



# CLAMPDOWNS AND COURAGE

IFJ SOUTH ASIA PRESS FREEDOM REPORT 2017-2018

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**Editor:** Laxmi Murthy

**Special thanks to:**

Ujjwal Acharya  
Laili Begum  
Faheem Dashty  
Sunanda Deshapriya  
Sara Farid  
Sarah B. Haider  
Alexandra Hearne  
Pulack Ghatak  
Nishita Jha  
Sujata Madhok  
Sukumar Muralidharan  
Maryam Mehtar  
Lubna Jerar Naqvi  
Adnan Rehmat  
Nadia Sabohi  
Ehsan Ahmed Sehar  
Sharanya Sekaram  
Geeta Seshu  
Nadia Sharmeen  
Jane Worthington  
Faisul Yaseen  
Needrup Zangpo

**Design by:** LX9 Design  
[louise@lx9design.com](mailto:louise@lx9design.com)

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**Cover Photo:** Students and activists holding 'I am Gauri' placards take part in a rally held in memory of journalist Gauri Lankesh in Bangalore, India, on September 12, 2017. The murder of Gauri Lankesh, a newspaper editor and outspoken critic of the ruling Hindu nationalist party sparked an outpouring of anger and demands for a thorough investigation. CREDIT: MANJUNATH KIRAN / AFP

**This spread:** Indian journalists take part in a protest on May 23, 2017 after media personnel were injured covering clashes in Kolkata between police and demonstrators who were calling for pricing reforms in the agriculture sector. CREDIT: DIBYANGSHU SARKAR/AFP

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## CONTENTS

1. FOREWORD	4
2. OVERVIEW	6

### SPECIAL SECTIONS

3. IMPUNITY	10
4. RURAL JOURNALISTS	18
5. GENDER - #METOO AND THE MEDIA	26
6. INTERNET SHUTDOWNS	32

### COUNTRY CHAPTERS

7. AFGHANISTAN	38
8. BANGLADESH	44
9. BHUTAN	48
10. INDIA	52
11. MALDIVES	62
12. NEPAL	68
13. PAKISTAN	74
14. SRI LANKA	80

### VIOLATIONS AND JOURNALIST SAFETY INDICATORS

15. LIST OF MEDIA RIGHTS VIOLATIONS BY JOURNALIST SAFETY INDICATORS (JSIS), MAY 2017 TO APRIL 2018	88
Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, Sri Lanka	
16. JAILED AND DETAINED JOURNALISTS IN SOUTH ASIA	100
May 2018	



# FOREWORD

As we fight for journalist rights for another year, there's a pervading sentiment emanating through the collective discourse of media workers in South Asia. It is audible in the street demonstrations and protests of media workers.

It is there, between the lines, in journalist union statements and in formal calls to government to do more for safety and protection of media workers. It is written boldly and plainly in the protest placards and banners carried by activists in cities and regional centres; raw emotions and brave statements etched out each and every time yet another attack or killing takes target on a journalist. It is evident in the robust defence that plays out on social media against the obscene trolling of women journalists and secular bloggers in the online space.

It is heard every time a journalist is jailed or detained on spurious and dubious charges, and in the passionate defence and campaigns delivered by colleagues and family for their release. It is the disturbing undertone in the ongoing discourse on the scourge of fake news that is taking over the online space as well as mainstream media. And it is there in the bleak silence of the many internet shutdowns that are plaguing freedom of expression and human rights in South Asia.

In this vast and diverse region that is increasingly divided by political extremism and suffering under authoritarian regimes with little regard for freedom of expression or the public's right to know, one of the clear things that unites South Asia's media is the shared experience of challenging clampdowns and control. The juggernaut of ever-evolving economic, social, cultural, political and, now, technological impacts, is putting the profession of journalism under pressure like never before.

Legacy media is slowly but surely being dismantled or disembowelled, increasingly to push the agendas of media owners or powerful political and business interests. Wages and job permanency have been the casualty of an information revolution, that has left fewer journalists working harder than ever before. The pervading question is: what kind of future will it be for South Asia's journalists? After the storm, what will this new media landscape reflect? With the current trajectory of clampdowns and increasing controls, one could be forgiven for pessimistically thinking, if there will indeed be one and if press freedom can indeed survive.

As we release this year's South Asia Press Freedom Report, *Clampdowns and Courage*, Afghanistan's media has endured one of its darkest days and is in national mourning after another heinous suicide bombing and deadly targeted attack. At least 10 journalists lost their lives in a single deadly day on April 30, 2018 – nine in a suicide bomb attack in Kabul, where the killer disguised himself as a reporter at the scene of an initial bomb blast. Among the victims was AFP's chief photographer Shah Marai, who was responsible for many of the compelling images in this report from across Afghanistan. In a separate incident, Ahmad Shah, a young journalist



On April 30, Afghanistan's media endured one of its darkest days after another heinous suicide bombing and deadly targeted attack. At least 10 journalists lost their lives, nine in a suicide bomb attack in Kabul, where the killer disguised himself as a reporter at the scene of an initial bomb blast. In a separate incident, Ahmad Shah, a young journalist with the BBC's Pashto service, was shot dead by unknown gunmen in Khost province. Credit: Screenshot/TOLO News

with the BBC's Pashto service, was shot dead by unknown gunmen in Khost province. Our deepest sympathies go to all our colleagues in Afghanistan who have lost 22 colleagues in this one single year of review. Sadly, this epitomises the brutality of that country's working environment, where the Taliban and the Daesh frequently target media and journalists while the state remains clearly unable to provide any security to them.

In India, we saw a nation in mourning after the brutal shooting of respected firebrand journalist Gauri Lankesh in the heart of tech-city Bengaluru. In the aftermath, the protests in defence of media took over the country and ignited a solidarity that went beyond India's borders across the region and epitomises the

sentiment of this year's report.

We document the clampdowns, repression and muzzling by legal means and more. But we also pay tribute to the other factor that unites South Asia's media – and that is courage.

In the face of adversity, its media fearlessly perseveres, despite the suffering and despite increased controls and criminalisation of their craft. We give special focus to the many rural journalists in small towns and villages who risk their lives to bring their stories to their communities and beyond. We shed light on the political crisis that is enveloping the Maldives and the ongoing conflict in Kashmir, with strong messages of resilience coming from both. We also document the impact of the #metoo movement as we hear from women

journalists across the region about the insidious impact of sexual harassment and how they are bravely working to change the story. And we reveal journalists jailed, detained or disappeared for simply trying to do their job.

For these reasons and more, *Clampdowns and Courage* encapsulates a record of this past year and the work of many. And, most importantly, we hope it will continue to support the South Asia Media Solidarity Network to continue its campaign for justice – because that is what we all deserve.

**Jane Worthington**  
IFJ Asia-Pacific



## OVERVIEW

The South Asian region remained vulnerable to the wave of populist authoritarianism evident elsewhere in recent years. The practice of journalism is deeply affected by these trends. Internet-based news platforms and social media continue their rapid growth, pressuring traditional media to evolve new modes of adjustment and accommodation. That new compact remains elusive and if anything, traditional media is pushing back by abandoning older and more valued attributes.

The internal political context in most of the eight South Asian countries, is marked by sharpening political polarisation. Afghanistan, Bangladesh, the Maldives and Pakistan are scheduled to conduct national general elections later this year, and all these countries pose special challenges for journalists seeking free and fair access to news sites and non-hostile reporting environments.

Highlighting the insecure lives of journalists in war-torn **Afghanistan**, as many as ten journalists were killed on April 30, 2018. In addition to a journalist being gunned down in Khost in Eastern Afghanistan, nine journalists, including a female journalist, were killed in the line of duty in Kabul when a suicide bomber disguised as a journalist detonated himself among the reporters and camera crew who had rushed to cover an earlier suicide blast. A radical group that originated in the prolonged conflict in the Arab world claimed responsibility for the attack, in which more than 50 people were killed. This deadly attack in one of the most fortified areas of the capital city follows a lethal blast at a voter registration centre just a week before which killed more than 50. A radical group that originated in the prolonged conflict in the Arab world claimed responsibility for the suicide attack.

Since Afghan President Ashraf Ghani announced a policy of negotiations with the Taliban – the country's erstwhile rulers who have re-emerged as a ferocious guerrilla army – there were hopes that the politics of reconciliation may triumph over the long running insurgency. Media practitioners who have negotiated their own modes of engaging with the known threats while standing by professional codes, may have had reason to hope for an abatement of the daily hazards they face. The arrival of the alien radical element in Afghanistan and the brutal demonstration of its power to strike at will at the heart of the country's democratic process, considerably raises the level of menace.

Afghanistan's journalists are not entirely aware of the multiple directions from which threats emanate. Armed

insurgents have carried out a number of targeted killings, but equally, there are hazards arising from potentially being at the wrong place at the wrong time and getting caught in crossfire or a blast. An official attempt to investigate every such instance since the political transition began in Afghanistan, has been launched with the cooperation of the country's journalists. Progress however, has been slow and an environment of trust between the political establishment and the country's media practitioners is yet to be built. Assaults on journalists by political figures and their associates have been common, typically triggered by some form of critical reporting.

After the last general election to its national parliament, the Jatiya Songsad, was boycotted by the principal opposition,



Indian journalists and photojournalists hold placards during a silent rally in Kolkata on April 11, 2018, to protest against the harassment of journalists by police across the state of West Bengal in India. Credit: Dibyangshu Sarkar/AFP

**THE ARRIVAL OF THE ALIEN RADICAL ELEMENT IN AFGHANISTAN AND THE BRUTAL DEMONSTRATION OF ITS POWER TO STRIKE AT WILL AT THE HEART OF THE COUNTRY'S DEMOCRATIC PROCESS, CONSIDERABLY RAISES THE LEVEL OF MENACE.**

**Bangladesh** faces another potentially divisive election before the end of the year. The government has ruled without serious opposition within parliament for an entire term, but has found it difficult to contain the forces of bitter partisanship on the street. This has infected the functioning of the media, with journalists often having to pick sides or risk being ostracised by both contending parties.

A proliferation of media outlets across all formats – print, visual and online – with no clear regulatory philosophy, has contributed to an erosion of trust of journalism in Bangladesh. Media practitioners and journalists who seek to uphold certain values, find their status questioned by association with the wider cohort of political operatives. For instance, securing a statutory wage board to stipulate appropriate levels of compensation for journalists – as provided under Bangladesh's national law – has proved an uphill struggle for the country's unions.

The government in Bangladesh has also armed itself with extraordinary powers to police the online and social media space. The number of arrests and prosecutions launched far exceed the capacity of the judicial instruments created under

the law and often amount to a form of punishment without trial. This has caused some disquiet and the possibility of organised protests, especially from Bangladesh's growing population of bloggers.

**Pakistan** also witnessed an effort at intensifying online policing through a newly enacted law on electronic crimes. Authorities brought into play certain over-broad definitions of criminal activity, such as maligning national institutions and spreading "anarchy and extremism" to target particular journalists and media houses. Incidents of arbitrary detention and torture have been reported. And journalists who suffer the misfortune of being charged under the law, will potentially have to bear that millstone for long years.

Pakistan's electronic media regulator remains prepared to suspend all broadcasts under the slightest duress, as with a street demonstration that threatened to paralyse life in the national capital Islamabad and the adjacent city of Rawalpindi in November. There was in the course of the year, an effort to apply the same regulatory template to the print media, which was hastily withdrawn amid considerable embarrassment for the authorities, as the industry pushed back strongly.



## BETWEEN THE FEAR OF A VIRAL SPREAD OF RUMOUR AND THE POSSIBILITY OF USING THESE CHANNELS TO QUIETEN A POSSIBLE CONTAGION, THE PAKISTANI AUTHORITIES CLEARLY TILT TOWARDS THE FEARFUL SIDE.

Disconnecting the mobile phone and internet services continue being among the first recourses for Pakistan's federal and state authorities in any context of possible unrest. The national capital region of Islamabad and Rawalpindi has been visited with this manner of a ban five times over the course of the year. In lesser contexts of the apprehension of public disturbances, the social media sites are principal targets. Between the fear of a viral spread of rumour and the possibility of using these channels to quieten a possible contagion, the Pakistani authorities clearly tilt towards the fearful side.

In the vastness of **India**, there is no time when electoral competition is absent from one corner or the other. Recent years have witnessed the menace of commercially strapped media houses selling print space and broadcast time to candidates and political parties, to make good a rapid shrinking of advertising revenue. The Election Commission of India has since made it a standard practice to set up watchdog bodies to monitor the media in the context of election campaigns, to detect when unfair means may be in play. So far, only candidates engaging in the practice have been held liable, on charges of concealing campaign expenses. The media industry has suffered an erosion of credibility and also faces a movement in civil society, to hold it liable under law for this category of abuse.

Recent election campaigns have also been junctures when the vast and relatively unfettered media industry in India has begun choosing sides with an unaccustomed fervour. There is a suggestion here of journalist autonomy being forced to take a backseat while the corporate interest of the media owner dictates editorial policy. The growing partisanship is also seen as a strategy of gaining traction in the social media space through promoting certain stories with hyper-partisan taglines. The unresolved issue of evolving a viable revenue model for the new context of exploding connectivity, is clearly taking an ethical toll. As India goes through a busy schedule of state-level elections through the second half of the year, and moves towards potentially a fiercely contested national general election early in 2019, the media will be under watch, perhaps as much as it is watched or read.

The social media space, inherently so difficult to monitor because of the sheer volume of information transacted through it, is expected to become a major battleground as elections approach. The last national general election of 2014 witnessed a significant increase in the use of social media, though one party proved to be far ahead of the game than all others. In the years since, these campaign strategies have been discovered and to some degree discredited. There is also a more vigorous fact-checking ecosystem that has grown and is quick to challenge patently spurious social media posts.

Charges of “fake news” are freely traded, often with the fact-checkers being accused of the very vice that they seek to curb. The issue has been taken on board the regulatory agenda, though not in a manner that inspires great confidence among those worried about the corrosive impact of spurious news and information on the standards of civic and political life.

Social media came under the scanner in **Sri Lanka**, when the highland town of Kandy erupted in sectarian violence in March. After setbacks that the coalition elected to power in 2015 suffered in provincial and local elections, this outbreak seemed an ominous warning that the post-war reconciliation process was in danger of rupture. Further turbulence seemed to engulf the coalition when the Prime Minister had to face down a no-confidence vote in Parliament.

The Sri Lankan government responded to the violence in Kandy by declaring a state of emergency and imposing a ban on social media, an almost reflexive response among all governments in the region. In Sri Lanka though, civil society organisations seem to have stepped up to challenge this action and try to bring some degree of nuance to the debate on how social media is best governed. Civil society groups have written to the government of Sri Lanka and also the management of Facebook, seeking a serious engagement with the issue, to find mutually agreeable pathways towards a sane governance policy.

A brief improvement in the media environment in the **Maldives** ended when the island republic's democratic transition went off the rails. Ordered by the Supreme Court of the Maldives to release a number of political prisoners, the President of the Republic chose instead to imprison the offending judges and lay siege to parliament. In the course of that extraordinary political turn, a number of media outlets were shut down, particularly those that have been consistently inclined towards the opposition in editorial approach.

Where the heavy-handed closure is not a recourse, the Maldivian authorities have brought charges under draconian clauses of the law dealing with national security. A series of defamation and libel suits have been lodged to shut down any manner of criticism. The repression it is feared, could only worsen as the country heads towards presidential elections in October this year.

**Nepal** affords a relatively placid picture through a rocky year for most of South Asia. Since the political transition began in the early part of the century, Nepal has witnessed intense internal schisms over ministry formation and the drafting of its republican constitution. Indecisive electoral outcomes and hung parliaments made government formation a story of one briefly lived coalition after another. And disputes over power-sharing between the centre and the provinces and the empowerment of ethnic and linguistic



Pakistani journalists take images of the court verdict against the accused in a lynching case posted on a notice board outside the central jail in Haripur district on February 7, 2018. A Pakistani court sentenced one person to death and five others to life imprisonment for accusing a fellow-classmate of blasphemy and lynching him, in a highly-charged case. Last April, Mashal Khan, 23, was stripped, beaten and shot by a gang of mostly students before being thrown from the second floor of his dorm at the Abdul Wali Khan University in the northwestern city of Mardan. Credit Aamir Qureshi/AFP

minorities, made the latter an endlessly contentious process.

Constitution writing was finally concluded in 2015 and in multi-level elections held 2017, a seemingly cohesive coalition won convincing majorities, promising a period of relative political stability. As the new constitution takes effect and a host of legal changes begin to exert their influence, the media will also be obliged to change its mode of working. There may be for instance, a greater migration of media towards the provincial and local levels, unlike now, when it seems clustered rather heavily around the national capital, Kathmandu.

Political office holders and certain constitutional functionaries would likewise, have to respond to media coverage with an ability to distinguish between their institutional and individual roles. This aspect was highlighted through the year in contempt proceedings that the country's Chief Justice launched against a newspaper for reporting certain discrepancies in official records of his age. A confrontation between the media and the police force in a province of Nepal occurred over the publication of the performance appraisals of certain police officers. An avoidable precedent could have emerged from the police demand that the media reveal its sources.

Other stories reporting malfeasance in government agencies and public corporations have attracted threats of retribution. The institutional means of grievance redressal obviously still have a long way to go before they gain general acceptance.

**Bhutan** will also go to the polls towards the end of the year to elect its third National Assembly since beginning the transition to a constitutional monarchy in 2008. Elections to the twenty seats in the upper house – the National Council – will conclude before that. A new constitution is in place and a number of laws have been enacted with implications for media functioning. There are worries that in the effort to play safe, the laws may tilt towards restraining media freedom.

Bhutan will face a challenge in instituting a culture of competitive and professional journalism in a context where internet based platforms and the social media seem to be taking over the space for information transactions. In that sense, its challenges differ from other countries in South Asia, where traditional media are struggling to cope with the new communication technologies.

Concerns over the “viral effect” that could be engendered through the social media are acute in all South Asian democracies. There is also much worry over the absence of a professional process of curating content posed on social media. In polarised political milieus, journalists who take to social media to insist on adherence to traditional values of the profession, often become targets of abuse. These come frequently with threats of physical violence, a hazard that women especially are prone to. All countries in South Asia face in this sense, a common challenge of overcoming the new spirit of incivility which has fused in social media practice, with traditional patriarchies.



