This owes perhaps to the highly volatile nature of the political arena at the time, with the Maoists having threatened to leave the government and start another revolution. Further, the PM’s visit to India and rows over the composition of a number of important constitutional committees, were given a lot of publicity by the media. *The Himalayan Times* was the publication found most likely to have such issues on its first page, devoting 86 per cent of articles within these five issues to the political process. Surprisingly, *Kantipur*, the largest daily, devoted just over half of its front-page articles to the same issue. Land restitution, one of the main declared aims of the CPA, did not figure on the front page of any of these newspapers, demonstrating a lack of activity and interest in that area. Meanwhile, the *Terai*-based, small-circulation newspaper *Aba* devoted 25 per cent of its articles to stories on agitations and civil society groups, more than any other newspaper. This can be attributed to the campaigns then ongoing in the *Terai* for minority rights, and to the fact that *Aba* has a much higher proportion of local news to national news than any of the other newspapers.

The political process still dominated in terms of coverage across the newspapers surveyed, but it was given less emphasis overall than in the front page. It was *Naya Patrika*, and not *The Himalayan Times*, that gave it the most coverage (67 per cent). The issue that obtained the least coverage was reconciliation/justice, which actually earned no mention at all in *Aba*. Interestingly, *Aba* devoted 70 per cent of its coverage to civil society/agitators, and only 27 per cent to the political process, a reversal of the pattern on its front page. This sheds light on the heavy emphasis it gives to citizens voices and local issues. Meanwhile, *Republica*, which is created by active members of Nepal’s civil society, had less coverage of civil-society issues than *Aba* or *The Himalayan Times*. Nevertheless, the newspaper contained many feature and ‘non-news’ stories about individual activists or civil society groups, which reflects its origins.

Average Number of Sources per Article					
Newspapers	Kantipur	The Himalayan Times	Naya Patrika	Republica	Aba
Average Number of Source per Article	1.26	1.30	1.24	1.30	0.70

Sources

Aba and *Naya Patrika* named no specific sources in around one-third of their articles, and *Aba* used less than one source on average per article. The remaining four used just a little more than one. Only around a tenth of the articles in *Kantipur* and *Republica* used three or more sources. Anonymous sourcing was high amongst all newspapers, especially *Republica*.

Number of Sources Per Article (per cent)					
Newspapers/Sources	Kantipur	Himalayan Times	Naya Patrika	Republica	Aba
No Source	16	12	32	19	39
1	42	45	37	40	39
2	29	36	22	32	17
3+	13	6	10	9	4

*Anonymous sources are not counted here.

The share that each stakeholder enjoys in terms of coverage in the media was calculated by observing the sources most likely to be cited in the articles analysed from the period. It is evident that the governmental and non-governmental political sources made up a large chunk of the stakeholders that had the widest coverage in newspapers. *Aba* was an exception, as civil society made up almost a half of its mentioned stakeholders, while the first two stakeholders combined made up only a third. *Republica* and *The Himalayan Times* mentioned civil society members in roughly a third of their articles. Meanwhile, *Kantipur* identified the government as a source the most amongst all the newspapers. Emphasis on civilians or security forces as the key players of issues was very low across all newspapers.

Stakeholders as sources (per cent)					
Newspapers/Stakeholders	Kantipur	The Himalayan Times	Naya Patrika	Republica	Aba
Government	50	34	50	43	26
Political Parties not in Government	13	19	22	8	5
Civil Society	25	41	13	35	47
Civilians	2	2	7	9	5
Security Forces	10	3	8	5	16
Total	100	99	100	100	99

Newspapers Analysed

Kantipur

With a circulation of approximately 210,000, editions in Kathmandu and Nepalgunj, and in Qatar and the United States for the expatriate Nepali community, *Kantipur* is by far the most popular daily in Nepal. It is also the oldest existing private Nepali language newspaper. Amongst all these five newspapers, it devotes the most number of pages to news – five to national news and two to news from the capital, Kathmandu. In comparison to the others, it is the most likely to use more than three sources per article, and is also the least likely to have overt journalistic opinion in its articles.