# IMPUNITY

## AWAITING JUSTICE

Two days before the UN International Day to End Impunity for Crimes against Journalists (IDEI) on November 2, 2017, Kshitij Kumar, a journalist with the online portal The Quint, received a terse ‘apology’ of sorts from the Delhi Police:

“Today was particularly bad because of stone pelting injuries. It was a mix-up, we are sorry.” The journalist had spent over two hours in a police lockup in New Delhi, after having had his footage of a slum demolition forcibly deleted.

This incident was relayed by his colleague Meghnad Bose at a meeting to observe IDEI, hosted by UNESCO in New Delhi. Bose himself was assaulted by the Delhi police in May 2017, while covering student protests. “If this is our fate in India’s capital, what must be happening to journalists in small towns and cities?” he asked.

However, it is not just in small-towns and villages that investigations are tardy. It was only six months after the murder of prominent editor Gauri Lankesh in the heart of tech-city Bengaluru in September 2017, that one of the accused, the suspected supplier of firearms was nabbed. The actual shooters are still at large.

Given this attitude of the law-enforcers, the struggle for justice is a long and painful one for the survivors and for families of those killed, their colleagues and journalists’ organisations. For some, there is no end to the punishing process. For others, the process doesn’t even begin.

When journalists dissent, uncover corruption or record patently illegal acts, they become targets. In India, over the last two decades, more than 30 journalists have been killed as a direct result of their professional work. The rate of conviction continues to be near-zero and the long road to justice is fraught with poor investigation, political pressure that often lets accused abscond or roam scot free and interminable trials that have not secured a single conviction to date. Ultimately, the incidents of crimes against journalists occur with impunity because those in power know they can get away with it.

There is no quick fix. We know impunity is a warning of the breakdown of rule of law and democracy and contributes to the increase in murders and attacks. When journalists are threatened or attacked, the support of their colleagues and their employers will go a long way to combat impunity. We stage protests and release reports offering recommendations for change. We campaign to draw global attention to the weaknesses and failings of governments, courts and state forces in tracking down and prosecuting perpetrators. We follow cases and call on governments and their leaders to bear responsibility for the deathly smear that blights countries like Afghanistan, Bangladesh, Pakistan and India.

In countries like Nepal and Pakistan, effective media monitoring networks keep tabs on violations as they occur and continue to push for meaningful change. In Pakistan, strengthening the capabilities of journalists to operate with more preparedness about risks, are beginning to make impact but progress is still painfully slow. In Afghanistan, efforts to



Indian demonstrators hold placards with the picture of Indian journalist Gauri Lankesh during a 'Not In My Name' protest in New Delhi on September 7, 2017. Indian activists, politicians and journalists demanded a full investigation on September 6 into the murder of Gauri Lankesh, a newspaper editor and outspoken critic of the ruling Hindu nationalist party whose death has sparked an outpouring of anger. Credit: Sajjad Hussain/AFP

**IT WAS ONLY SIX MONTHS AFTER THE MURDER OF PROMINENT EDITOR GAURI LANKESH IN THE HEART OF TECH-CITY BENGALURU IN SEPTEMBER 2017, THAT ONE OF THE ACCUSED, THE SUSPECTED SUPPLIER OF FIREARMS WAS NABBED. THE ACTUAL SHOOTERS ARE STILL AT LARGE.**

bring the government to the table and meaningfully commit to making journalists safer are yielding some gains. Sadly however, in Bangladesh, India and the Maldives, the lives of media workers’ bear little regard in the wider state interests. So long as that climate remains unchanged, the numbers mount.

Away from the reports and indices, the families do not give up their struggle for justice. Anshul Chhatrapati, 35, son of Ram Chander Chhatrapati, a journalist based in Sirsa, in Haryana state in North India, has been fighting the case against his father’s killers for 16 long years. (See Box, pg 14).

### PAKISTAN: TIME FOR A MODEL LAW

Overwhelming impunity crimes against journalists continues to characterise Pakistan’s media environment. Not only was there no conviction of any of the attackers of at least 115

cases of journalists killed in Pakistan since 2000 that remain unsolved, in one of the cases where conviction was achieved at the primary stage of justice, there was a slide. Aminullah Niaz, the alleged killer of *Jang* daily journalist Ayub Khattak, who was murdered in 2013, was in 2017 exonerated by the Peshawar High Court and set free. This happened one year after he was found guilty of Khattak’s murder and awarded a life sentence by a lower court in March 2016. In only two other cases have convictions been achieved – in the cases of murders of *Geo News* reporter Wali Khan Babar and *Wall Street Journal* reporter Daniel Pearl. In both cases those convicted have gone into the appeals process and remain formally unpunished, making Pakistan one of the countries with the poorest records against impunity.

For some years the movement in Pakistan for enacting a special legal framework on improving safety and security of journalists has intensified. The media stakeholders, particularly journalists and information practitioners, have continued to demand a comprehensive legislation to combat impunity for crimes against journalists. Responding to these demands, the federal government initiated the process to draft a law on journalists’ safety in 2015. Building upon the earlier drafts – one prepared by a Senate Standing Committee, headed by Senator Raja Zafarul Haq, in 2011, and another submitted by Sahibzada Tariq Ullah and others in National Assembly in 2014 – the government drafted the Journalists Welfare and Protection Bill, 2017. This bill was criticised and rejected by the stakeholders, including the





## WE KNOW IMPUNITY IS A WARNING OF THE BREAKDOWN OF RULE OF LAW AND DEMOCRACY AND CONTRIBUTES TO THE INCREASE IN MURDERS AND ATTACKS.

Pakistan Federal Union of Journalists (PFUJ), which represents Pakistan's 20,000 journalists. Others, including the Pakistan Broadcasting Association (PBA) and All Pakistan Newspapers Society (APNS) also did not support the bill for various reasons. Upon an initiative from the Senate in November 2017, a new alternative draft model law on journalists' safety was developed in collaboration with the PFUJ, the media associations and the government through a subcommittee of the Senate's Standing Committee on Information and Broadcasting in January 2018. The draft, however, failed to be tabled as three-yearly Senate elections intervened in March 2018. The new Senate is expected to table this long-awaited legislative draft and adopt it later in 2018.

### SRI LANKA: LETHARGIC INVESTIGATIONS

Progress around ending impunity for media rights violations, has been slower than expected. The United Nations High Commissioner for Human Rights pointed out in his report to the 37th session of the UNHRC that Sri Lanka's "authorities have not yet demonstrated the capacity or willingness to address impunity for gross violations and abuses of international human rights law and serious violations of international humanitarian law". It was noted that "the High Commissioner remains gravely concerned that, two and a half years into a reconciliation process, his Office continues to receive reports of harassment or

surveillance of human rights defenders and victims of human rights violations."

In November 2017, emphasising that justice has not been delivered for the targeted crimes against journalists in Sri Lanka, the Free Media Movement urged the President of Sri Lanka to appoint a Presidential Commission of Inquiry with a comprehensive mandate for investigations.

On a positive note, during the period under review, notable progress was reported in the investigation into the murder of editor Lasantha Wickrematunga, outspoken critic of the Rajapaksa rule. He was assassinated on January 8, 2009. As part of the investigation, Senior Deputy Inspector General of Police Prasanna Nanayakkara was arrested on February 14, 2018 for allegedly instructing his juniors to block the investigation into Lasantha's murder and destroy evidence gathered from the crime scene.

The involvement of military intelligence in the killing has come to light. Media reported that the then Head of Military Intelligence, Kapila Hendavitharana, was heading a killer squad and he reported directly to the then Defense Secretary Gotabhaya Rajapaksa. Several other high-profile arrests were on the cards, but the investigation appears to have lost steam.

In another positive development, the former Military Intelligence Director and Chief of Staff of the Army, Major General (Retired) Amal Karunasekara was arrested in 2018.

**From left:** Sri Lankan mourners light candles at the grave of the editor Lasantha Wickrematunga on the ninth anniversary of his murder in Colombo on January 8, 2018. The family of the assassinated editor criticised President Maithripala Sirisena's government for failing to prosecute the perpetrators nine years since the internationally condemned murder. Wickrematunga was stabbed to death as he drove to his *Sunday Leader* office near Colombo days before he was to testify in a corruption case involving the then defence secretary Gotabhaya Rajapaksa. Credit: Lakruwan Wanniarachchi/AFP

Maldives journalist Fathimath Afeef takes part in a demonstration against the murder of liberal blogger Yameen Rasheed at the opening of a regional seminar on the safety of journalists in Colombo on December 4, 2017. The UNESCO-sponsored one-day seminar to mark the International Day to End Impunity for Crimes against Journalists. Credit: Ishara S. Kodikara/AFP

This photo taken on March 26, 2018 shows relatives of Indian journalist Sandeep Sharma grieving following his death after being mown down by a truck in Bhind in Madhya Pradesh state. Amid growing outrage over the latest murder of a journalist in India, police have arrested a truck driver accused of killing Sandeep Sharma over his investigative reporting into the country's 'sand mafia'. The television journalist was mown down by a truck as he rode a motorcycle on March 26 -- the second hit and run killing of a journalist in 24 hours. Credit: AFP

He is accused of the abduction and assault of journalist Keith Noyahr, then defence correspondent of *The Nation*.

All these arrests have come under strong criticism by the war-triumphalist Sinhala nationalist forces and media. They accuse the investigating authorities and government of "betraying" war heroes to appease the international community and Tamil diaspora.

Editors of Tamil newspapers based in Jaffna were unanimous in their condemnation of the government's lethargic approach to investigations in to the abductions and killings of Tamil journalists during the last stage of war. "We are happy about the investigations on the abduction of Prageeth Eknaligoda, murder of Lasantha Wickrematunga and other journalists. That is a positive development. But why is there total silence on killings and attacks on journalists and media in Jaffna?", says Thevanayagam Premanath, editor of Jaffna's largest selling daily's. 2017 has not seen any investigation into killings of Tamil journalists in Sri Lanka.

In June 2017, well-known journalist Poddala Jayantha returned to Sri Lanka to make a complaint with the CID requesting an investigation in connection to his abduction during which he was brutally tortured. He was abducted on his way home, tortured, and left on the road to die in June

2009. His limbs were broken and he was suffocated with his hair. No progress has been reported with regard to this investigation.

Investigation in to the killing of journalist-cartoonist Prageeth Eknaligoda did not see much progress in 2017. The sustained campaign for justice has brought out some truths about the disappearance of Eknaligoda in 2015-2016. Evidence shows that Eknaligoda was taken to an Army camp following the abduction and a key witness recorded seeing Eknaligoda being questioned at the camp. Both the Criminal Investigation Department (CID) and State Counsel leading the case on behalf of the Attorney General's department, have repeatedly informed the Courts of the Army providing false information, denying possession of evidence, delaying production of evidence, misleading investigations and intimidating witnesses. The progress of the investigation appears to have stalled, or even moved backwards in 2017, primarily due to lack of cooperation from the Army and key suspects being released on bail a few weeks after the President publicly questioned their detention. Meanwhile Sandya Eknaligoda continues the struggle for justice, with her simple question: "Where is Prageeth?"



## TAKING ON A ‘GODMAN’

On August 28, 2017, Gurmeet Ram Rahim Singh, the head of a religious cult called the Dera Sacha Sauda (Abode of Real Truth) was sentenced by a special Central Bureau of Investigation (CBI) court to 20 years imprisonment for the rape of two women. Elaborate, if somewhat bizarre, security arrangements were made for Justice Jagdeep Singh, who, with his staff was flown in from Chandigarh by helicopter to the special court set up in the premises of the district jail in Rohtak, around 66 km from New Delhi. A three-tier security ring with 4,000 personnel guarded the area around the jail where Gurmeet Ram Rahim Singh was lodged. The Rohtak deputy commissioner Atul Kumar had earlier declared that shoot-at-sight orders would be issued, such was the influence of the Dera in the area (‘dera’ in Punjabi, which literally means a camp or settlement, in this context refers to a religious cult).

There was good reason for the high security. Three days before, when the court held Ram Rahim guilty of the crime, his followers went on a rampage, ransacking court premises, beating up journalists and setting fire to their outdoor broadcasting vans. Thirty-eight people lost their lives and over 250 others – including journalists – were injured in the violence. In Sirsa town, the headquarters of the Dera Sacha Sauda, curfew was imposed and an atmosphere of fear was heavy in the air.

If the district administration was caught by surprise at the scale of the violence and the savagery of the followers of Ram Rahim, one man was not. For 16 years, Anshul Chhatrapati has lived with the ever-present threat of violence as he doggedly pursued the case against Nirmal Singh and Kuldeep Singh, accused in the murder of his father, Ram Chander Chhatrapati, a highly respected journalist in Sirsa. The accused murderers are supporters of Gurmeet Ram Rahim Singh and, according to the CBI investigation, had shot Ram Chander Chhatrapati for publishing an anonymous letter about the sexual exploitation of women in the ashram of the self-styled godman.

In a case related to another murder at the Dera, on February 22, 2018, the Punjab and Haryana High Court reserved an order on a petition filed by Khatta Singh, Ram Rahim’s former driver, who was earlier a witness for the CBI. In 2011, the CBI had declared him hostile when he said his life was threatened and he could not give evidence. Now, emboldened by the conviction of the Dera chief in the rape case, he came forward to say that he wanted to give evidence in the murder of Ranjit Singh, whose killing is suspected to have been at the behest of

Ram Rahim.

“Is it yet another delaying tactic? Is he genuine? What will happen to our case if his plea is accepted?” wondered Anshul. The case relating to the murder of his journalist father is at the stage of final arguments while arguments have concluded in the Ranjit Singh murder case. If the plea was accepted, the case could be delayed by another four to six months, but if it was dismissed, the order could come in a month.

Ifs and Buts. This has been the situation for the last three or four years. At every turn, some delay would push back the progress of the case.

### THE WHOLE TRUTH

On October 24, 2002, Ram Chander Chhatrapati returned home early from the office where he had checked the pages of his newspaper *Poora Sach* (The Whole Truth).

Anshul recalls: “My father had a routine. He was very particular about proof-reading the entire paper by himself. His column ‘Off the record and on the record’, which he signed with the pen name ‘satyavadi’ (truthful) was very popular. He usually went to meet his friends in the market after the newspaper was published. On that day, my brother and sister had told him to return early because our mother was not at home.”

He returned home at around 7.30 pm. A few minutes later, someone called out to him and he stepped into the *galli* (narrow lane) outside the house. He was pumped with five bullets. His children ran out on hearing the shots. There were two gunmen. One ran towards a police *chowki* (outpost) nearby and was nabbed by the police. The other was later caught.



This photo taken on August 25, 2017 shows Indian journalist Anshul Chhatrapati with a portrait of his father Ram Chander Chhatrapati, who controversial ‘godman’ Gurmeet Ram Rahim Singh is accused of killing in 2002, in Sirsa. Hundreds of troops on August 26 patrolled a northern Indian city hit by deadly clashes that killed at least 30 people after thousands protested a court’s decision to convict Ram Rahim of rape. The army was deployed in Haryana state’s Panchkula city after tens of thousands of followers of the ‘godman’ went on an angry rampage, attacking television vans and setting fire to dozens of private vehicles. Credit: STR/AFP



Indian chief of the religious sect Dera Sacha Sauda (DSS) Gurmeet Ram Rahim Singh. Credit: Punit Paranjpe/AFP

The children rushed their father to the local hospital and from there, moved him to Rohtak in an ambulance even as journalists and social activists in Sirsa gathered in shock and anger. He was conscious and even told the District Commissioner of Sirsa, “DC Saab, just as I told you, they came to get me.”

He clearly and repeatedly named Gurmeet Ram Rahim Singh, the head of the Dera Sacha Sauda, as the perpetrator of the attack on him. But police were reluctant to include the name of the Dera in the statement they recorded.

Ram Chander Chhatrapati, a fighter till the end, died on November 21 in Apollo hospital in Delhi.

### VOICE AGAINST INJUSTICE

Mastana Balochistani, who founded the socio-spiritual organisation Dera Sacha Sauda in 1948, functioned out of a small cottage in Sirsa. He was succeeded by his disciple Satnam Singh. In a controversial ouster in 1990, Gurmeet Singh, who came to be known as Gurmeet Ram Rahim Singh Insan, took over when he was just 23 years old. Ram Chander Chhatrapati, living and working in Sirsa, the Dera headquarters, saw the transformation of the Dera from 70 acres in 1990 to its present powerful 900 acre-empire of colonies, factories industries, hospitals and educational institutions across the states of Haryana, Punjab and Rajasthan.

“My father, as well as other local media, questioned how the Dera could grow so much if it didn’t take donations. The fact is, so many people came under the influence of the Dera and gave up their land. But not all of this was voluntary. Those who dissented were swiftly evicted, repressed and even beaten into silence. And in Sirsa, the ordinary public also kept silent,” Anshul recalled.

But for Ram Chander Chhatrapati, silence was never an option. Passionately interested in journalism even as a student, he joined the Sirsa bar as a lawyer but continued to contribute to national newspapers and started a newspaper called *Sirsa Samrat*. That folded up, but he started *Poora Sach* in February 2000. A daily evening paper, its very first editorial carried an oath that its title meant ‘*poora*’ *sach* – the ‘whole’ truth and nothing but the truth. “He wrote that he would never compromise, that he believed in promoting a scientific temperament and would never encourage obscurantism,” Anshul recalls.

In his trademark *vyangyatmak* or satirical style, Ram Chander Chhatrapati wrote about national and international

issues, even as he questioned the growth of the cult and critiqued the growing links between the Haryana state government and the Dera.

The reports soon began to have an impact. Says Anshul, “His friends used to counsel him not to take up cudgels against these powerful forces, but he refused to listen. He used to say: my writing is truthful, it is correct. I cannot remain silent.”

In May 2002, an anonymous letter about sexual exploitation in the Dera, reportedly written by a *sadhvi* (woman disciple), addressed to then Prime Minister Atal Behari Vajpayee began to do the rounds of media houses. *Poora Sach* published the letter in full on May 30, 2002, with the headline: ‘*Dharm ke naam pe ho rahe hai, sadhvi ke jeevan barbaad*’ (in the name of religion, sadhvis’ lives are ruined)’.

Another publication *Lekha Jhoka* (The Chronicle) in neighbouring Fatehabad district, also published the letter.

Its offices were ransacked and its news editor had to go underground with his family. *Poora Sach* wrote about this attack too. It gave extensive coverage to the letter, its implications and the actions of the Dera followers in intimidating people who tried to discuss the revelations.

Ram Chander Chhatrapati began getting death threats and wrote to the then Superintendent of Police, Sirsa, on July 2, 2002, saying that he feared his daily movements were being tracked. But no action was taken on his letter.

In September 2002, the Punjab and Haryana High Court took suo moto notice of the letter and ordered a CBI enquiry. “All of this was reported by my father. Every single development was followed up and reported in his newspaper,” said Anshul. A month later, Ram Chander Chhatrapati was shot outside his home and succumbed on November 21, 2002.

### A 16-YEAR PURSUIT

From the beginning, the identity of the perpetrators was known to the police. The shooters had, the family later learnt, done quite a few recces and were aware of Chhatrapati’s routine. The shooter nabbed by the police, Kuldeep Singh, upon interrogation disclosed that he was from the cult and used a licenced revolver that belonged to a Dera employee Kishan Lal. Even the walkie talkie set the duo had used was licenced to the Dera. The other shooter was identified as Nirmal Singh.

On October 25, Ram Chander Chhatrapati underwent surgery and when he regained consciousness, gave a statement to the police naming Gurmeet Ram Rahim Singh as the prime suspect. Anshul Chhatrapati also gave a statement to the police. It was only in November, after performing the last rites connected with his father’s funeral that Anshul realised that the police had not included their statements in their First Information Report (FIR).

As Anshul recalled, “The Dera and the state government clearly had an understanding. The state government was putting pressure on the police to see that the Dera’s name must not be in the FIR; that the police’s needle of suspicion must be turned away from it.” The police even tried another old trick – to say that the shooting was due to a property dispute. But this did not wash.

“On November 23, 2002, the Chief Minister of Haryana



## ANSHUL CONTINUED TO USE THE MEDIA AS MUCH AS POSSIBLE, IN THE MOST INNOVATIVE MANNER. HE CONTINUALLY BRIEFED THE MEDIA WITH UPDATES ON THE CASE, EVEN SMALL INCIDENTS AND DEVELOPMENTS.

come to my house and said that the culprits, however powerful, would be booked. But the exact opposite happened. There was no interrogation of the Dera head, the police didn't bring in the Dera angle. In Sirsa, a movement led by the media called for a bandh (shutdown). Everyone joined in, citizens, political parties and lawyers," Anshul said.

Finally, forced to concede by the fierce agitation of local journalists and citizens of Sirsa, the police held a press conference and declared that the Dera was suspected to be behind the shooting. But slowly, the movement became a victim of political pressure and apathy and gradually lost steam.

"So, I took on the mantle of the struggle for justice for my father. I wrote to the CM Haryana and demanded a CBI investigation. Ultimately, I had to knock on the doors of the court. On January 10, 2003, I filed a petition before the Punjab and Haryana High Court to demand a CBI investigation," Anshul said, adding that it was not easy as the government cracked down on anyone who supported him or spoke against the Dera.

On July 31, 2007, a CBI challan (summons) was filed and the charge-sheet was finally filed in 2008. But for years thereafter, the accused would file applications in court on some pretext or the other. Between 2008 and 2017, the case came up several times and multiple applications were moved to delay the matter and intimidate the witnesses.

Anshul, who was a 21-year-old when his father died, took on the mantle of publishing the newspaper. It was difficult. His younger brother, who was 14 at the time, helped out because he had learnt to operate the computers in his father's office. The family managed to survive from the income of their ancestral agricultural land but the long drawn out court case took its toll and they were forced to fold up the newspaper in 2014.

The period between 2013 and 2017 marked the growth of the Dera. Gurmeet Ram Rahim Singh gained immense political clout and amassed a lot of wealth. He began appearing on television, with his own morning show. He adopted blingy and flamboyant costumes and gave advertisements in the newspapers and, in his television programmes, was often dancing and singing with his followers. He even acted in two bio-pics celebrating his cult status.

Throughout, the case meandered along.

### COURTING HOPE

The rape cases and the murder cases – of Ranjit Singh and of Ram Chander Chhattarpati – ran in tandem but the Dera managed to stall proceedings at almost every turn. In 2003, Ranjit Singh's father moved the High Court for a CBI investigation but the police said the two shooters were caught and the weapon recovered so there was no need for a CBI enquiry into his son's murder. Finally, the court ordered a CBI investigation into all cases in November 2003.

Anshul acknowledges that the fight was possible only because of the support from well-known advocates who refused to charge a *paisa*. "We couldn't afford a big lawyer. A supporter, Comrade Baldev Bakshi, got his son Ashwani Bakshi, a lawyer in the Punjab and Haryana High Court, and Lekhraj Dhot from Sirsa, to help us. The senior lawyer, RS Cheema, worked pro bono. In fact, the Dera people had approached him but he refused their brief. All of them put up the legal fight and stood by us throughout. We salute them."

The Dera challenged the order of the CBI investigation in the Supreme Court in Delhi. Socialist leader Yogendra Yadav, who was well acquainted with Ram Chander Chhattarpati's work and had met him in Sirsa barely a week before he



On August 25, the self-styled 'godman' Gurmeet Ram Rahim Singh was found guilty by a special Central Bureau of Investigation (CBI) court, on charges of rape and sexual assault of two female devotees. At least four outdoor broadcasting (OB) vans of media houses – NDTV, Republic TV, India Today and E24 – were toppled, damaged and burnt near the court premises in Panchkula, Haryana. At least 38 media personnel registered a complaint regarding loss of equipment and vehicles. Reporter Rakesh Kumar and video journalist Shipendar Happy from PTC News were attacked and robbed in Sirsa, near Dera Sacha Sauda, the headquarters of Ram Rahim Singh. Credit: Money Sharma/AFP

was shot, stepped in to secure the offices of the respected former judge, the late Rajinder Sachar. The Dera petition challenging the CBI investigation was dismissed in November 2004.

The otherwise discredited CBI worked earnestly. "Apart from the murder cases, the rape cases were a shot in the dark. There was only an anonymous letter to go by. The CBI interrogated 18 girls. Only two came forward to file complaints. Their bravery must be commended. It is not easy. In one case, the in-laws were followers of the Dera so they threw the girl out. But her husband has stood by her," said Anshul.

Intimidation, bomb threats and attempted assault followed, even as Gurmeet Ram Rahim was given Z plus security and moved around in a cavalcade of six cars with black window glasses. "Even the atmosphere in the court was so frightening when we used to go for hearings," Anshul said.

But the CBI investigating officer and its Superintendent of Police, Armandeep Singh, built a watertight case and withstood all the pressure, political and monetary. Regrettably, while the local media stayed away from

following up on the case, possibly due to fear, Anshul continued to use the media as much as possible, in the most innovative manner. He continually briefed the media with updates on the case, even small incidents and developments. He would write letters to the High Court, the Supreme Court and to the Prime Minister. When the media in Haryana stayed quiet, he approached the more responsive media in neighbouring Chandigarh. And, when the media was unable to cover the case, he made use of alternate and social media. The electronic channels stayed away. Several channels would approach him for information and he would share it, only to find dead silence. "The channels keep asking, give us something different, something the stories can run with. But tell me, what can be a bigger story than a media worker being murdered?"

Today, Anshul awaits an elusive justice that now seems nearer. "I feel huge regret. Time is a great healer they say, but I don't think so. My sister and brother were younger, so I had to take over. I took on the challenge. I have to get justice for him."





In this file photo taken on March 16, 2018 Indian workers use boats to transport sand as they remove it from the River Yamuna in Allahabad. Television journalist Sandeep Sharma was investigating the 'sand mafia' when he was mown down by a truck in Bhind, Madhya Pradesh, as he rode a motorcycle on March 26. Credit: Sanjan Kanojia/AFP

## RURAL JOURNALISTS

### THE IGNORED RURAL REPORTER

A majority of the South Asian population lives in rural areas – approximately 81 per cent in Nepal; over 70 per cent in Afghanistan and Sri Lanka and over 60 per cent in India, Bangladesh, Pakistan and Bhutan. Yet, the urban centric media in the region is focused on ‘national’ parliamentary politics centred around the capital cities and metropolises while the vast countryside is largely neglected.

Grassroots reporters’ stories from small towns and villages get little space in the city press; at best they may feature as briefs on a local news page. Yet, these reporters are the building blocks of the news-gathering industry, the primary sources of news. Often with no facilities, and little or no training, they are the first responders in their localities, rushing to the spot, carrying out their work often at great risk to themselves. They face intimidation and direct threats, caught between the various powers at play in the rural areas and small towns, where they also reside. The open conflict between various communities, vested interests, mining barons, tribal chieftains, land and liquor mafias, puts members of the local media too often at the front and centre of dangerous situations. In some countries like Bhutan, the journalist community is small and mostly centred around capital Thimphu. The private media do not employ any journalists in rural areas whereas BBS and Kuensel, the two state-owned media houses have salaried correspondents in major regions.

This chapter explores the situation of rural and small-town reporters in three of the most populous countries in South Asia.

### INDIA: BELEAGUERED IN THE HINTERLAND

A Delhi-based journalist once got a call from a ‘national’ television channel’ requesting an interview. “I am out of town,” he responded. The channel said it would arrange to send a reporter to interview him at his hotel in Shimla, the capital of a northern hill state.

The journalist waited for over an hour until finally a cameraperson arrived, lugging his heavy equipment on his back. He was both reporter and videographer for the channel. He explained that he had taken so long to reach as the local bus hadn’t turned up. “The channel doesn’t give me a vehicle,” he said, panting from a steep walk uphill.

This scene encapsulates the plight of many small-town reporters in India. Their employers, whether big or small media houses, do not provide vehicles or even a travel allowance. TV reporters and photographers are sometimes expected to buy their own equipment. The vast majority of rural reporters in India’s 707 districts are ‘stringers’ who often get nothing more from their employers than an identity card. This gives them some status with the district administration, an opportunity to rub shoulders with local officials, police and politicians. There is no appointment letter, contract, decent or regular payments.

Only a few editors recognise the value of the foot soldiers of journalism. A rare tribute to the rural reporter recently came from Uma Sudhir, Executive Editor with NDTV who won the Chameli Devi Award for Outstanding Woman Journalist of the year 2017. In her acceptance speech she said, “....there is an army of reporters... across the country, reporting in different languages, for different media, who are driven by the passion for news and for truth.... (the) reporter is a first responder

THE OPEN CONFLICT BETWEEN VARIOUS COMMUNITIES, VESTED INTERESTS, MINING BARONS, TRIBAL CHIEFTAINS, LAND AND LIQUOR MAFIAS, PUTS MEMBERS OF THE LOCAL MEDIA TOO OFTEN AT THE FRONT AND CENTRE OF DANGEROUS SITUATIONS.

in the news chain. He or she knows best the ground reality and what exactly is the story. Allow the ground reporter that space, only then can journalism thrive, only then will you get real stories from the ground. Otherwise the real stories will be lost forever.”

### UNDERPAID AND EXPLOITED

Unfortunately, grassroots reporting is being increasingly devalued in the big ‘national’ media. Umakant Lakhera, vice president of the Delhi Union of Journalists and former bureau chief of a leading Hindi language daily, says, “Rural reporting is being finished. The market economy is not interested in impoverished villagers as they are not consumers. The government-owned media too has little presence outside the state capitals and big towns. Rural reporting is left to the unpaid or underpaid, exploited stringer.”

Lakhera recalls the story of a colleague, a reporter for a big, rich and influential Hindi paper but he couldn’t afford a vehicle of his own. Nor did he get a conveyance allowance. “One morning he was tipped off about a big accident outside the town. He hitched a ride to the spot, on a policeman’s bike. He was standing on the roadside, notebook in hand, when a passing truck ran him down. He was on duty when he died but his pregnant wife got practically no compensation from the newspaper.”

However, there is demand for local news in regional languages within many states and language dailies increasingly have district-level editions and even online local editions. Meerut based Mohammed Ali, a correspondent for *The Hindu*, points out that Hindi language journalism is flourishing in north India, with rural editions in every district and online versions too. The number of editions depends on the extent of trade and commerce in a district and the size and importance of a town. In Uttar Pradesh’s Meerut district, the leading Hindi daily *Dainik Jagran* has both a rural edition and a town edition. Editions are printed in the bigger towns and distributed from there. In Bareilly town the daily *Hindustan* has a bureau with 20 staff members.

D. Anjaneyulu, general secretary of the Andhra Pradesh Working Journalists Federation, says that the growth of the electronic media has led to a proliferation of journalists in the rural areas of both Andhra Pradesh and the newly-carved out neighbouring state of Telangana. He says his union of 5000 has a majority of rural reporters and stringers. “Every big channel has a reporter for each of the 175 ‘mandals’ (administrative unit) in the state. They operate as journalists cum videographers. They get no honorarium, on the contrary they are expected to feed the channels by raising money for advertisements from businesspersons, sometimes a quota of a minimum of Rs 10,000 (USD 150) per month. Staff reporters

also have to pay the costs of running the office by paying for rent, electricity, telephone and petrol.”

“These practices are giving journalists a bad name in rural areas,” complains Anjaneyulu. Journalists are forced to beg or blackmail businesspersons and politicians, he rues. Anjaneyulu says the situation of many rural journalists is pathetic; only a few who have an extra source of income, for instance from owning land, survive while the rest must extract money from wherever they can. “We do get some benefits from the state government, such as a bus pass and a health card for free medical care. The government also pays for risk insurance for hospitalisation and deaths. But, as unions we want the government to implement the labour legislation, so that we can get our entitlements from managements, not government charity.”

W. Chandrakanth, editor of *Hans India*, concurs, “It’s a miserable life out there for rural journalists. There is a no job security or income security as they fall under the hire and fire category. Low incomes or no direct income from the organisations means that they are left to fend for themselves (read extortion and blackmail). This forces them to compromise on their values and submit to the whims of local strongmen, politicians, officials and the mafia.”

Technology has made reporting easier, but it has also added to the burden of most journalists. Often a media house owns both a newspaper and a TV channel and the stringer has to work for both: first file a TV report, then write up a news report, provide photographs and tweet news. Of course, salaries do not increase along with the burden of work.

Explains Chandrakanth, “All that the stringer gets is the ‘line payment’ as they call it which means that if a cameraman cum stringer cum photographer sends a two-minute long report with bites, and if it is aired for five to ten seconds, he gets paid for only the five to ten second period. Similarly in print, payments are abysmal. For spot news (which means coverage of a press conference of political leaders or officials) you get Rs 150 (USD 2.30). For a story (special or exclusive) you get Rs 250 (USD 3.80). Channels with lesser TRP ratings and less revenues do not pay even this much. Another system is also in vogue. If the scroll is for State-level usage, the stringer gets Rs 25 (US 38 cents) for the scroll. If it is used in district level coverage, then one gets Rs 10 (US 15 cents) for such a scroll. Dailies pay by the centimetre or length of the story or pay a few paise per word.”

Veteran journalist Vijay Chawla from Kanpur, Uttar Pradesh also observes that while journalists based in the state capital and big towns are reasonably paid, stringers are left to fend for themselves. “Go to a press club in any small town and you will meet all kinds of journalists. Many are on the



payroll of politicians and local mafia dons. On a festival like Holi or Diwali you will find journalists flocking to the house of a local politician who will have ready 500 rupee notes for each of them,” he says.

Lakhera points out that during election season a media house may expect a reporter to collect Rs 2 lakh (USD 3,000) from each big politician. The reporter will then be entitled to a 15 per cent commission and may even be paid some of his back wages. The consequence of such practices is the widespread evil of ‘paid news’ that has been extensively documented by both the Press Council of India and the Election Commission. But media houses continue to get away with such paid coverage.

### HIGH RISKS, LOW SAFETY

Poor wages or no wage is only part of the problems that rural journalists face. Safety is another big concern, with local mafia or police quick to pounce on a reporter who dares to expose their misdoings. Threats and warnings are common, thrashings not unknown and killings are becoming more frequent. In the years 2014 and 2015, according to National Crime Records Bureau data, the police registered 142 cases of ‘grievous hurt’ caused to journalists who were attacked by various vested interests. The toothless Press Council of India receives many complaints from journalists, as well as complaints against them, inquires into these complaints and may pull up local administrations or offending newspapers but the Council has no enforcement powers.

A complicit police force, an indifferent administration and a lax judiciary ensure impunity for criminals who target journalists. In conflict prone areas the plight of journalists is far worse. The state of Chhattisgarh where security forces are combating armed Maoists has seen repeated arrests of journalists.

Rural and small-town journalists in trouble get little support from their employers; it is a rare media group that provides a lawyer and other help to a reporter in trouble with the police. Some simply shed their responsibility by denying that the journalist is their employee; others may fire a reporter who lands up in controversy.

Somaru Nag, a stringer-cum-news agent with the Hindi daily *Rajasthan Patrika* in Bastar district of Chhattisgarh, was arrested on July 16, 2015, for alleged connections with Maoists. No support was forthcoming from Nag’s employers. He was acquitted a year later, and all charges quashed due to lack of evidence.

Santosh Yadav, who used to gather news for Hindi newspapers including *Dainik Navbharat* and *Dainik Chhattisgarh*, was arrested by the police on September 29, 2015 on charges of rioting and accused of being a Maoist sympathiser. Yadav was acknowledged by the *Dainik Chhattisgarh* as having worked for them but continued to languish in jail for 16 months until he was granted bail.

In December 2017 the Chhattisgarh government disclosed that it had arrested 14 journalists during the year. Most of them were charged with criminal intimidation and extortion because they had reported cases of corruption and police excesses. Alarmed by the extent of human rights abuse, journalists banded together in a Patrakar Suraksha Kanoon Samiti, (Committee for a Law for Journalists’ Safety) which has



From above: Members of the right-wing Hindu nationalist group Rashtriya Swayamsevak Sangh (RSS) gather for a large-scale congregation in Meerut in northern India on February 25, 2018. Over 200,000 RSS volunteers from district groups in Uttarakhand and Uttar Pradesh states were set to attend the RSS’s ‘Rashtrodaya Sammelan’ congregation in Meerut. Credit: Sajjad Hussain/AFP

Sandeep Sharma, a journalist from a small town in Madhya Pradesh was killed when a garbage truck deliberately hit him off his motorcycle. He was investigating illegal sand mining prior to his death. Credit: Facebook

CCTV footage of the garbage truck swerving to deliberately hit Indian journalist Sandeep Sharma, who was knocked off his motorcycle and killed. Credit: Screenshot ANI/Twitter

drafted a law for protection of journalists, with help from the People’s Union for Civil Liberties. They are lobbying with the state government to have the law enacted.