For a newspaper of its stature and popularity, however, *Kantipur* is still very much reliant on official statistics and quotes for its sources. This reflects a lack of investigative reporting into the subtleties of the story, which is also demonstrated by the lack of coverage of non-mainstream media stories. It is less likely to report on the recuperation of victims of the civil war, or on the issue of land restitution. With its widely spread presence in the country, *Kantipur* would have a great impact in shaping how the peace process played out for its silent players – such as the victims of death, injuries and disappearances..

The Himalayan Times

The Himalayan Times generally shows a high quality of reporting, with minimal sensationalised news pieces and a good mix of politics, civil society and local issues. Out of the five pages devoted to news, two are focused on the capital. Hailed as the premier English newspaper in the country, it still tends to focus mostly on national news and de-emphasises news from the volatile *Terai*, as do the three other newspapers based in Kathmandu.

In the survey period, the newspaper was noticeably critical of the Vice President who had taken his oath of office in Hindi, accusing him of “pushing the nation into another constitutional impasse” (August 31, 2009) by accepting neither to leave his post nor to repeat his oath of office in a recognised language of the nation. A headline in the *Times* accused the VP of thus playing “hooky” (August 31), with the report that followed further criticising him for keeping the PM, the Chairman of the House and other key political players waiting for an oath-taking ceremony that he never showed up at. The newspaper went so far as to position a box on the front page of the September 1 edition, in which it listed the names of politicians who quit their posts to defend their beliefs. Titled “Prestigious Posts Meant Nothing to Them”, this box implicitly accused the VP of coveting a post that he was not worthy of.

Naya Patrika

Naya Patrika is a 16-page, tabloid-size paper that has acquired an identity for running sensationalised headlines on the front page. There is almost always just one story on the front page, and it is presented with large pictures and creative, catchy headlines, such as in a story on the Vice President

who was at the centre of the oath controversy: “Who really is Paramananda Jha” (September 3, 2009), or “They are history!” (September 2), alluding to key members of the constituent assembly who had been absent at meetings for more than 90 per cent of the time, and could potentially be removed from the assembly if appropriate action were to be taken against truancy. This statistic, compiled “exclusively” by *Naya Patrika*, exemplified the investigative and saucy nature of the newspaper’s cover stories. Often such discoveries go unreported in the mainstream media, which is why *Naya Patrika* gives these articles the “Exclusive” label in boldly coloured type.

While *Naya Patrika*'s cover stories include numerous sources and mention a variety of interest groups, the same cannot be said about the remainder of the newspaper. Most of the articles do not have more than one source, and some pro-Maoist journalist opinion is noticeable. These also don't come without their share of rhetoric and innuendo, which could be seen in a wider audience, as detracting from objectivity.

Republica

Republica is the English publication of the recently created New Republic Media Pvt, with the motto: “In pursuit of truth”. Out of its standard 12 pages, only the first three are devoted to national news. Pages 4 and 5 are given to opinions, pages 6 and 7 to Business, and then the remaining to sports, lifestyle and international news. Every Friday four more pages are added to the paper, and these are usually focused on stories of NGOs, activists and individuals. These stories are written with a lot of detail, with interviews of civil society actors and deep analysis. These come under the title of “Unreported Lives”, which demonstrates *Republica*'s interest in investigating issues that normally don't make it in the mainstream media. It highlights the passions of the civil-society team that brings out this newspaper, and also perhaps is an indirect censure of other newspapers and media groups that omit coverage of such important stories.

There are some noticeable slants in *Republica*'s reporting. As mentioned before, the thirty day period of this survey witnessed an acute political tussle between the main parties, and with parliament regularly disrupted by the Maoists, and many constitutional committees unable to function, concrete policy-making was not a realistic possibility. *Republica* was vocally critical of this, placing its criticism of such partisanship in its lead stories. For example, it consistently used phrases like “the failure of the parties to agree on a candidate despite months of long negotiations” (August 31) to push for constructive governance. Another example of the slant in *Republica*'s reporting is its subtle criticism of the Vice President's refusal to retake his oath. As it accused the VP of making “fresh demands” over and over again, *Republica* came under attack of Madhesi youth in the *terai*, who burned copies of *Nagarik*, the Nepali newspaper published by the same group.