In the troubled border state of Jammu and Kashmir, torn by a people’s revolt and armed militancy that is being combated by the Indian security forces, journalists operating away from the state capital Srinagar are more vulnerable in terms of both physical safety and job security. Likewise, India’s north eastern states also are conflict prone and journalists are often caught in a pincer between the conflicting demands of armed groups and the army.

In non-conflict areas the dangers that rural and small-town reporters face are from a range of actors such as politicians, mafia, corrupt police officials, religious heads. Rajdeo Ranjan, bureau chief of the *Hindustan* in Siwan, Bihar, was shot dead by bike-borne assailants on May 25, 2016. His death hit the headlines as the chief suspect was a mafia don and former Member of Parliament Mohammad Shahabuddin who was subsequently charge-sheeted for the murder, along with six of his henchmen.

Sandeep Sharma, a journalist in Bhind a small town in the central Indian state of Madhya Pradesh was mowed down by a dumper truck on March 25, 2018, allegedly at the behest of sand mafia whose illegal mining he had exposed. Sharma had allegedly videotaped a police official taking a bribe. The murder itself was captured by CCTV cameras in the town.

On March 25, 2018 two journalists, Naveen Nishchal, who worked with Hindi daily *Dainik Bhaskar* and Vijay Singh, who worked with a local Hindi magazine, were riding a bike when they were crushed to death under the wheels of a car in Bhojpur, Bihar. The vehicle was allegedly driven by a former village headman who had objected to Nishchal’s reportage.

The Internet and other communication technologies makes life easier for most journalists but has its dangers too. It makes



**SANDEEP SHARMA, A JOURNALIST IN BHIND A SMALL TOWN IN THE CENTRAL INDIAN STATE OF MADHYA PRADESH WAS MOWED DOWN BY A DUMPER TRUCK ON MARCH 25, 2018, ALLEGEDLY AT THE BEHEST OF SAND MAFIA WHOSE ILLEGAL MINING HE HAD EXPOSED. SHARMA HAD ALLEGEDLY VIDEOTAPED A POLICE OFFICIAL TAKING A BRIBE.**



tracking and access to them simpler. The rise of right-wing forces in India has led to the growth of paid troll armies who readily attack journalists online at the behest of political parties, using abusive tactics on Twitter, Facebook etc.

Local officials like District Magistrates now have their own WhatsApp groups to keep in touch with officials lower down the chain. Journalists may be included in these groups that become primary sources of information for them. If a journalist’s work annoys the officials they are sometimes blocked from the group, to ensure they get the message and start toeing the line.

Even a tweet or blogpost by a reporter may land them in trouble with officialdom.

In these polarised times all it takes to justify an attack is to label a journalist as anti-state or anti-national. On March 1, 2017 Bastar reporter Prabhat Singh sent a written complaint to Dantewada police against the members of a pro-police vigilante group Samajik Ekta Manch who had called him “anti-national” on a group chat on WhatsApp. Later that month Singh was picked up from his office by plainclothes police, beaten up and put behind bars. He told The Wire that he received no help from any of the media houses that he had worked for. People like Singh who insist on objective reporting become easy targets.

On the ground, militant gangs use the Hindutva agenda of the country’s ruling party to run riot, knowing they have impunity from police action. Honest grassroots reporting of a riot or religious conflict and the role of politicians in fomenting such troubles is fraught with danger for the local reporter. In most parts of India media is dominated by the Hindu upper castes, and concepts such as representation of other castes and religious minorities are simply not on the agenda.

Describing the dominant discourse of Hindutva (militant Hinduism) in mainstream papers, Meerut-based reporter Ali says, “The Hindi dailies constantly peddle Islamophobia. They

distort, communalise, polarise every issue. In Uttar Pradesh under the Samajwadi Party government the media constantly questioned the government. Now, since the right-wing Bharatiya Janata Party came to power, hate speech against the minorities is open. Media has become an extension of mainstream Hindutva logic. It is really disturbing.”

### BREAKING NEW GROUND

A different breed of rural reporter is award-winning city-based journalists like Bharat Dogra and P. Sainath, who travel and report frequently from the countryside. Activist and bilingual journalist Dogra has travelled extensively and filed stories from remote corners of the country. P. Sainath who was the first rural affairs editor for *The Hindu*, now runs the PARI network (People’s Archive Rural India) online which documents the culture, customs, economy and ecology of rural India.

Women journalists find it far harder to roam the countryside and report from it, given problems of safety and lack of social acceptance of women travelling alone without male escorts. Very few women have broken ground by working for small town newspapers and an intrepid few are district correspondents and stringers.

An alternative newspaper that breaks stereotypes is called *Khabar Lahariya*, (News Waves). This eight-page, multi-edition weekly is produced in several local languages by a collective of rural women journalists in Uttar Pradesh and Bihar. It is the first newspaper in the country run entirely by women who are specially trained to cover development news at village level. The newspaper is written, produced and distributed by women and has more than 80,000 readers in the two states.

The collective also produces a weekly video news programme called *Appan Samachar* (Our News) in Hindi and the Bhojpuri and Bajjika dialects. Teams of two women, one holding a camera, go out to interview villagers for the



**THERE IS A PERVERSIVE NATIONWIDE DISTRUST OF JOURNALISTS, PARTICULARLY THOSE SERVING IN RURAL SECTORS, DUE TO A HISTORY OF BRIBERY AND BLACKMAIL IN THE PROFESSION OVER THE FEW PAST DECADES. THIS SORDID PAST HAS ERODED CONFIDENCE IN JOURNALISM AS A WHOLE, PARTICULARLY WHEN IT IS CONDUCTED BY SMALL, INDEPENDENT MEDIA OUTLETS.**

programme. Others have been trained as anchors, editors and producers. The programme is aired free at markets village or at the district headquarter on a projector or TV set. DVD copies are available for sale. Sadly, experiments like these have limited commercial viability and still depend on external funding from donor agencies.

In Chhattisgarh, the CGNet Swara is a unique mobile phone-based platform set up by former BBC producer Shubranshu Choudhary to give the marginalised tribal population a voice. Chhattisgarh is a conflict zone where a Maoist army is fighting the state, and in the interior, forested villages there is no television or newspapers. News about tribal issues and concerns rarely reaches the mainstream media; in some cases, such news is deliberately suppressed by the mainstream where it conflicts with media owners' business interests, for example, news about protests against mining or land acquisition. Given the adverse political climate, through CGNet Swara is often forced to play it safe and not report controversial news, it nevertheless provides an alternate forum to the tribal people.

Using YouTube, Facebook, WhatsApp and other platforms, small town journalists are selling news to different buyers and consumers. During last year's elections in Uttar Pradesh for instance news organisations such as UPTV, Uttarpradesh.org, Newstrack.com, Diyasandesh.in, and Earlynews.in raced to launch Android apps to capture news hungry readers. Some 30 news apps were available on the Google Play Store. In Pilibhit district an enterprising reporter launched Rocket Post Live, a paid subscriber-based WhatsApp news broadcast service, that posts local news updates during the day and a brief news video report at night.

The rural Indian reporter is perforce a tech savvy

individual but increasing skills and education levels sadly do not guarantee better pay and working conditions in the impoverished countryside. For that, an improved market and greater bargaining power by banding together in trade unions could provide a solution.

### PAKISTAN: IN THE EYE OF THE STORM

Pakistan is one of the most dangerous countries for journalists, where according to the Rural Media Network of Pakistan (RMNP) the majority of journalists killed in the line of duty since 2000 belong to rural areas and small towns.

Journalists in rural areas experience the same constraints as their colleagues in the city, but also face serious additional issues because of their location and the social differences in those areas. For journalists in rural areas, corruption, sectarianism, honour killings, gang rape and feudal powers all represent subject matter that is difficult to report on. Armed militancy, religious extremism, sectarian violence and terror attacks are the main problems for rural journalists. They put their lives in danger to cover assignments without insurance, safety equipment or proper safety training.

### OFF-LIMITS

Censorship in Pakistan used to be straightforward. Certain topics were simply off limits, today, the situation is more complicated. There are still a large number of topics which are basically deemed no-go subjects for journalists. These include articles critical of the military or government, investigative reports, and any reporting on the Taliban or other similar groups. Journalists face problems while reporting on certain institutions and areas. They have concerns over their limitations to report on certain subjects

in FATA, Balochistan and other restricted areas.

Religious extremism continues to spread and there are many sectarian organisations fighting for domination. In addition, the drugs and arms mafia, assassins, ethnic groups and other criminal gangs are also active. Extremist leaders, keen to have their speeches denouncing other sects published in full, threaten journalists who resist. In an incident in July 2012 which is still fresh in public memory, an unidentified man in Chanigoth village in Punjab was publicly lynched on suspicion of blasphemy. The angry mob stormed the police station where he was held, set it on fire, and dragged the alleged blasphemer to his gory death. The president of the local Press Club Shahid Bashir was threatened with dire consequences by the head of a banned extremist outfit for not airing the footage of this incident on his TV channel. More recently, Qari Suhail, a member of the Lashkar-e-Jhangvi group was hanged to death in March 2016, for his involvement in firing on a military vehicle in FATA and the Bannu jail break in 2012 in which 384 Taliban members were freed and two constables shot dead. At Qari Suhail's funeral in Mauza Bagapur, close to the office of the Rural Media Network of Pakistan, members of the banned organisation chanted slogans and pressurised local rural journalists to publish news depicting him as a victim of state machinery rather than as a militant and threatened them with dire consequences if they did not.

Local religious leaders do not understand that correspondents have no control over editorial policy, and journalists receive threatening text messages from militants over news coverage that is decided at city desks. The threats faced by journalists in remote areas of the country, vary from influential figures harassing journalists who report on 'honour' killing and gang rape incidents, to targeting by the Taliban, other militants and even security agencies. Authorities often falsely accuse journalists of various crimes, according to journalists in Tehsil Liaquatpur of district Rahim Yarkhan in South Punjab who have tried to report on 'honour' killing. In Interior Sindh, rural journalists faced threats even from law makers and influential persons while reporting their misdeeds and corruption and were sometimes implicated in false cases. To cite just one example, in Bahawalpur district, journalist Ghulam Rasool Khan who reports on corruption of government functionaries is facing several cases registered

against him by the authorities.

Other important constraints on media freedom which impinge on journalists' ability to do their job, are the culture of secrecy and bureaucratic restrictions on access to official information. Journalists find it almost impossible to find information related to large government deals or projects, and ministries remain tight-lipped on their activities and finances.

### WALKING THE TIGHT ROPE

Historically the development of media in Pakistan has taken place in metropolitan centres and has not filtered down to rural areas. As a result, rural journalists remain neglected, often working in isolation with extremely limited support from media organisations in financial, moral and professional terms.

Salaries for journalists in Pakistan are notoriously low, and rural journalists are particularly susceptible to unfair compensation. According to a survey in 2014, only 13 per cent of the rural journalists earned regular salaries, and 60 per cent worked entirely for free. Some rural journalists, also known as district correspondents, are engaged by media organisations for reporting news and views for their TV channels from the rural areas. While a few journalists at district headquarters are paid to some extent, at lower units like the tehsil head quarter, town and union councils they are unpaid.

However, there is no comprehensive system or hotline to act when a rural journalist is attacked, kidnapped or tortured. There is also a sense of isolation as rural journalists have no contact with journalist bodies active in big cities. Unfortunately, in rural areas journalists are divided into groups, with unions and press clubs also running on parallel tracks.

There is a pervasive nationwide distrust of journalists, particularly those serving in rural sectors, due to a history of bribery and blackmail in the profession over the few past few decades. This sordid past has eroded confidence in

Short animation describing CGNet Swara, a voice-based portal, freely accessible via mobile phone, that allows anyone to report and listen to stories of local interest in Chhattisgarh. Reported stories are moderated by journalists and become available for playback online as well as over the phone. Credit: CGNet Swara





**ON THE GROUND, MILITANT GANGS USE THE HINDUTVA AGENDA OF THE COUNTRY'S RULING PARTY TO RUN RIOT, KNOWING THEY HAVE IMPUNITY FROM POLICE ACTION. HONEST GRASSROOTS REPORTING OF A RIOT OR RELIGIOUS CONFLICT AND THE ROLE OF POLITICIANS IN FOMENTING SUCH TROUBLES IS FRAUGHT WITH DANGER FOR THE LOCAL REPORTER.**

journalism as a whole, particularly when it is conducted by small, independent media outlets.

There is a mushrooming of rural journalists as businessmen, shopkeepers, hotel owners etc have now joined the profession just to secure their business. Some pay national newspapers, TV channels and get press cards. So professional journalists either do other jobs or run small businesses to meet their family expenses.

Only two per cent of all journalists in Pakistan are female. In the Bahawalpur (Punjab province) home to 12.5 million people there is not a single female journalist. Rural society in Pakistan is highly segregated and in the grip of feudal lords. Men cannot report about women's issues due to cultural barriers, so the women's perspective is missing in news coverage

### LOOKING TO THE FUTURE

More needs to be done to address the serious problems that journalists in villages and small towns face on a daily basis as they attempt to report what is happening in rural areas to the wider world.

The RMNP has been advocating that media houses should provide safety equipment to all correspondents, irrespective of their location, and reporters, camera crew and other support staff covering dangerous assignments must be provided insurance cover.

Families of journalists killed because of their work should be paid compensation, while assistance for any serious medical injuries incurred in the field should also be provided. Media houses also have a responsibility to cover instances of journalists being kidnapped and should ensure that attention remains on these cases until their release is secured.

Alongside, there is a pressing need to improve capacity-building measures for journalists in the field, because professionalism and safety training are essential to developing media freedom in Pakistan. Less-than-professional coverage of every incident of terrorism, accident, flood, election and other events has exacerbated the tension around these incidents, and several stakeholders are calling for codes of ethics to be implemented in media houses.

In recent years, journalists have called for a comprehensive overhaul of the media ecosystem in Pakistan, to avoid any accusations of corruption. The Code for Journalists launched on February 24, 2017, which applies to journalists working across all platforms of media, is an outcome of a two-year consultation process involving almost 1,500 journalists, editors and media leaders across the country. The code makes recommendations in six key areas of ethical journalism:

truth and accuracy; pluralism; independence, fairness and impartiality; confidentiality and privacy; accountability and good governance; and, finally, humanity and the duty to do no harm.

Other factors essential to protecting independent journalism as a profession in Pakistan include pluralism, an open market, airing of different points of view and combating partisanship. This is particularly significant for rural journalists who report from areas where they live and have close community and family connections.

However, for any measures to make any difference, rural journalists themselves need to work together to bridge this gap and fight for their rights and the rights of their colleagues. Presenting a united front to the authorities, as opposed to a divided and disparate group of journalists from different locations, is essential to combat the many problems facing rural journalists.

### BANGLADESH: IDENTITY CRISIS

There is no assessment – official or unofficial – journalists working in the rural or urban areas in the country. The Bangladesh Press Council, a quasi-judicial government body took the initiative to create a database for journalists across the country, but it has yet to complete the task, as there is plenty of scope to debate the question of who can be called a bonafide journalist. Records sent by Deputy Commissioners (DC) of all the districts – since newspapers are registered with them – are in the process of being collated.

Bangladesh has a total of 3025 newspapers including 1078 dailies and 1947 weeklies, fortnightlies and monthlies across the country. There are 45 private television channels, of which 34 broadcast news. Moreover, there are innumerable online news media. At least 2,018 online newspapers have applied for registration with the government as of January 11, 2018.

It is difficult to assess the actual figure of journalists working in rural areas and small-towns across Bangladesh, as it has become difficult to define the profession itself. Many people are working in the news media to earn a living. Others bear the identity of 'journalist' to get some facilities in society and from the state. Moreover, many bloggers have been showing their journalistic capabilities by posting editorials or news commentaries daily without earning anything from this industry.

Bangladesh has a total of 64 districts and 492 upazilas (sub-district). The Upazila headquarters are the remotest towns in Bangladesh. While most journalists covering rural areas are headquartered in the district towns, a good number of Dhaka-

Bangladeshi journalists hold a rally as they observe a national day of mourning in Dhaka on March 15, 2018, in memory of the victims of the US-Bangla Airlines plane crash in Kathmandu, including their colleague Ahmed Faisal, a staff reporter for private television channel Boishakhi TV, whose image they are holding on a banner. Credit: Munir Uz Zaman/AFP



based newspapers and television channels have employed reporters in the upazilas.

Ahmed Abu Jafor, general secretary of the Bangladesh Mofussil (Rural) Sangbadik (Journalist) Forum (BMSF) has been working towards identifying the problems of rural journalists and raising a voice for them. However, the organisation does not have branches in all the districts and upazilas. Abu Jafor estimates that there are about 15,000 journalists working in the rural areas of Bangladesh, most of whom are not paid by their employers. They are dependent on other professions. Many of them are also involved in rent-seeking to survive. Besides the urban centres of Dhaka and Chittagong, there are only about around 600 journalists across Bangladesh, who are solely or largely dependent on journalism.

According to official records, 98.8 per cent people of Bangladesh speak Bangla while only 1.2 per cent people speak in other languages including Bishnupriya Manipuri, Assamese, Tangchangya, Chakma, Koch, Garo and many others. Bangladesh has Bangla and English language newspapers. There is no newspaper published in any other languages. Private televisions and radio do not telecast news in any language other than Bangla or English. Only the state-run Bangladesh Television telecast a weekly cultural program for indigenous groups in some other languages. The journalists working in the Chittagong Hill Tracts area or a few journalists working in Dhaka hailing from some indigenous communities, are conversant in Bangla and conduct journalism in Bangla or English.

### NO SALARY POLICY

Low and irregular salaries and job security are the main problems for journalists in Bangladesh, especially in rural areas. This phenomenon is deterring the growth of

professionalism and also causing concern about yellow journalism. Professional dignity is being marred by a "no salary culture" for rural journalists, which renders them vulnerable and lacking in security.

In addition to sending news reports, the local correspondents of the dailies have to collect advertisements from local sources, mostly from government offices, and they get a percentage of revenue from the advertisements collected. Journalists working in the districts and upazilas, barring a few, are involved in dual professions. Many of them are involved in business, while some others are college teachers.

They also face physical risks because of their identity as journalists. Every Dhaka-based newspaper has a single correspondent in the respective towns, so it is easy to identify a journalist who has reported any misdeed done by any person or authority. Threats are ever present from the local administration, gangs and political actors. There is a minuscule number of women journalists in rural areas, who face multiple challenges. Indigenous journalists in the Chittagong Hill tracts face special vulnerabilities due to presence of army and insurgent groups.