Nevertheless, *Republica* remains a high-quality newspaper

with a fresh outlook on what news is and how it should be reported. It gives the most priority to civilians, quoting them more than any of the other newspapers. This shows the desire to go beyond just official quotes and statistics, and look into the heart of the story.

Aba

Aba is the newspaper that is really different among the five surveyed, and this is for two main reasons: It is only four pages long, and hence, owing to its smaller size, can be called a small tabloid. Moreover, it is printed out of Biratnagar, and has coverage of mostly local news. National news almost never gets covered, but there is a continuous emphasis on the nature and degree of insecurity (as evidenced by abductions, murders and the presence of armed groups) in the *Terai* region.

The first page has no more than two stories, and the lead is always presented in a flashy, sensationalised manner. For example, a piece on the rising number of abductions in the *Terai* (August 16) was supplemented with a large cartoon, one-third the size of the entire article, in which an activist of the YCL, the Maoist youth affiliate – seen by many as the reservoir that has absorbed all the combatants who were not registered with UNMIN - was holding a knife to the neck of a girl. The lead stories don't cover major events; rather, they are commentaries or investigations into ongoing trends, such as the rising rate of abortions in a village. These are written with a lot of detail, using a variety of sources, from civilians to professionals to official statistics. Yet, most of the time they also contain overt expressions of journalistic opinion.

The other news pieces are very short, with usually 7-8 short articles per page. These focus on local issues, such as adulteration in petrol, or gold thieves. A large portion of stories are focused on issues of civil society helping small communities, such as teachers giving blood or programs to raise environmental issues. These stories rarely have any sources.

Surprisingly, there is very little coverage of political issues. Rarely was there a mention of the Madhesi campaign, or of the VP oath row and how that affected the *Terai* linguistic rights movement. Although the Kathmandu-based newspapers don't emphasise this either, they have included many stories on the political developments in the *Terai*. The almost-complete lack of emphasis on such issues in *Aba* is thus puzzling.

Conclusions

As is evident from the foregoing analysis, Nepal's print media is comprised of newspapers of different qualities, and with different agendas and focuses. The more successful newspapers allow less journalist bias to enter their coverage. They use more sources, and also have a wider range of articles. On the other hand, smaller newspapers are more likely to sensationalise to sell. This demonstrates how Nepali newspapers are at different stages in the process of attaining the norms of quality journalism.

Newspaper monitoring: 2010

Through a media monitoring exercise undertaken a year afterwards, through the month of August 2010,, the tendency to focus on the high politics, to the exclusion of matters of immediate concern and relevance to the public at large, and in particular those who continue to suffer the traumas of war, remains evident.

The long political stalemate over electing a new Prime Minister remained the top news priority for most of the publications under this monitoring exercise.

On August 7, 2010, all newspapers led their news coverage with the inconclusive round of balloting for the Prime Minister's post that had taken place in the Nepali parliament the previous day. Editorial comment variously characterised the exercise as meaningless, or called upon one or the other party to show more seriousness about breaking the deadlock. Most news stories looked ahead to the following round of balloting which was expected to take place on August 18, with little expectation of a change in the situation.

Certain of the newspapers reported the conciliatory trends evident in some of the parties, and also the sense of frustration among those who were keen to resume the process of constitution formation after factions within Nepali Congress and Unified CPN Maoists were reportedly humming conciliatory tunes.

The role of international agencies and missions also came in for scrutiny, with special attention on the Indian embassy. A Maoist lawmaker claimed having received death threats from a local consular official of the Indian embassy, if he were to continue his effort to induce some of the Madhesi parties to support the prime ministerial claim of Maoist leader Pushpa Kamal Dahal. Other papers reported a threat that the admission of the lawmaker's child in a local school funded by the Indian embassy would be cancelled if he persisted in his political efforts.

Several of the papers reported that the Madhes parties were maintaining their neutrality only on account of pressure from the Indian embassy.

The role of the United Nations Mission in Nepal (UNMIN) also became the focus of controversy as the date for the expiry of its mandate drew near. Since UNMIN proposed a plan for the integration of PLA combatants on July 20, a number of Nepal's political leaders had attacked it for allegedly intruding into the sovereign affairs of the country. The media reflected much of this controversy, which originated in fears among Nepal's main political parties that the UN mission was tilting towards the Maoists.

For some of the dailies, the restiveness of some of the party cadre at the prolonged political stalemate was a story given some priority.

These priorities continued to dominate the news agenda to the first week of September. The role of foreign missions came yet again to the foreground when the Indian embassy was implicated in a war of words between a prominent Nepali media group and an Indian manufacturer of consumer goods for the Nepal market.

Kantipur media group was accused of carrying negative publicity against the Indian company, Dabur, with intent to extort. The Nepali media in turn accused the Indian embassy of pressuring the company into pulling its ad placements from the Kantipur group in retaliation for its independent editorial stance, which was read as being antithetical to India's interests.

The President's effort to break the political deadlock figured as a big item in most newspapers, as did differences between the top three leaders of the Maoists over the best political agenda for the party to adopt.

In their own reflections on these patterns of coverage, Nepal's journalists look at the many professional lacunae that they have to deal with. There is room for serious disagreements, for instance, on the vocabulary that they use. Several newspapers use the terms PLA to describe the Maoist combatants and "Peoples' War" in reference to the ten-year long insurgency. These terms are themselves seen to skew the argument one way and to deprive the concerned media report of much needed objectivity.

Substantive issues such as the shape of the future political order, remain obscure for the vast majority of Nepal's people since the media, in the journalists' assessment, has been unable to render them in a sufficiently clear fashion.

In a recent survey of on political attitudes in *Republica*, the majority of respondents answered "don't know" when asked the question: "How good or bad will be the condition of the country when or if it switches over to a federal system?". A large majority of respondents, likewise, chose not to answer the question on what they thought the bases of the formation of federal states should be.¹⁸

Murder of radio operators creates insecurity

In an environment that is getting progressively more unsettled, three radio operators were killed in Nepal between February and July 2010. The most recent of these was the killing on July 22 of Devi Prasad Dhital, chairman of Tulsipur radio in the mid-western district of Dang.

At the time of his murder, Dhital was campaigning for elections to the local village committee of the Nepali Congress (NC) party, of which he had been an ordinary member for fifteen years. The NC is a coalition partner in the interim caretaker government of Nepal, but local investigators were convinced that the election Dhital was campaigning for was not a high-stakes contest, being merely about local delegates to the provincial and national conventions.

Tulsipur FM, run by a trust that Dhital chaired, is a community radio station set up in 2005 with international donor assistance. The station has since been running on local advertising revenue, which amounts to roughly Nepalese Rupees (NPR) 250,000 (around 3300 USD) a month. The

¹⁸ Jainendra Jeevan, "People's No to Ethnic Federalism", *Republica*, November 25, 2010, p6; accessed on November 30, 2010, from: http://www.myrepublica.com/portal/index.php?action=news_details&news_id=25542.



A press photographer assists a woman injured during Kathmandu street violence
(Photo: Kiran Pandey)

station employs 17 journalists and manages to break even with a certain nominal level of donor assistance for content generation. Government ad placements also contribute significantly to the radio station's viability.

Early in 2010, a journalist working in Tulsipur FM, Narayan Khadka, received a threat via telephone after the station ran a story on a local criminal gang, calling itself the "Tigers" which had burnt down a village school that refused to comply with its extortion demands. Khadka sought refuge in Kathmandu and returned to Tulsipur only after he was assured that the threat had abated.

Local police acknowledge that the "Tigers" are a criminal group that has long been under surveillance and has been, to a great extent, neutralised. The sole witness and her family have since left their home in Tulsipur for fear of their lives.