Though the Bangladesh Federal Union of Journalists (BFUJ) does not have units in all the districts, it is seen to protest major assaults on journalists working in any area of the country.

There are many organisations of journalists, but there is no common platform for rural journalists across Bangladesh. However, journalists are seen to protest jointly on various occasions, especially on issues like assaults on journalists, and this solidarity allows them to survive to tell the story.



# GENDER

## MEDIA'S #METOO MOMENT

Women journalists in South Asia are no longer willing to accept sexual harassment as part of the job. On April 17, 2018, the Governor of the south Indian state of Tamil Nadu reached out and patted a senior journalist on her cheek when she asked a question at a press conference, ironically about sexual harassment at the university (of which the Governor is the ex-officio Chancellor). When she took to Twitter, strongly condemning the patronising act of touching her without her consent, Lakshmi Subramaniam, senior correspondent with *The Week*, was signalling a notable shift in the response to sexual harassment. Her refusal to sweep sexual harassment under the carpet, garnered swift support from several organisations who stood in solidarity with her. Soon, social media was abuzz with condemnation of the Governor's act. The overwhelming reaction against a powerful man misusing his position and public office, represents the beginnings of change in the culture of trivialising sexual harassment. The Governor was forced to tender a written apology, though the apology contained the justification that he “appreciated” her question and patted her cheek considering her to be “like my granddaughter”. Women journalists were having none of the standard family analogies and pointed out that the Governor's act comes under the purview of Tamil Nadu Prohibition of Harassment of Women Act, 1998 as well as the central law against sexual harassment.

Ripples from the revelations of sexual harassment in the entertainment industry in the US reached South Asian shores in October 2017. The allegations against media mogul Harvey Weinstein, dating back several decades, revealed just how pervasive the problem was. Scores of women – today successful, well-known personalities from the film industry came out and declared, #MeToo, sharing painful personal stories of exploitation and misuse of power. At around the same time when the #MeToo hashtag was going viral, revelations of sexual harassment in the academia, mainly in South Asian studies departments in the US, and universities across India, naming a list of men whom students and colleagues accused of sexual harassment had significant repercussions. The crowd-sourced Google document soon began running into pages, as more and more women said #MeToo. Controversial though it was, the naming and shaming strategy was a reflection of the frustration with laws and the inadequacy of due process, in situations where the pursuit of justice is so heavily laden against women.

Laws certainly exist. In addition to criminal provisions, three countries in the region have specific civil laws to combat sexual harassment at the workplace: India's Sexual Harassment of Women at Workplace (Prevention and Redressal) Act, 2013, which replaced the 1997 Vishakha Guidelines on workplace harassment; Pakistan's Protection Against Harassment of Women at the

Workplace Act, 2010 and Nepal's Sexual Harassment at Workplace Prevention Act, 2015. While criminal laws against sexual harassment already existed in all these countries, the specific nature of workplace harassment, with rigid office hierarchies and control by mostly-male bosses over assignments, promotions and leave, needed to be tackled through different means. Each of these laws provides for redressal mechanisms within the workplace – complaints committees, inquiries and disciplinary action. They also provide for compensation, counselling and trauma leave, in recognition of the toll that sexual harassment can take on a complainant.

Yet, these laws have not necessarily made workplaces less hostile and conducive for women journalists. It is clear that the law and redressal mechanisms can only be made to work with vigilant and proactive staff and their associations and unions. The all-pervasive belittling of women and the resultant hostile workplaces are almost a norm in small towns and the non-English press, where conversations around sexual harassment are yet to be heard, and redressal mechanisms yet to emerge. Marginalisation in other spheres – caste, class, ethnicity or region – add to the possibilities of being subjected to sexual harassment, with no recourse.

The male entitlement that defines most workspaces pervades even the emerging world of Artificial Intelligence. “I'd blush if I could”, “If you insist” “Now now!” are some of the coy and suggestive responses of a female assistant when she is sexually harassed. Except that this is Siri, Apple's ‘virtual assistant’. Digital personal assistants, including Amazon's Alexa, Microsoft's Cortana and Google's Google Home replicate feminine stereotypes of subservience, flirtation and evasion. A study by Quartz at Work journalist Leah Fessler in February 2017 revealed that these bots, with female names and voices, literally flirt with abuse. Based on her research, a petition addressed to Apple and Amazon on the social network Care2 “Siri and Alexa should help shut down sexual harassment” has garnered almost 18,000 signatures, demanding that tech companies must change harmful cultural norms and societal ills. The petition demands that the female bots push back on sexual harassment and say “no” to aggressive masculinity at work.

This year, as part of the global conversation on sexual harassment at work, we shine the spotlight on media workplaces. Through an array of women journalists' views and perspectives on the sexual harassment, we look at the impact of the international #MeToo movement on debate and awareness in media and media workplaces in South Asia. We look at what managements, unions and associations can do and how can they be more proactive to make media workplaces safer for women journalists.

## THERE ARE A NUMBER OF WAYS HARASSMENT OCCURS: YOU ARE FELT UP, MOLESTED AND VERBALLY ABUSED.

### INDIA

#### NISHITA JHA: COURAGE IS CONTAGIOUS



#MeToo has had a very important impact on South Asian newsrooms in a couple of ways: first, it has led to in-house conversations about covering sexual harassment, how to investigate and cover sensitive stories, protect sources and understand the politics of abuse. As a result of this, women journalists know they will be heard if they speak up about experiencing harassment. They are less prone to putting up with abuse as “part of the job”.

This is very good news. When I was sexually assaulted by an editor years before I worked at BuzzFeed, much before the #MeToo movement, I was told by several senior women reporters that they had faced similar situations but learnt to choose their battles – it was hard enough being a woman covering serious beats, but to acknowledge that they had been victimised sexually would make them seem even more unwelcome in all-male newsrooms.

Informal, flat organisations do not necessarily guarantee that women are safer, but then neither do companies that have anti-sexual harassment policies and cells in place – in India, women journalists applying to some of the country's biggest newspapers are still asked when they plan to marry and start making babies.

It took me a couple of years to understand this: sexual abuse at the workplace is not a battle any one of us is going to win alone. In fact, there's no winning in a situation so awful - a legal route or official route alone cannot provide personal closure, that's for each person to figure out by herself. But each time one of us speaks up and owns her truth, we make it a bit easier for other women to resist. Never forget, courage is contagious.

*Nishita Jha, Global Women's Rights Reporter at BuzzFeed News, is based in New Delhi.*

### PAKISTAN

#### SARA FARID: BUSTING THE BOYS CLUB



It is said that journalism is a tough profession but to be a woman journalist, it is a nightmare in a conservative and woman-hostile country like Pakistan.

There are a number of ways harassment occurs: you are felt up, molested and verbally abused. This happens regularly to women in public spaces but it is even more frustrating when this happens while doing your job. A woman

walking on the street with a camera spells double trouble. It gives men a reason to invade your personal space. Most of the time you cannot react, as getting into a fight means you are wasting your own time and given deadlines of journalistic assignments, time is precious.

Patriarchy is strongly embedded in our culture and also leads to gender bias in journalism, which is considered to be a man's world. Sexism is common among editors and reporters and sometimes the grudge is turned into character assassination. I once heard a snarky male editor say, “A woman can never be a 100 per cent journalist. You don't even need to earn. You have occupied a position of a man who could be feeding his family.” Eleven years ago, I was not as fierce as I am today when I heard this man blatantly telling me that I do not deserve to be in the newsroom.

On one occasion young women in a national Urdu newsroom were advised by senior male colleagues against spending time with us: women who wear sleeveless dresses and have progressive views. “Stay away or you will also go astray like them”.

First, they don't want you in the newsroom. Once you've made your way, they won't give you the work you want. If you manage to get promoted you are told you must have slept with your boss. When I was not married I was told it's hard to find a man who will marry a journalist. After I got married, I was told I should not be so selfish and have a child. Once I had my baby, I was repeatedly asked who was taking care of him while I was on assignment. I asked my husband if he was ever asked that. He wasn't.

Pakistan has seen many women coming into the news industry. But photojournalism or video is still pretty much a boys' club. Women photographers are a rare breed in Pakistan. Sometimes even subjects ask in surprise, “Are you really a photographer?” Once in Swat valley, while I was covering a Jirga proceeding, a religious leader refused to be photographed by a woman. It is said that it is easier for a woman to access female subjects in places like FATA and Khyber Pakhtunkhwa. But even there, patriarchy blocks our path. During one of my assignments after getting access into a Pashtun family, one of the women told me not to use her photo. “My husband will kill me if my photo gets published.”

The #MeToo campaign is very important for women around the world. In Pakistan, it is not easy to come out and publicly talk about personal experiences of sexual harassment. Women are slut shamed and hardly get support, not even from other women. A woman's story and her intentions are always doubted. All this discourages women and young girls from naming men, especially seniors. This culture of silence needs to be broken.

Not having many women in the profession often made me feel on my own, especially as a freelancer. Becoming a part of the Coalition of Women journalists and being able to mentor other women provided an essential support network. *Sara Farid is a freelance photojournalist living in exile in France.*



**THIS WHOLE SCENARIO HAS ALLOWED MANY WOMEN IN THE MEDIA TO POINT OUT PEOPLE WHO HAVE BEEN VICTIMISING WOMEN OVER THE YEARS AND IT HAS BEEN NOTICED IN AT LEAST ONE MEDIA HOUSE THAT 'KNOWN' OFFENDERS ARE BEING ISOLATED AND SUBTLY OBSERVED BY THE ADMINISTRATION.**

## PAKISTAN

### LUBNA JERAR NAQVI: THE DISCUSSION HAS STARTED



Sometimes a bad thing may open up important discussions that didn't take place due to social and religious customs. This is what happened in Pakistan recently. Sexual harassment was non-existent in our conversations, and most adults including parents avoided any mention of 'inappropriate' discussions. The mega porn scandal

in Kasur and rapes and murders of minors made it to the news, followed by an outcry suddenly sexual harassment, rape and other 'taboos' were not only reported in main bulletins but a whole movement seemed to erupt.

Women from different walks of life especially the media began speaking up against sexual harassment they had faced at the hands of colleagues at work, online and outside work. Men have begun to understand that it is not alright to say certain things, to look at a woman in certain ways and to touch.

A couple of years ago I had been invited to speak on sexual harassment on Women's Day by the provincial government of Sindh. I was jotting down some points and one of my male colleagues inquired what I was doing. When I told him, he laughed and commented that sexual harassment is a 'figment of women's imagination'. He said other things that I am sure many working women have heard from people – not only men – around them.

It was infuriating for me to see that many men took sexual harassment so lightly, but working on this for some years has made me aware that this is the type of response you get when you speak about this alien topic – sexual harassment.

Fast forward and now the topics of sexual harassment and rape are openly discussed and many men are seen taking interest in this topic and trying to understand the issue from women's perspective. Women are also talking about it and discussing their encounters or of someone who has been a victim.

This whole scenario has allowed many women in the media to point out people who have been victimising women over the years and it has been noticed in at least one media house that 'known' offenders are being isolated and subtly observed by the administration of that organisation. In one case the offender, a senior producer and shift in charge who was known to be a perpetual harasser and also boast about it, was marked by the administration of that organisation. Recently some women made complaints against him and he has been

relocated to another department where his interaction with co-workers is restricted. He is under observation and there are indications that strict steps will be taken if and when there is evidence to back the large number of complaints against him.

With many people talking about sexual harassment in the media; among the media people and other places like educational institutions it is hoped that the number of victims will decrease. Or at least women will be able to speak up about it and timely resolution of the issue will take place.

*Lubna Jerar Naqvi is head of content, social media, Jang/Geo Group, Karachi*

## PAKISTAN

### NADIA SABOHI: RESILIENT PATH BREAKER



Back in 2002, carrying a camera and reporting for a TV channel was the most difficult thing to do in Khyber Pakhtunkhwa in Pakistan's north western province. Today, 16 years later as the first woman TV journalist in Khyber Pakhtunkhwa I can safely say that if you have a will and faith in your work you can achieve the most difficult things that seemed not

only difficult but impossible.

When the people of Khyber Pakhtunkhwa saw a woman reporter walking around roads reporting protests and other events in public spaces where all the other journalists and media personnel were men they found it very hard to accept. In Pakhtun society it is unfathomable that a woman would pick up a camera and actually go out to report: didn't she know what she was getting into; didn't she know how dangerous society was for her. But the same woman reporter ignored everyone and went out to report in the field. She wanted to prove that a woman could not only work outside in the field, but was capable of doing the job as well as anyone else. She had the talent to not only do the story from behind the desk but also confidently give beepers in front of the camera and analyse stories and situations on the spot. This was also a new thing considering the magnitude of misogyny in society, where the women remain silent and allow men to give opinions.

A woman reporter has to face a lot of criticism about her work and sometimes this can take on sexual nuances that are quite subtle but everyone involved understands the underlying emotion even if it may be hard to prove. The men in the field made sure that the only woman reporter was made aware that her place was not in the field which was a domain reserved for men. At one time the stories in Khyber Pakhtunkhwa were the worst the country has seen – every

other story was of a bloodbath following an act of terrorism. These were difficult stories for any reporter to cover but like the men, the women too learned on the job about how to cope and carry on.

For a society like ours, men do not even have to say much. Their looks, gestures and words are enough to make women feel insecure. They are usually subtle and can go unnoticed if you don't pay attention, but many men repeat them to make sure the message gets through. And then the physical harassment was another thing all together and quite bad – but it only helped fuel the passion.

Harassment in the relatively conservative society was not very open. But the men made sure to make the woman – the only one among them – feel uneasy because they were uneasy to see her in public spaces. The criticism and harassment may not be openly sexual, but it is an attempt to snatch women's feeling of achievement. Any award that the women journalist has achieved through sheer hard work is belittled by her male colleagues and looked upon with suspicion. Her own colleagues say that she probably used 'other means' to get it because her work was not up to the mark. She is made to feel bad about herself and her work, and a weaker person would probably cave in and quit. But sticking on goes to show that the women journalists of Khyber Pakhtunkhwa are resilient. Amazingly we have more girls as media students from Peshawar University's Journalism Department willing to take to the field as soon as possible and they say that the women who have paved the way before them are their heroes.

The good news is that the only woman reporter from persevered from 2002 onwards and was so successful in moulding – even if partially – the opinion of the men that now in 2018 there are more women in the field. 15 is a big number compared to the one in 2002.

*Nadia Sabohi is correspondent/producer with Geo TV Network in Peshawar*

## BANGLADESH

### NADIA SHARMEEN: TOWARDS UTOPIA



In a closed society with rampant victim blaming and entrenched impunity, Bangladeshi media is still struggling even to recognise sexual harassment as a significant problem. So, the #MeToo campaign didn't work here. Only five female journalists and two female producers had the courage to use this hashtag. But none of them had

star value or a visible position that could create a big difference. Being in a patriarchal society, Bangladeshi people have a long way to go to be sensitised about gender equity. Thinking about an abuse free, sexual harassment free society seems almost like a utopia. But women here are still struggling to turn that utopia into reality and have slowly started speaking up against sexual harassment.

A few women are going against society and trying to break the ice. With no support from managements, unions and associations, they are breaking barriers of social stigma on

their own. Some media houses are sincere about combating sexual harassment, but their number is very few. And this reaction also depends on the victim's and accused person's comparative positions. Men in high positions in the company have a very strong escape route from such accusations. Male counterparts with strong backup power politically, socially and officially are rarely punished. Instead, women media professionals are further victimised after being subjected to sexual harassment and speaking up.

Only three women hold decision-making positions in online media; only two amongst 28 private TV channels and in the print media, that number is only one. So, the redressal mechanisms for complaints of sexual harassment are also male dominated. That makes a victim twice a victim. So, speaking up against sexual harassment is greatly risky. Women are accused of having vested interests in speaking up and are tagged as 'bad women'. No journalist union or organisations are so far working consistently to combat sexual harassment. Some, like Bangladesh Nari Shangbadik Kendra arrange small-scale training programs but that is a drop in the ocean. Unions have thus far completely failed to become a pressure group against sexual harassment.

Nowadays, a new trend of sexual harassment has started which is hard for women to deal with: cyber bullying. Two women media professional filed cases against the harasser under the ICT Act. But in the aftermath of those complaints, they are getting more harassed and getting victimised online and offline. After their complaints became public and went viral online, not only from their colleagues and bosses, they also faced harassment from outsiders as well. They have had to go through a harrowing legal process and wait for a long time to get the judgment, during which time they faced obstacles in their new job for being so outspoken. Often, women lose their jobs. They also face a great social harassment due to victim blaming. Their characters go through a post-mortem or scanning through a male point of view and they judge the woman as a "bad woman". Little wonder then that hardly any women complain.

*Nadia Sharmeen is with Ekattor TV, Dhaka*

## SRI LANKA

### SHARANYA SEKARAM: TIME TO DO BETTER



In October 2017, feminism and social media were set aflame with a single hashtag - #MeToo. Most, if not all adult women have experienced harassment, assault, or abuse in some form. We know this. Didn't we? Doesn't the media constantly report cases of gang rape from Jaffna to Tissamaharama?

Wasn't it the media that made us aware that the UNFPA found that 90 per cent of women who travelled on public transport in Sri Lanka said they had been sexually harassed? Isn't it the media who makes sure that we are aware?

This happens in the media too – both to women (and others) who work in media. Female journalists have shared



their own #MeToo stories. Earlier this year I posted a status on my Twitter feed asking women to share their stories of workplace sexual harassment, and several came from women working in the media. The media as a space is not exempt, and we know this.

What we do need to talk about in the light of #MeToo is not just about media as a space, but how media is used as a tool to create the ecosystem in which abuse and harassment thrive. We need to start talking about how the media as a platform and space wields the power to shape our views of women, of their lives, their choices, and the normalisation of such violence. The media need to understand this power comes with great responsibility, and no longer can they avoid this fact.

In March the leading English daily print newspaper in Sri Lanka published an article about a fundamental rights petition using ‘nag’, ‘nitpick’ and ‘lamenting’ to describe the women who filed the petition. This is the same newspaper that regularly accompanies its pieces with salacious cartoons of women, and published a piece that ridiculed a woman who accessed services in a reproductive health clinic; carried articles on rape of young women on ‘gossip’ sites reinforcing victim blaming. The list goes on.