On February 7, Jamim Shah, chairman of Space Time Networks, a media group with interests in TV and FM Radio, was shot dead in Kathmandu city. On March 1, Arun Singhaniya, chairman and part owner of the Janakpur Today media group, which runs the local FM station and newspaper that Uma Singh worked with, was shot dead in a busy part of the town. Neither murder investigation has made much progress. In the case of Shah, there are suggestions from diverse quarters that the murder was in some way the outcome of the bitter rivalry between intelligence agencies from neighbouring states, which often makes strategic use of business houses to achieve their ends.

Two local armed groups – the Terai Janatantrik Party (Madhes) and the Janatantrik Terai Mukti Morcha – claimed responsibility for the Singhaniya murder. Singhaniya's killing is believed to have had something to do with his media organisation's editorial position on political matters regarded by the Madhes armed groups to be vital. This is consistent with a pattern of behaviour of these groups, since at least three of the five suspects who are currently under arrest in the Uma Singh murder have all been associated with one or the other of the *Terai* militant groups. There was a grim sequel to the Janakpur murder, when Pramod Shah, director of Radio Janakpur, was brutally assaulted at his home on the evening of July 18 by a group of about eleven persons armed with

heavy rods and canes. Shah sustained deep injuries to his head and back.

Though the police swiftly arrested three of the supposed attackers and claimed that they were all under the influence of psychotropic drugs, there is no denying the Janakpur Today as a media group has valid reason to consider its very existence under threat.

Focus group survey of journalists

As part of a series of workshops held in three different cities of Nepal, an informal focus group survey was conducted among Nepali journalists. Fifty journalists were involved in the survey which was conducted to ascertain how they saw themselves and their professional functions as contributing to or detracting from the peace process. The majority of journalists had multiple professional engagements, working concurrently for local and national media. Several worked simultaneously for both radio and print media. The vast majority were again, working for Nepali media, though there were some who were engaged in broadcasts in Maithili, Tharu, Limbu and other of the "languages of the nation".

Few journalists had a very clear idea of the nature of the audience they were addressing, other than in terms of broad linguistic groups. And then, because of the poly-lingual character of much of the people in their local communities, this identification too was rather loose. Journalists with well-defined political loyalties were clear about the kind of news that they would give priority to. They emphasised though, that this did not come from any form of partisan political loyalty, but commitment to a broader cause, such as "peace" or "social justice" or "democracy". There were a few who explicitly stated that they saw their professional commitment as a "mission". Otherwise, they had no system of receiving audience feedback and were in a sense going by their own understanding of what would be appropriate in terms of matter, content and tone of coverage.

Journalists by and large see an improvement in their situation post conflict, though a majority in Nepalganj felt that circumstances had in fact, only got more difficult. During the years of conflict, the Nepalganj journalists say, they had only to watch out for two contending parties: the state and the Maoist rebels. Since the CPA and the fission of the erstwhile rebels into multiple underground groups with a professed ethnic mooring, the sources of potential threat have increased manifold in number. To the relative predictability of the combatants' agenda and conduct during the years of declared conflict, there has been added an element of uncertainty, because of the intrusion of overt criminal motives into the armed groups' actions. Attacks on journalists, many of them fatal – as with Dekendra Thapa and Birendra Sah – in earlier times had a clear political motive. But today, the motives could be just about anything.

Several of the journalists felt that the four issues identified as key in the peace process are given a "fair" amount of coverage. A major deficiency that has been identified is that the coverage still is highly derivative of the "high" politics

and driven to a large extent by the agenda of Nepal's main political parties.

The active processes of reconciliation, if any, are refracted through the back-and-forth relationship between political parties. Local level politics remains tense because of the tendency for every little aspect of civic life to be politicised and drawn into the contentious relations between the country's political parties. This renders a constructive approach to civic issues virtually impossible for journalists, who often fear getting trapped in the political crossfire.

The four issues of special significance for the peace process enjoy different orders of priority in the newspapers and media platforms that were represented at the roundtables. The rehabilitation of Maoist combatants for instance, is an issue that is for the most part, reported through the statements of the top politicians. There have been few efforts to directly access the cantonments where the Maoist fighters are confined, to record the situation there and disseminate what is happening there.

In the context of recent media reports expressing serious alarm over the laxness of UN supervision over the cantonments, that is, what they feel about the entire process. There have been allegations for instance, that a Maoist leader who was implicated in an extortion and robbery racket had evaded arrest by sheltering in the Shaktikhor cantonment, because UNMIN supervision was simply too loose.

Similarly on the issue of land restitution, the media in the district towns only feel emboldened to raise specific instances where it is called for, when they have the prior endorsement of some local notable. As the case of Uma Singh shows, the land question can stir up emotions that few journalists want to confront without ironclad assurances of support from their employers and sufficient trust in the law and order apparatus.

On federalism again, the media discourse remains derivative. There is here a serious issue of capacity involved, as the entire debate is new to Nepal.

Journalists in Nepal today recognise that they are often forced to make the choice between sticking to the basic creed of dispassionate objectivity and speaking out actively for the cause of peace and democracy. A number of them are willing to say that their approach to their job is that of a mission, though several, especially those who work in the more established media institutions, are careful to underline the virtues of distance and neutrality.

There is the recognition that editorial and journalistic decisions cannot under all circumstances, maintain this sense of distance. Journalists also think that in the context of the peace process and the transition to a truly republican democratic order, objectivity may be an impediment to an engaged mode of reporting that contributes towards positive change.

Reporting on the vivid and often violent rhetoric that political figures have been using, especially in recent times, with the peace process seemingly deadlocked, is a professional challenge. Ignoring the most blatant cases of political hate-speech would be unprofessional. Reporting these without

seeming to endorse the underlying sentiment though, is a professional challenge. It calls for the judicious use of multiple sources which are able consistently to reflect on every event in terms of the broader implications for the peace process.

Journalists recognise that the post-conflict situation in Nepal does not yet bear sufficient assurance that there will not be a relapse into violence. They characterise the current situation as one where the potential for violence is inherent in the delicacy of the political transition underway. And the institutions that could mediate between the competing demands and beliefs of different groups are yet to be built up.

The potential for conflict is inherent but yet to acquire overtly violent forms, since the political process is seen to be still working towards a constitutional outcome that safeguards all interests. But journalists recognise that there are several sources of hidden and structural violence present, such as:

- Social discrimination;
- Unequal distribution of power;
- Deprivation of basic necessities;
- Skewed distribution of the means of livelihood;
- Institutional biases against certain social groups;
- Over-centralisation of the political system;
- Lack of opportunities for all to assert their interests
- Cultural biases of certain groups;
- Denial of the equality of traditionally deprived groups; and
- Poverty and illiteracy.

Media practitioners recognise that the truce that now prevails is condition. It will become permanent only when the disagreements and disputes that led to the conflict are resolved to the satisfaction of all parties.

Very few legal systems anywhere in the world institutionalise forms of discrimination against any particular social group. Many in fact, explicitly outlaw these forms of discrimination.

But legal systems every where have been known to fail when it comes to correcting traditional patterns of discrimination. This could be because of institutional weaknesses or because dominant social groups are able to undermine the working of these institutions

Journalists recognise that in reporting conflict, they need to be particular attentive and sensitive to the sources of hidden violence. This is especially the case in post-conflict societies, where a ceasefire has been achieved but not yet a comprehensive peace.

Often these remain dormant for long and break out in direct physical violence in response to seemingly unrelated events. Ending the physical violence is often not enough, since it will recur cultural and structural violence are ignored.

Media professionals are struggling to cope with the complexities of rebuilding after the conflict, since there has been a loss of trust, confidence and dignity. That apart, there has been damage to social services, social networks, leadership and psychological health.

Political parties are yet to fully shed the adversarial images they had of each other through the years of conflict. And

the role of regional organisations, international donors, diplomatic missions, and civil society actors is yet to settle into a familiar and recognisable groove.

Journalists need in the circumstances, to interpret the hidden sources of conflict in ways that are many-dimensional, appropriate to the complexity of the situation. Indeed, when the media are able to pose the nature of the conflict in more ways than one, their audience would be alive to more possibilities of resolution.