To start is simple, we need to closely examine the stories we choose to give attention and space to, and if we find we are unable to frame them in a way that doesn’t reinforce negative stereotypes or find the public interest benefit of the story, then perhaps we should question why we need to publish it at all. The media plays a crucial role in ensuring that people are viewed as human beings with dignity and rights. They are important allies in helping us combat issues, and show the world that women are people who deserve to be treated and portrayed as such – not as grotesque caricatures in gossip pieces whose aim seems to be to provide cheap entertainment and not much more.

It is now time for every journalist, sub-editor, editor, director, and person working in media and creating content to step up and do better. To be better. Media now needs to be the reason #MeToo becomes the catalyst for change, and not the reason it will continue to exist.

*Sharanya Sekaram is a gender activist and editor, bakamoono.lk*

## AFGHANISTAN MARYAM MEHTAR: BREAKING TABOOS



Two years ago, I decided to report on the issue of sexual harassment of women, but everyone refused to work with me. Upon hearing my questions, even a young woman who I had thought was very enlightened, attacked me for thinking she was a whore to be able to talk about such matters. But I have

continued to speak out. In December 2017, I gave a frank interview to *The New York Times*. Here is an excerpt: “You’re ugly, Maryam, everyone says so, but I guess you’re a virgin so when you’re ready to have sex, let me know and I will be glad to...” Her male co-worker, writing on her Facebook account finished obscenely. It was 10 am on a normal day in the life of an Afghan working woman. The journalist Maryam Mehtar, 24, said she had already that morning been harassed or assaulted at least five times: in the bus to work, on the street waiting for the bus, by a man who grabbed her buttocks, by another man who asked how much she charged and by a young boy who said she had a ‘pretty vulva’. Finally, in the relative safety of her own office, she opened her computer to read the Facebook offer from one of her colleagues to deflower her.”

Following my interview in *The New York Times* and *Impact Vice* about the harassment of journalists and women at the workplace in Afghanistan, the only response was that some re-published the report on social networks and some appreciated my courage to speak about this issue.

The struggle to survive has made it hard for anyone to be sensitive and care for the lives of others, let alone prosecute someone for persecution of women. Dozens of people are killed every day in the wake of the war in Afghanistan, and people are somehow inured to violence of all kinds. It becomes ‘natural’.

When there is a problem for a woman or girl, there is some activism on social media – by both women and men. However, the excitement of social networks does not last too long. If people sometimes try to organise a demonstration, they are suppressed by the government. When the Hazara community took to the streets on July 23, 2016, the government did not take responsibility for securing the rally, and three large bombs exploded, killing hundreds of people. It is evident that the lives of common people do not count for anything in Afghanistan.

Media houses are expected by law to prevent sexual harassment of women in their offices, but many of them do not have gender policies, making it hard for women journalists to complain. Despite the fact that the media talks about freedom and gender equality, media often abuses women. In the electronic media, women are selected for jobs on the basis of their bodies and appearance and not on the basis of their talent or creativity. Women who do not have a pretty face have no place in the media.

In my opinion, the role of television and some media houses is to perpetuate stereotypes and a negative portrayal of women. There is a recently launched channel, ‘Zan’ (woman), supposed to be aimed at demonstrating women’s talent and ability. However, the vacancy announcements for this channel too emphasised only applicants’ looks. How can a women’s rights advocate in the media look only for beauty in women? *Maryam Mehtar is with the Afghan news agency Sarienews*

## BANGLADESH LAILY BEGUM: ORGANISATIONS MUST ENGAGE



There is no policy against sexual harassment in most media houses in Bangladesh. Women journalists are subjected to harassment from various quarters: senior officials, co-workers and influential people encountered in the course of their work. Such

harassment makes it difficult for women journalists to carry out their professional duties. As it is, women face immense discrimination at the workplace, with low wages, discrimination in beats assigned, and inequality in promotions and opportunities. Their work is often not given its due, and their work is sometimes published under others’ bylines. Women are often forced out of the profession due to harassment that is sometimes intolerable.

This is the story of a journalist we shall call ‘Nabila’. When she was appointed by a certain media house, she was delighted that her dreams were coming true. However, that was the beginning of a nightmare. That night itself, the boss of the new media house called her up. It was only the start of a series of daily phone calls. She had to accept his ‘friend’ request on Facebook. She even had to go on long drives with him. Next came the direct demand for sex. Even when Nabila indicated that she was not interested in a sexual relationship with him, he kept pressurising her. Through phone calls, Facebook and in person, he kept pursuing her. She was forced to take help from friends and seek legal advice. She gathered evidence and with the support of her friends, sued her boss for sexual and online harassment. She also got journalists’ organisations to make written complaints against the boss. The police arrested him, and he was let off on bail. However, in Nabila’s view, she did not receive justice for all that she had been through.

Most media houses are not women-friendly or geared to ensuring that women professionals are given opportunities. Journalists’ organisations too are more engaged with economic issues, and do not address issues that deeply affect women journalists, like sexual harassment at the workplace. This is because journalists’ organisations too are male dominated. This needs to change, so that women’s issues are taken seriously by media houses and journalists’ organisations too.

*Laily Begum is district correspondent with Boishakhi Television and Daily Observer*

## PAKISTAN SARAH B. HAIDER: SILENCE IS NOT AN OPTION



When I joined one of the largest-circulated dailies in Pakistan in 2012, I was happy to find the office environment safe for women. Not long thereafter, a senior reporter working for the organisation’s sister concern met me in the office, and upon knowing that I was new, he advised me to try my luck in the electronic media. I told him that I was a print journalist and had no interest in switching. But he insisted and said that he

would be my referee and make ensure a better salary package.

I hesitatingly exchanged business cards with him, and the very next day he started calling and texting me in the middle of the night. Considering that he was a senior reporter, I answered his texts but also expressed that I wished not to be called or texted outside of office hours. Unfortunately, however, it fell on deaf ears. He continued to text me, and when I wouldn’t reply, he’d call me again and again, sometimes at 4 am. His texts also became lewd in nature – starting with sexual innuendos and growing to more sexually-explicit ones.

When I couldn’t take it anymore, I threatened to expose him. He laughed and told me that if I “dared” showing his messages to anyone, he’d assassinate my character and tell everyone that I was the one to hit on a married man. “If you are so innocent, why’d you reply to my texts in the first place? Why did you exchange numbers? Why did you smile at me?” he said.

Since I was very new to the industry, in need of the job, and didn’t want to cause distress to my family, I gave in to his manipulative tactics, stayed silent and brushed the matter under the rug. He didn’t contact me afterwards, but for months, I kept regretting the fact that I exchanged numbers with him, replied to his texts, and tried to be professionally polite with him – I kept blaming myself.

In a country like Pakistan, it’s not easy to openly talk about sexual harassment. It takes a lot of courage to speak up and name and shame the culprit. I now live in the West, and over the years, I have become exceedingly aware of my rights. But even now, I cannot muster the courage to name this person because I have no proof, and secondly, I do not want to fall prey to unnecessary victim blaming. He has risen in his seniority and power and is a well-known journalist in Pakistan. I wish that I hadn’t kept quiet at that time and instead taken action against him, because it was my right, and I was entitled to my safety under the law. But I didn’t, because I got easily daunted by societal norms.

Nonetheless, I am sharing this story now so that other girls should know that if someone (especially someone in a position of power or seniority) tries to harass or intimidate them, they should not stay silent. They should never blame themselves. Now with so many courageous women coming out with their stories, women should not feel alone.

Junior employees too who are bullied should also not remain silent. If they think that they are being disrespected, their rights as employees are being violated, and they are being discriminated against on the basis of socio-economic background, religion, or gender, they should immediately speak up. Always remember, silence is not an option anymore.

*Sarah B Haider is a freelance journalist*



# INTERNET SHUTDOWNS

## INTERNET BLACKOUTS: THE SOUTH ASIAN SHADOW

Internet shutdowns and deliberate slowdowns are increasing the world over and are now also a barometer on press freedom and freedom of expression controls. South Asia has witnessed the highest number of internet shutdowns globally, with India earning the dubious crown for the country with the highest number of internet shutdowns.

Internet shutdowns are “any intentional disruption of the broadband or mobile internet or internet-based mobile apps, by an order of the authorities or threat of non-state party, to control communication or online content or slowing down the access to general public”.

As well as causing massive economic losses, they also create adverse social impacts in access to vital information and affect crisis communication by general citizens. Shutdowns also impede the work of journalists in critical ways. When the internet is blocked or slowed, or social media is shut down, a valuable journalism tool is lost, for research, verification and essential communication. Internet shutdowns prevent journalists from freely accessing information and disseminating news, and also stop citizens from accessing and sharing information. They 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 under the guise of security.

In view of its growing impacts on freedom of expression, journalists and media, the IFJ in 2017 carried out its first major campaign against shutdowns. The #JournoAgainstShutdowns campaign documented instances of internet shutdowns in South Asia, and by effect aimed to raise awareness about its impact on media and journalists, and build solidarity to advocate against the abuse of shutdowns to silence or curb freedom of expression.

During the period covered in this report (May 2017 to April 2018), South Asia experienced at least 97 shutdowns of various magnitude. India alone shut down the internet, mostly at state or district level, as many as 82 times whereas Pakistan had 17 instances, compared to Sri Lanka which had one over the course of the year. Bangladesh and Afghanistan's attempts to implement internet shutdowns were largely averted by timely public outcry.

In most cases, the justification given for an internet shutdown is “to maintain law and order”, and many shutdowns are either pre-emptive or reactive measures in the face of mass, or potentially violent public protests.

In the volatile Kashmir Valley, which experienced nearly half of the shutdowns in India, clamping down on communications generally followed military operations in which militants or civilians were killed. In Darjeeling, a 45-day internet shutdown was ordered due to political demonstrations, protests and clashes by activists seeking

a separate state. In Sri Lanka, a week-long social media ban was ordered following the violent clashes between Buddhists and Muslims.

Despite its increasing abuse by governments, there remains no substantive data or evidence to prove that internet shutdowns can scale down violence. But there is clear evidence that shutdowns deprive citizens' access to basic, sometimes life-saving services at a time of crisis. Sri Lanka, according to some estimates, lost USD 30 million due to its week-long shutdown.

South Asia is at a critical juncture when it comes to freedom of expression online. While there is a massive increase in numbers of users and growing access to the internet, this has been countered with ever-increasing curbs on freedom of expression in the digital space.

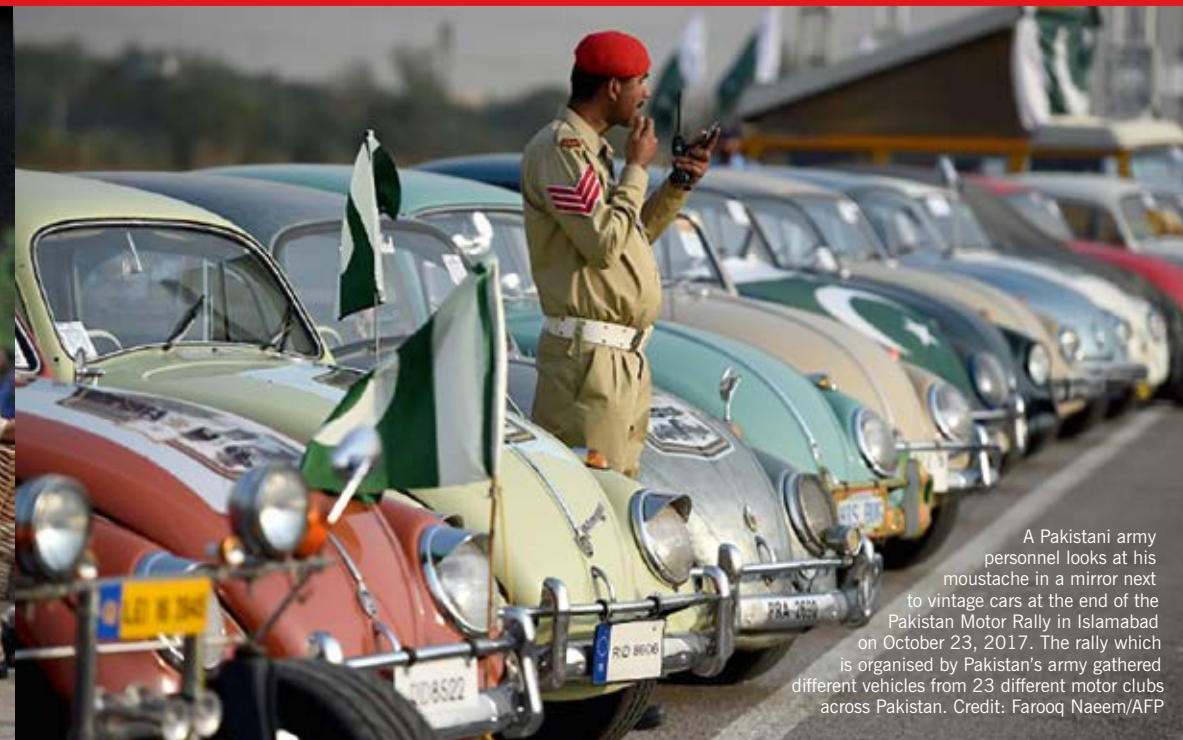
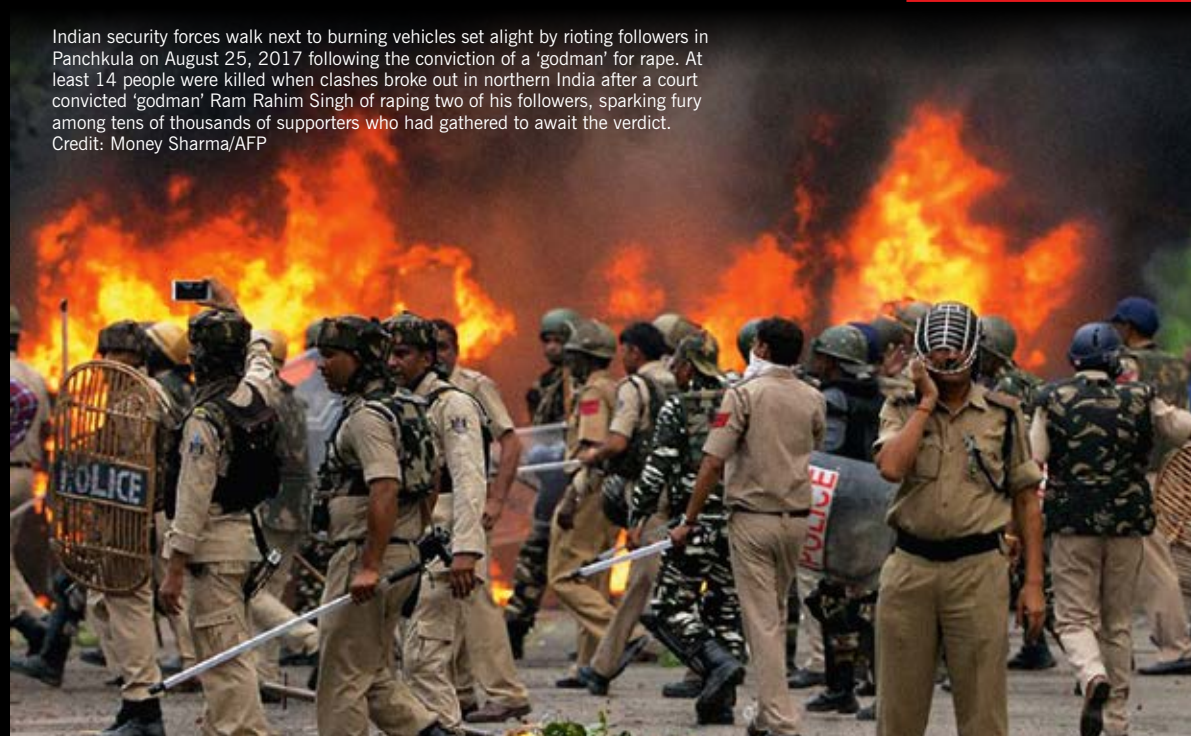
Internet shutdowns are being flagged as a major issue in the region by the South Asia Media Solidarity Network (SAMSAN) and freedom of expression is the casualty. There is an urgent need for journalists, journalist unions and media rights organisations in South Asia to join the growing advocacy against internet shutdowns in order to defend the rights of journalists and protect freedom of expression.

Members of the Dalit community stage a protest during a countrywide strike against a Supreme Court order that they said diluted the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, in Allahabad on April 2, 2018. Street battles and widespread protests by Indian 'low-caste' groups enraged by what they consider the undermining of a law protecting their safety left at least one dead, police said. Credit: Sanjay Janojia/AFP



**IN MOST CASES, THE JUSTIFICATION GIVEN FOR AN INTERNET SHUTDOWN IS “TO MAINTAIN LAW AND ORDER”, AND MANY SHUTDOWNS ARE EITHER PRE-EMPTIVE OR REACTIVE MEASURES IN THE FACE OF MASS, OR POTENTIALLY VIOLENT PUBLIC PROTESTS.**

Indian security forces walk next to burning vehicles set alight by rioting followers in Panchkula on August 25, 2017 following the conviction of a 'godman' for rape. At least 14 people were killed when clashes broke out in northern India after a court convicted 'godman' Ram Rahim Singh of raping two of his followers, sparking fury among tens of thousands of supporters who had gathered to await the verdict. Credit: Money Sharma/AFP



A Pakistani army personnel looks at his moustache in a mirror next to vintage cars at the end of the Pakistan Motor Rally in Islamabad on October 23, 2017. The rally which is organised by Pakistan's army gathered different vehicles from 23 different motor clubs across Pakistan. Credit: Farooq Naeem/AFP



INTERNET SHUTDOWNS - SOUTH ASIA - MAY 2017 - APRIL 2018  
2017:

DATE	COUNTRY	STATE/PROVINCE	AREA IMPACTED	DAYS	SERVICES AFFECTED	JUSTIFICATION	DETAILS OF SHUTDOWN, SUSPENSION, BLOCKING, DISRUPTION
Apr 17	India	Jammu & Kashmir	Kashmir Valley	31	Social Media, mobile internet	Information Control	Blocked to prevent circulation of videos and photos showing alleged military abuse
May 24	India	Uttar Pradesh	Saharanpur	12	SMS, mobile internet	Communal clashes	Suspended to stop rumours following the violent communal clashes.
May 27	India	Jammu & Kashmir	Kashmir Valley	5	Mobile internet	Killing	Suspended after killing of a militant.
June 5	India	Maharastra	Nashik	1	Internet	Protests	Suspended during the protests by the farmers.
June 6	India	Madhya Pradesh	Mandsaur, Ratlam, Ujjain	1	Internet	Protests	Suspended during the protests by the farmers.
June 7	India	Jammu & Kashmir	Kashmir Valley	1	Internet	Killing	Internet cut off following the protests over the killing of a civilian by the security forces.
June 8	India	Uttar Pradesh	Saharanpur	3	Internet	Arrest	Suspended for three days following the arrest of a local politician.
June 14	India	Jammu & Kashmir	Pulwama	7	Mobile internet, Internet	Killing	Mobile internet blocked, and fixed landline broadband slowed after a youth was killed in firing by the security forces.
June 18	India	West Bengal	Darjeeling	45	Mobile internet, Internet	Protests, strikes, violence	Mobile and broadband internet cut off due to political protests, clashes and strikes.
June 30	India	Rajasthan	Nagaur, Churu	1	SMS, mobile internet	Protests	SMS and mobile internet suspended due to protests by the Rajut community.
July 1	India	Jammu & Kashmir	Anantnag	1	Internet	Violence	Suspended due to the gunfight between militants and security forces.
July 5	India	West Bengal	Baduria, Bashirat	1	Internet	Clashes	Suspended due to violent clashes over a Facebook post by a Grade 10 student.
July 6	India	Jammu & Kashmir	Kashmir Valley	1	Mobile internet, Internet	Killing	Mobile and broadband internet disrupted on the first death anniversary of a militant.
July 10	India	Jammu & Kashmir	Jammu	15	Mobile internet, Internet	Violence	Suspended after the terrorists opened fire on a bus full of pilgrims.
July 21	India	Jammu & Kashmir	Budgam	5	Internet	Violence	Suspended due to clashes between protesters and government forces.
July 17	Pakistan	Sindh	Karachi, Hyderabad	1	Mobile Internet, SMS	Information Control	Sindh Government issued notification banning cellular services on the martyrdom anniversary of Hazrat Ali ibn Abi Talib.
Aug 1	India	Jammu & Kashmir	Kashmir Valley	1	Mobile internet, Internet	Killing	Mobile internet shutdown and broadband slowed down after killing of two militants.
Aug 5	India	Jammu & Kashmir	Baramulla, Bandipora	1	Mobile internet	Killing	Services disrupted due to killing of three militants in Baramulla
Aug 9	India	Jammu & Kashmir	Pulwama	1	Mobile internet	Killing	Services disrupted after killing of three militants.
Aug 11	India	Jammu & Kashmir	Pulwama	5	Mobile internet	Killing	Suspended for 5 days after killing of a militant commander
Aug13	India	Jammu & Kashmir	Shopian	1	Mobile internet	Killing	Suspended after killing of two security personnel and three militants
Aug 15	India	Jammu & Kashmir	Kashmir Valley	1	SMS, internet	Information Control	Internet and SMS services were throttled on India's Independence Day in view of separatist protests
Aug 24	India	Punjab	Punjab	3	SMS, mobile internet	Court case	All mobile internet services and SMS blocked following the court verdict on the rape case against a cult leader
Aug 24	India	Haryana	Gurgaon and Faridabad	3	SMS, mobile internet	Court case	All mobile internet services and SMS blocked following the court verdict on the rape case against a cult leader
Aug 24	India	Chandigarh	Chandigarh	3	SMS, mobile internet	Court case	All mobile internet services and SMS blocked following the court verdict on the rape case against a cult leader
Aug 14	Pakistan	Islamabad	Islamabad	1	Mobile Internet, SMS	Information Control	Government suspended mobile services to maintain security situation for flag hoisting ceremony on the Independence Day.
Aug 14	Pakistan	Rawalpindi	Rawalpindi	1	Mobile Internet, SMS	Information Control	Government suspended mobile services to maintain security situation for flag hoisting ceremony on the Independence Day.
Sept 2	India	Jammu & Kashmir	Shopian and Kulgam	1	Mobile internet	Killing	Suspended after clashes broke out following the killing of a militant
Sept 4	India	Jammu & Kashmir	Kupwara	1	Mobile internet	Killing	Suspended after two militants were killed
Sept 5	India	Bihar	Madhepura, Supaul, Saharsa, Purnea, Araria, Kishanganj and Katihar	1	Internet	Communal clashes	Suspended following communal tensions
Sept 8	India	Haryana	Sirsa	3	Mobile internet	Protests	Suspended to prevent rumour mongering and disturbance of public order
Sept 9	India	Jammu & Kashmir	Baramulla	1	Internet	Violence	Internet services suspended as a preventive measure after a gunfight between militants and security forces

INTERNET SHUTDOWNS - SOUTH ASIA - MAY 2017 - APRIL 2018  
2017:

DATE	COUNTRY	STATE/PROVINCE	AREA IMPACTED	DAYS	SERVICES AFFECTED	JUSTIFICATION	DETAILS OF SHUTDOWN, SUSPENSION, BLOCKING, DISRUPTION
Sept 9	India	Rajasthan	Jaipur	1	Mobile internet	Killing	Services disrupted after one person was killed in a clash between locals and police personnel
Sept 11	India	Jammu & Kashmir	Kulgam and Anantnag	1	Mobile internet	Killing	Suspended after two militants were killed
Sept 11	India	Rajasthan	Sikar	1	Mobile internet, Internet	Protests	Suspended due to farmers' protests
Sept 21	India	Tripura	Agartala	1	Internet	Killing	Suspended after the killing of a journalist, who was covering a clash between two political parties in Mandwai of West Tripura
Sept 26	India	Jammu & Kashmir	Baramulla	1	Mobile internet	Killing	Suspended after the killing of top militant commander.
Sept 28	India	Bihar	Nawada	40	Internet	Communal clashes	Suspended after communal tensions
Sept 29	Pakistan	Country-wide	Pakistan	3	Mobile Internet, SMS	Security	Government banned services to avoid any act of violence and terrorism all over the country, on the days the Islam followers celebrated Muharram.
Oct 1	India	Bihar	Arwal, Jamui, Bhojpur, Katihar, Sitamarhi, West Champaran	4	Internet	Communal clashes	Suspended for 3-4 days following instances of Communal clashes.
Oct 23	Pakistan	Islamabad	Islamabad	1	Mobile Internet, SMS	Information Control	Suspended due to the arrival of jeep rally participants and an accompanying musical concert.
Oct 23	Pakistan	Rawalpindi	Rawalpindi	1	Mobile Internet, SMS	Information Control	Suspended due to the arrival of jeep rally participants and an accompanying musical concert.
Nov 1	Afghanistan	Country-wide	Afghanistan	20	Telegram, WhatsApp	Unknown	The Afghanistan Telecommunication Regulatory Authority directed internet service providers to block Telegram and WhatsApp services. It was not fully implemented.
Nov 2	India	Jammu & Kashmir	Pulwama	1	Internet	Killing	Suspended following a gunfight in which two army soldiers and a militant were killed.
Nov 24	India	Haryana	Jind, Hansi, Bhiwani, Hisar, Fatehabad, Karnal, Panipat, Kaithal, Rohtak, Sonipat, Jhajjar, Bhiwani and Charkhi Dadri	3	Mobile internet	Protests	Suspended due to public rallies.
Nov 10	Pakistan	Sindh	Karachi, Hyderabad	1	SMS	Security	Suspended as part of security arrangements on Chehlum celebrations.
Nov 10	Pakistan	Khyber Pakhtunkhwa	Peshawar	1	SMS	Security	Suspended as part of security arrangements on Chehlum celebrations.
Nov 10	Pakistan	Balochistan	Quetta	1	SMS	Security	Suspended as part of security arrangements on Chehlum celebrations.
Nov 15	Pakistan	Rawalpindi	Rawalpindi	1	SMS	Protests	Suspended as Tehreek-E-Labaik protesters blocked a main entrance into Islamabad city demanding the resignation of Law Minister Zahid Hamid.
Dec 3	India	Rajasthan	Bhilwara, Chittorgarh, Nimbahera	1	Internet	Communal clashes	Suspended after clashes between two communities.
Dec 11	India	Jammu & Kashmir	Sopore, Baramulla, Handwara, Kupwara	1	Mobile internet	Killing	Suspended following the killing of three militants.
Dec 13	India	Rajasthan	Udaipur, Rajsamand	1	Mobile internet	Protests	Mobile Internet suspended after Hindu group announced rally in support of an alleged murderer of a Muslim youth.
Dec 16	India	Telangana	Adilabad	1	Internet	Communal clashes	Suspended in the wake of communal clashes.
Dec 17	India	Jammu & Kashmir	Kupwara	1	Mobile internet	Protests	Suspended after protests erupted over the killing of a taxi driver in Army firing.
Dec 18	India	Jammu & Kashmir	Pulwama, Shopian	3	Mobile internet	Violence	Suspended in the wake of a gunfight between militants and government forces.
Dec 26	India	Jammu & Kashmir	Pulwama	1	Mobile internet	Killing	Suspended following the killing of militant commander.
Dec 31	India	Jammu & Kashmir	Pulwama	1	Mobile Internet	Violence	Suspended due to fighting between security and militants.
Dec 31	India	Rajasthan	Bundi	2	Internet, Twitter, WhatsApp, Facebook, SMS	Security	Internet services including bulk SMS, Twitter, Whatsapp and Facebook suspended

SHUTDOWN DURATION IN DAYS (COLOUR CODED)

1	2-5	6-10	10-20	20+
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INTERNET SHUTDOWNS - SOUTH ASIA - MAY 2017 - APRIL 2018 2018:

DATE	COUNTRY	STATE/PROVINCE	AREA IMPACTED	DAYS	SERVICES AFFECTED	JUSTIFICATION	DETAILS OF SHUTDOWN, SUSPENSION, BLOCKING, DISRUPTION
Jan 4	India	Maharastra	Kolhapur	1	Internet	Protests	Suspended following protests by Dalit groups during a strike.
Jan 9	India	Jammu & Kashmir	Anantnag, Kulgam	3	Mobile internet	Protests	Suspended following protests
Jan 24	India	Jammu & Kashmir	Pulwama, Shopian, Anantnag, Kulgam	1	Internet	Killing	Internet wa shut down in Pulwama, Shopian, Anantnag and Kulgam while the rest of Jammu & Kashmir's Internet speeds were reduced to 128 kbps following the death of two militants and a civilian.
Jan 25	India	Jammu & Kashmir	Kashmir Valley	1	Mobile internet	Information Control	Shut down in anticipation of militant activity on Republic Day.
Jan 27	India	Uttar Pradesh	Kasganj	2	Internet	Clashes	Shut down following violent clashes.
Feb 11	Bangladesh	Country-wide	Bangladesh	1	Internet	Information Control	The Bangladesh Telecommunication Regulatory Commission instructed all internet service providers to shut off mobile internet and reduce broadband speeds to 25 kbps from 8:00am-10:30am on exam days for the rest of Feb. On Feb 12, 2018, the government backtracked and ordered ISPs to ensure uninterrupted internet service.
Feb 11	India	Rajasthan	Exam centers across the state	1	Internet	Information Control	Jammers used and internet suspended around some exam centres across the state of Rajasthan to prevent cheating in Rajasthan Eligibility Examination for Teachers.
Feb 16	India	Uttar Pradesh	Firozabad	1	Mobile internet	Assault	Suspended to prevent rumour after an alleged assault on two minority group men and a police officer by political cadres
Feb 18	India	Rajasthan	Tonk	1	Mobile internet	Communal clashes	Suspended following the clashes between two communities.
Mar 1	India	Jammu & Kashmir	Bandipora	1	Internet	Killing	Suspended following the killing of a militant.
Mar 3	India	Jammu & Kashmir	Pulwama, Shopian	1	Mobile internet	Killing	Suspended to prevent violence and spread of any rumour after 6 people were killed in an exchange of fire between security forces and militants.
Mar 8	India	Jammu & Kashmir	Baramulla	1	Internet	Protests	Suspended due to protests over police vehicle killing an elderly man.
Mar 12	India	Jammu & Kashmir	Srinagar, Anantnag	1	Internet	Killing	Suspended following the killing of three militants.
Mar 17	India	Bihar	Bhagalpur	1	Internet	Security	Suspended to prevent communal riots.
Mar 18	India	Rajasthan	Tonk	1	Internet	Violence	Suspended following the stone pelting by miscreants from a mosque.
Mar 24	India	Jammu & Kashmir	Kulgam, Anantnag	1	Internet	Killing	Suspended following the killing of two militants.
Mar 24	India	Odisha	Bhadrak	2	Internet	Security	Suspended as a precautionary measure to maintain communal harmony.
Mar 25	India	Jammu & Kashmir	Baramulla, Badgam	1	Mobile internet	Killing	Suspended following the killing of a militant.
Mar 26	India	Bihar	Aurangabad	1	Internet	Security	Suspended to contain spreading of rumours and prevent communal encounters.
Mar 29	India	West Bengal	Asanol, Raniganj	1	Internet	Security	Suspended to prevent spread of rumours.
Mar 29	India	Bihar	Samastipur	1	Internet	Communal clashes	Suspended following communal clashes
Mar 30	India	Bihar	Nawada	1	Internet	Communal clashes	Suspended following communal clashes
Mar 31	India	Rajasthan	Jaitran	1	Internet	Security	Suspended as a preventive measure to avert spreading of rumours following the clashes that erupted after a few miscreants pelted stones at a religious procession.
Mar 21	Pakistan	Islamabad	Islamabad	1	Mobile Internet, SMS	Security	Shut down to avert possible law and order situations.
Mar 21	Pakistan	Rawalpindi	Rawalpindi	1	Mobile Internet, SMS	Security	Shut down to avert possible law and order situations.
Mar 7	Sri Lanka	Country-wide	Sri Lanka	7	Facebook, Whatsapp, Instagram, Twitter	Communal clashes	Government ordered shutdown following the Communal clashes.
Apr 1	India	Jammu & Kashmir	South Kashmir Valley	1	Mobile internet	Killing	Mobile Internet following the killing of eleven militants by the security forces.
Apr 1	India	Punjab	Punjab	2	Mobile internet, SMS	Strikes	All mobile services, except voice calls, suspended due to strike called by Dalits.
Apr 2	India	Rajasthan	Jalore, Barmar, Sikar, Alwar, Ahore	1	Mobile internet	Violence	Suspended due to violent protests by Dalits.
Apr 2	India	Madhya Pradesh	Gwalior, Morena, Bhind	1	Mobile internet	Violence	Suspended due to violent protests by Dalits.
Apr 2	India	Punjab	Sriganganagar, Hanumangarh	1	Mobile internet	Violence	Suspended due to violent protests by Dalits.
Apr 3	India	Jammu & Kashmir	Shupian, Pulwama, Kulgam, Anantnag, Ganderbal	1	Mobile internet	Killing	Suspended to maintain law and order following the killing of a civilian.
Apr 3	India	Uttar Pradesh	Meerut, Agra, Bareilly, Saharanpur	1	Mobile internet	Protest	Suspended as a precautionary measure, following the violent protests against Supreme Court's ruling.
Apr 9	India	Rajasthan	Jaipur, Bharatput	1	Internet	Communal clashes	Suspended following violent clashes between civilian groups.
Apr 9	India	Uttar Pradesh	Saharanpur, Hapur	1	Internet	Communal clashes	Suspended following violent clashes between civilian groups.
Apr 9	India	Madhya Pradesh	Gwalior, Bhind, Morena, Jabalpur	1	Internet	Communal clashes	Suspended following violent clashes between civilian groups.
Apr 11	India	Jammu & Kashmir	Anantnag, Kulgam	1	Internet	Killing	Suspended following killing of two people in an encounter with militants.
Apr 14	India	Punjab	Kapurthala, Jalandhar, Hoshiarpur, Shahid Bhagat Singh Nagar	3	Mobile Internet, SMS	Security	Mobile Internet services and SMS services as a precautionary measure to check rumour mongering on social media, following the Hindu-Dalit clashes over a poster of B.R. Ambedkar.
Apr 14	India	Uttar Pradesh	Meerut	1	Mobile Internet	Security	Suspended as a precautionary measure in the light of widespread protests by Dalits

SHUTDOWN DURATION IN DAYS (COLOUR CODED)

1	2-5	6-10	10-20	20+
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THE SIX BIGGEST SHUTDOWNS

DATE	COUNTRY	STATE/ PROVINCE	AREA IMPACTED	DAYS	SERVICES AFFECTED	JUSTIFICATION	DETAILS
June 18, 2017	India	West Bengal	Darjeeling	45	Mobile internet, Internet	Protests, strike, clashes	Mobile and broadband internet was cut off due to political protests, clashes and strikes.
Sept 28 2017	India	Bihar	Nawada	40	Internet	Clashes	Internet services suspended after communal tensions
Apr 27 2017	India	Jammu & Kashmir	Regional	31	Social Media, mobile internet	Information Control	Blocked to prevent circulation of videos and photos showing alleged military abuse
Nov 1 2017	Afghanistan	Country-wide	National	20	Telegram, Whatsapp	Unknown	The Afghanistan Telecommunication Regulatory Authority directed internet service providers to block Telegram and WhatsApp services, it was not fully implemented.
July 10 2017	India	Jammu & Kashmir	Regional	15	Mobile internet, Internet	Violence	Mobile and broadband internet suspended after the terrorists opened fire on a bus full of pilgrims.
May 24 2017	India	Uttar Pradesh	Saharanpur	12	SMS, mobile internet	Communal clashes	Suspended to stop rumours following violent communal clashes.

INTERNET SHUTDOWNS BY COUNTRY (MAY 2017-APR 2018)

COUNTRY	NO.
India	82
Pakistan	12
Afghanistan	1
Bangladesh	1
Sri Lanka	1
TOTAL:	97

MOST COMMON JUSTIFICATION FOR INTERNET SHUTDOWNS IN SOUTH ASIA

- 1
- Following a killing
- 2
- Security
- 3
- Protests
- 4
- Violence
- 5
- Communal Clashes





# AFGHANISTAN

## ROCKY ROAD TO DEMOCRACY

The war-torn country of Afghanistan remains one of the most dangerous places in the world for journalists, with an alarmingly high number of killings, attacks and threats as well as a country ridden by suicide bombings and widespread attacks that inevitably capture journalists in their wake.