Journalists should in this sense, seek out more parties and points of view on any conflict. They should not just repeat old grievances by the old elites. Journalists should examine which are the parties that are approaching the conflict with the clear intent to resolve it and which are seemingly more inclined to perpetuate it. These should be written about clearly. And journalists should acquire the professional and practical skills to meet with people of different backgrounds, ethnicities and interests and seek out their viewpoints in a manner that does them justice and minimises the possibility of misunderstanding.

Imperatives of a code of practice

The situation for journalists was seen to be one of proliferating threats with no assurance that the state agencies would be effective in maintaining safety and security. Journalists are often unable to resist the pressures and blandishments of these groups and often throw in their lot with them. A serious ethical crisis has ensued with journalists especially in the *Terai*, becoming accomplices if not active agents of criminal gangs engaged in abductions, extortion and timber smuggling.

In the circumstances, the journalists who participated in the focus groups found much of value in the example of colleagues in the Indian state of Manipur, who had united in October 2001 to adopt a shared code of conduct.

The code is actuated by the complex mix of objectives: to reassert editorial autonomy in the news dissemination process, while providing fair coverage to voices of dissent and ensuring that the media are not seen under circumstances as accessories to acts of violence.

The first challenge the media had to face was that of identifying what voices of dissent have a legitimate claim to being represented in the media, irrespective of their status under the law. A basic requirement that the media has imposed, is that every statement or claim should have an identifiable source. And that once the source is identified, the editor will decide on how strong the claim to fair coverage is. Any invitation to a press conference, similarly, should have an identifiable source and press releases should be duly signed and bear an organisational seal on its letterhead. All invitations and press releases should be distributed by the

organisation concerned and in no instance will a journalist or a media organisation take on the responsibility on behalf of any political group.

In the context of Nepal, where journalists often by compulsion or by choice take on the responsibility of getting the word out on behalf of various political groups – including armed underground outfits – these provisions were seen to be very relevant by most participants in the focus groups.

The Manipur code similarly stipulates that when rival claims are made by organisations that conform to all the above requirements, the editor will use his discretion and in most instances, give equal space to both. If there is a threat to human life inherent in any of the claims, the editor will have the right to delete the offending sections from any statement.

All media organisations and professionals will follow the norms of journalistic conduct laid down by the Press Council of India, in matters involving sensational and insensitive portrayals of events or personalities. Editors would take full responsibility for the tone and content of their coverage, including for omissions and commissions that may be regarded as offensive.

Where there are legitimate expectations or anxieties that a particular news report could create communal tension or offence, editors would have the right to delete or omit the concerned material. In all but the minor grievances that could be settled through a letter to the editor of the concerned news organisation, the local union, i.e., the All Manipur Working Journalists' Union (AMWJU) would be the first agency or institution that should be approached by any aggrieved person. The local union would address the concerned grievance according to a transparent set of norms and criteria. And if there has been a violation of the code of conduct, it would institute appropriate sanctions.

Needless to say, the problem with the Manipur code has been, most significantly, to institute the kind of sanctions that could deter repeated breaches. A further source of difficulty is the unrelenting attitude of the state government and the security forces deployed in large numbers in Manipur. Such constraints are absent in Nepal, thanks to the favourable legal environment that the country still functions under.

The Nepal Press Council has indeed put out a code of journalistic conduct and the FNJ has for its part, signed on to most part of it in a code it has evolved on its own. The problem here has been implementation and a certain lack of support from other media stakeholders, such as the proprietors. Profit imperatives and political motivations that drive the media are often in conflict with professional standards. And the FNJ has identified tightening up ethical practices and professional standards as a key challenge, moving forward into a decisive phase in Nepal's political transition.



The IFJ is a non-governmental, non-profit organisation that promotes coordinated international action to defend press freedom and social justice through the development of strong, free and independent trade unions of journalists. IFJ Asia-Pacific coordinates IFJ activities in the Asia-Pacific region. The IFJ works closely with the United Nations, particularly UNESCO, the United Nations OHCHR, WIPO and the ILO, the International Committee of the Red Cross, the European Union, the Council for Europe and with a range of international trade union and freedom of expression organisations. The IFJ mandate covers both professional and industrial interests of journalists.

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