April 30, 2018 was the deadliest day for journalists in Afghanistan that highlights the precarious situation of journalists in the war-torn country. Ten journalists were killed in a single day. Nine journalists, including a female journalist, lost their lives in the line of duty in capital city Kabul when a suicide bomber disguised as a journalist detonated himself among the reporters and camera crew gathered at a heavily fortified area of the city to cover an earlier suicide attack. Among those killed was AFP chief photographer Shah Marai. The Islamic State (also known as ISII or ISIL or Daesh) claimed responsibility for the horrific incident in which at least 50 other people were killed. On the same day, Ahmad Shah, a journalist with BBC Pashto service, was shot dead by unknown gunmen in Khost province. Shah, 29, was on his bicycle on his way to home when the gunmen killed him. This terrible day brought into sharp attention the condition of journalists in Afghanistan where the Taliban, and the Daesh frequently target media and journalists, in a situation where the state is unable to provide any security to them.

Since the withdrawal of the US and NATO forces in late 2014, militant groups – including the Taliban and the Islamic State (ISIS) – have become even more active around the country, including in capital Kabul, frequently targeting the media and journalists. The Afghan National Security Forces continued the offensive against militant groups, with clashes intensifying throughout the year.

The National Unity Government, led by President Ashraf Ghani, nevertheless has remained in a stable position since coming to power three-and-half-years ago, but the pace of change on media safety has proved a sticking point for the industry.

While the government has repeatedly made promises and expressed its ongoing commitment to improve the security situation for media and investigate cases of murders of journalists to end impunity, it is hard to say there has been any substantial change in the situation on the ground for media workers. Afghanistan's media today remains dogged by problems on multiple fronts – namely economic, professional, safety and security - which continue to force too many journalists out of the industry and also out of the country as more journalists seek to get asylum abroad.

The continued threat of violence from various militant groups, and the state's lack of overall capacity to meaningfully improve the security situation of journalists threatens the independence and very existence of Afghanistan's media. Today, this includes 100 television



Afghan security personnel stand guard near three Taliban fighters and the bodies of other Taliban fighters lying on the ground as they are presented to the media at the Afghan National Army headquarters in Jalalabad on March 17, 2018. Three Taliban insurgents were arrested and four others killed by Afghan Forces during an operation in the Bati kot District of Nangrahar province. Credit: Noorullah Shirzada/AFP

and 302 FM radio stations, where approximately 12,000 journalists are employed. Afghanistan has a few hundred newspapers, 174 radio stations, 68 private TVs, 22 state-owned provincial channels (RTA) and 11 news agencies. In the period under review (May 2017 to April 2018), 22 journalists and media workers were killed, giving it the dubious distinction of being the country with the most number of journalists killed in South Asia..

Reporters Without Borders (RSF) in February, 2018 raised concerns that the Taliban had begun forcing media outlets in several provinces to pay arbitrary taxes to be allowed to continue operating. The targets included Ghaznavian, a privately-owned TV in Ghazni, Radio Killid and Radio Sama, all of whom refused to pay and sought state protection. Some media outlets reportedly paid the ransoms.

### NEW CYBERCRIME LAW

On June 10, 2017, President Ashraf Ghani signed into law a bill targeting online crime and militancy amid concerns it could limit free speech. The Cyber Crime Law criminalises a range of online activities including hacking, spreading ethnic hatred, distribution of online

defamatory speech, exposing government secrets and cyber-terrorism. But Media watchdog group Nai has warned that the law could have a detrimental effect on access to information and limit freedom of speech because

vague wording could have multiple interpretations.

Access to the internet in Afghanistan has grown in the past decade to reach approximately 12 per cent of the population, a report by Internews in October 2017 stated.

While much of Afghanistan remains rural, over 8.5 million Afghans are using the internet in cities including Kabul, Herat and Mazar-i-Sharif. Social media penetration has followed the same course, challenging traditional media platforms and providing new platforms for public discourse. Facebook is the most popular social media platform with 95 per cent internet users using it while Instagram (10 per cent) and Twitter (6 per cent) are distant followers.

In October 2017, Afghanistan tried to block two popular internet messaging services – Telegram and WhatsApp – citing security concerns. The Afghan Telecommunications Regulatory Authority then sent a letter sent to internet service providers asking them to block the services for 20 days from November 1 on request of the security agencies.

After widespread criticism, acting minister for telecommunications, Shahzad Aryobee, posted a Facebook message claiming that the telecom regulator was merely upgrading its service with gradual blocks on the two services, citing complaints about inefficiency. “The government is committed to freedom of speech and knows that it is a basic civil right for our people,” he wrote. The

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announcement prompted the telecom regulator to claim the ban was needed to test and implement “a new kind of technology” to address citizens’ complaints.

Meanwhile, the revised Access to Information Act was approved by the Cabinet and will be

adopted as a legislative decree. One of the major changes is the independence of the Oversight Commission on Access to Information (OCAI). Earlier, this commission had close ties with the Ministry of Information and Culture, but on the basis of the new law, a more independent commission would be set up.

### IN THE LINE OF FIRE

Since 2000, 74 journalists and media workers have been killed in Afghanistan. In 2017 and early 2018, the majority of the journalists and media staff killed were victims of attacks on media houses or were among the casualties of large suicide attacks, claimed by the ISIS.

On May 7, 2017, Asadullah Kuhzad, a reporter for *Peshkeswat* newspaper who had previously worked for Radio France, was killed by unknown gunmen in a targeted attack while leaving his home in Pul-u-Khumri in Baghlan province. Kuhzad was also a civil society activist and a critic of the government.

Four media workers of the state-owned Radio and Television Afghanistan (RTA) died in Jalalabad, Nangrahar province, when its office was attacked by suicide bombers. Mohamad Amir Khan, Zinullah Khan, Abdul Latif and Ghani were killed and 17 other staff injured when the four attackers, including two suicide bombers, forced their way into the RTA station. Two of the attackers blew themselves





**STAFF WERE TRAPPED INSIDE, WITH SOME JUMPING OUT OF WINDOWS AND OTHERS ESCAPING THROUGH A NEIGHBOURING BUILDING. AFTER AFGHAN FORCES BROUGHT THE SITUATION UNDER CONTROL, THE NETWORK WENT BACK ON AIR WITH AN INJURED ANCHOR.**

up at the front gate, while the other two attackers entered the main building. It took the security forces more than three hours to end the assault.

On May 31, TOLO TV's Naween, Press TV reporter Habibullah Hassanzada, Mohammad Omer Uruzgani of National Radio Television and BBC driver Mohammed Nazir were among victims of the explosion in the Zanzaq Square in Kabul, which killed at least 80 people and injured 350. Three more journalists of BBC Kabul and a reporter of TV1 channel were also injured in the gruesome attack near the office to the TV1 channel, which was forced to go off air for several hours following the attack.

On October 12, 2017, after five months of relative calm from the early spate of killings, there was an attempt to kill Shir Mohammad Jahish, the head of Tanweer TV. Despite injuries, he survived the attack but his guard lost his life. Jahish was on the way home from work when his car was attacked by unidentified gunmen near his residence in Pul-i-khumri, capital of Baghlan.

On November 7, 2017, Sayed Naqibullah, the security guard of Shamshad Television, was killed when a suicide bomber blew himself up at the network's front gate. Two other gunmen dressed as Afghan police went on to storm the TV station's offices in Kabul and climbed to the roof to fire at security personnel. Staff were trapped inside, with some jumping out of windows and others escaping through a neighbouring building. After Afghan forces brought the situation under control, the network went back on air with an injured anchor. "This is an attack on freedom of media but they cannot silence us," the station's news director Abid Ehsas said.

Nine days later, Husain Nazari, a cameraperson with Rah-e-Farda TV, was critically wounded in a suicide attack on a political gathering in Kabul outside the Qasr-E-Naween Hotel. He died from his injuries in hospital on November

17. His colleague, reporter Taqi Sadid was also injured in the attack. The explosion claimed the lives of 19 people, including eight policemen.

On December 28, 2017, Sayed Mehdi Hosaini, journalist with Jomhor News Agency, was among 40 people killed in the multiple blasts at a Shia cultural centre in Kabul. The blast also left 80 more people injured, including nine journalists - seven from the AVA News Agency and two from Shamshad TV.

On January 21, 2018, two journalists of RTA narrowly escaped an attack by an armed group. A vehicle carrying journalist Baz Shinwary and cameraperson Mohamad Rafiq came under attack in Batkot district of Nangrahar province when the group opened fire on the car. The driver was killed on the spot but the two journalists, who were shot on the upper part of their bodies, survived the attack.

### ATTACKS ON JOURNALISTS

On January 21, 2018, an unidentified armed group burnt down Radio Saday-e-Adalat, destroying all equipment as well as the building in capital Firuzkoh of Ghor province. As a result, the station was forced to shut down.

On June 8, 2017, Qadeer Ghafori, a journalist with Radio Azadi in Ghor province, was beaten and detained by officers of the National Directorate of Security (NDS). Ghafori was stopped by NDS staff in civilian clothes while he was returning home. The incident occurred after being asked for identification and was then taken to an NDS office in Ghor province and detained for two hours.

Five days later, security personnel of a private construction company assaulted Ziar Khan Yaad of TOLO News and Sabawoon Sahil of Maiwand TV for their critical reporting about the ongoing road construction in Surkhrud district of Nangrahar. They were also confined in a room for a few hours and harassed while they were on assignment to report



**From left (top):** Afghan journalists take cover behind an ambulance near the Intercontinental Hotel during a confrontation between gunmen and Afghan security forces in Kabul on January 21, 2018. Gunmen stormed a luxury hotel in Kabul killing at least six people, including a foreigner, sparking a twelve-hour fight with security forces that left terrified guests scrambling to escape and parts of the building ablaze. Afghan security forces killed four attackers during the night-time siege, during which people trapped inside the landmark hotel were seen climbing over balconies to escape. Credit: Shah Marai/AFP

on the delay in construction of the Nangrahar-Kabul road and late payments to the project's labourers.

On September 23, Dr Molladad Tobakar, a senior public health official in Helmand province, assaulted and abused journalist Sardar Mohammad Sarwari of Shamshad TV while he was working on a report about complaints that a local hospital did not receive its allocated budget. Dr Tobaghar refused to provide Sarwari any information regarding the hospital budget and instead threatened him via fake Facebook accounts prior to a physical assault.

### THREATS TO JOURNALISTS AND MEDIA

Journalists in Afghanistan live under constant threat to their lives from the militant groups. They are also intimidated and subjected to abuse and harassment by state agencies for their questioning, reporting or attempts to film or report incidents where police or government officials are involved.

On May 25, the provincial governor of Baghlan, Abdul Hai Namati, cut off a television interview in objection to the reporters' questions. He was being interviewed for a program called 'Face to Face' on local Arezo TV. The four journalists for the interview were subsequently threatened and ordered to delete the footage. When they refused, they were blocked from leaving the governor's office premises. Ahmad Fawad Talash, Javid Saddat, Said Amin Jalali and Salam Fretat were held for two hours, only allowed to leave after intervention from media rights organisations.

On October, 2017, Ahmadullah Sarkand, the broadcast



**(bottom):** Shamshad TV presenter on air hours after the Shamshad TV offices were stormed by gunmen. The TV anchor is his hands bandage from the attack as he presents the evenings news. Credit: Screenshot/Shamshad TV

Afghan media personnel stand inside a Shiite mosque after it was attacked by suicide bombers in Herat on August 2, 2017. Thirty worshippers were killed, including young children, and 64 others injured when suicide bombers throwing grenades stormed the Jawadya mosque in Herat city near the Iranian border on late August 1. Credit: Hoshang Hashimi/AFP

Afghan security forces gather near the site of a suicide attack in Jalalabad on November 23, 2017. A suicide bomber struck at a crowd of people in the eastern Afghan province of Nangrahar on November 23 killing at least eight, in an attack that underscored the worsening security situation. The bomber approached the crowd of dozens on foot in provincial capital Jalalabad as they were demonstrating in support of a local police commander who had been sacked and calling for his reinstatement. Credit: Noorullah Shirzada/AFP

manager of Radio Killid, and Bismullah Watandust, a journalist with Radio Shyba, were detained by the provincial police, who alleged that their Facebook posts about arrested cricket player Samih Yousuf "provoked people against the government and police".

### STRUGGLE FOR JUSTICE

Media rights organisations in Afghanistan, including the IFJ affiliate Afghan Independent Journalists Association (AIJA), continue to work to monitor and verify incidents of press freedom violations; mediate dialogues between journalists and other state or non-state actors; negotiate with militant groups in cases of threat and abduction of journalists; and advocate with the government to ensure a safe environment for journalism.

AIJA has been demanding justice for the 73 journalists and media workers killed in Afghanistan since 1994 and an end to impunity for crimes against journalists.

The Afghan Ministry of Interior Affairs is currently investigating 172 cases of violation of journalists' rights after a committee constituted in 2015 to review 700 such cases since 2000 recommended investigation and follow-up of 427 cases. Yet, after two years of investigation, there has been no practical action for justice. The committee noted that among 427 cases of killings, attacks and abductions, in as many as 401 cases, security forces were responsible. AIJA and other media rights groups and unions are concerned that they delay of justice, will only encourage more crimes against the media.



Media watchdog group Nai registered 190 cases of violence against journalists including killing, wounding, abducting, threatening, and intimidation of journalists and media workers in Afghanistan since 1982 as crimes against humanity or war crimes at the International Criminal Court (ICC). The Taliban, the ISIS and the Haqqani Network were named as the major perpetrators. The registered cases include 48 killings, 74 injuries, 15 abductions and 53 threats and harassment of journalists and media personnel.

The Afghan Journalists Safety Committee in its annual report, said that 2017 was the bloodiest year for journalists and media workers in Afghanistan's history with a significant increase in the violence against journalists. The Committee documented 169 cases of violence and threats against journalists in 2017, a 67 per cent increase compared to 2016.

Afghanistan is likely to hold parliamentary and district elections on October 20, 2018, after more than a three-year delay due to security threats and disagreement within the government itself. There are still doubts that the elections will be held in the wake of increased violence by the militant groups. The country is also scheduled to hold presidential and provincial council elections in 2019. During the elections, not only are the roles and responsibilities of media and journalists important for democracy, the media become vulnerable to threats and attacks from all sides. Violence against journalists is at a peak, and the media is facing challenges due to financial constraints, and high security threats due to extremism. If the Afghanistan government fails to effectively tackle the situation, democracy in the country will be endangered due to lack of independent media and critical voices. Unless firm steps are taken, by the government and media owners, the Afghan media could witness another black year.

## ■ ENHANCING SAFETY, REDUCING IMPUNITY

The Federation of Journalist and Media Institutions, which was launched as the Federation of Afghan Journalists in 2012, now has 15 affiliated membership organisations with the mandate of securing and protecting journalists and media. The Federation prepared the first draft of the 'Journalists and Media Security and Safeguarding Procedures' in December 2015 which was approved by the cabinet of the National Unity Government. Several structures were proposed, including a Coordination Committee to liaise between the Ministry of Interior and Provincial Police Headquarters, and tasked with coordinating mechanisms to enhance the security of the journalists and the media; a Committee to Support the Journalists and Media at the National Directorate of Security (NDS) and NDS in the provinces tasked with eliminating threats of terrorist groups against journalists and the media; and the Joint Committee of Media and Government to insure the implementation of abovementioned Safeguarding Procedures in the capital and all provinces.

### PROSECUTING CASES

By mid-2016, these structures were in place and the activities undertaken by a sub-committee include follow up of cases of attacks on journalists, from

## MORE THAN 10 LAWSUITS HAVE BEEN HANDED DOWN BY COURTS AND CRIMINAL SENTENCES HAVE BEEN ISSUED AGAINST THE PERPETRATORS OF CASES.

2001 onwards. The latest subcommittee report shows that they have reviewed around 700 cases out of which 172 cases were considered to be prosecuted. Of these, 56 cases have been completed and sent to the prosecutor's office. According to the prosecutor's report, more than 40 cases, including some cases of murder of journalists, have been completed and submitted to the courts. More than 10 lawsuits have been handed down by courts and criminal sentences have been issued against the perpetrators of cases. Based on the Subcommittee report in 60 cases which mostly were insulting of journalists, they have withdrawn their cases.

The Subcommittee's investigations showed that of the 172 cases, perpetrators in 24 cases are from the NDS; in nine cases are governors' guards; in seven cases MPs; in three cases are presidential guards; in six cases judges and prosecutors and nine cases of foreign forces. There are also three cases of Afghan journalists killed outside the country. All these cases were sent by Joint Committee of Media and Government to the related organisation for farther investigation.

Of the 172 cases, only one case was not completed due to lack of sufficient documents. Since the creation of the Joint Committee in summer 2016 to December 2017, more than 50 cases of violence have been registered with the Committee, of which 29 cases have been examined by the Subcommittee and have been submitted to justice institutions. Fourteen of these cases were completed and submitted to courts and others are under prosecution. Another 21 cases were resolved by traditional means.

The only cases of violence against journalists and media workers that still need to be tracked are cases that have occurred since the formation of the National Unity Government in 2014 until the creation of the Joint Committee in the summer of 2016.

According to the report of the Subcommittee, these cases currently number more than 160 and investigations have recently begun.

### JOURNALIST PROTECTION

Given the increasing threats against journalists and the media, one of the major efforts of the Joint Committee has been to provide security and immunity to journalists and media that face direct and indirect threats. The NDS and the Interior Ministry have taken special security arrangements to at least 10 media outlets under serious threat. Licenses had been issued for the handling and use of weapons to a number of media outlets, media directors and managers, journalists and support institutions for journalists and the media.

The Ministry of National Defence, the Ministry of the Interior and the National Directorate of Security, in cases where journalists and media workers have been exposed to dangers in insecure provinces, moved journalists to safe areas,

or even neighbouring provinces and Kabul, to temporarily protect them until they returned to normal or serious risks were at least minimised. These cases included the fall of Kunduz province at the hands of the Taliban in the northeast and the Taliban's protracted invasion and Helmand province in the south, both in 2016.

Occasional conflicts between journalists and security forces during news coverage of war and incidents of terror often results in violence against journalists. To overcome this problem, a subcommittee has worked on creating guidelines for coverage of terrorist incidents and warfare. The guide's purpose is to ensure that journalists and security forces consider their competencies and responsibilities in the course of violent incidents and war fronts, and that one side does not disrupt the other's task. This is an effort in effect to prevent both sides from engaging direct action and, ultimately, to reduce the possibility of the use of violence by security forces against journalists.

### FINANCIAL PROBLEMS

Several media outlets have financial debts to government-related institutions. Some media have not paid their taxes, a number of media have delayed them and face a tax penalty. A mechanism has been worked out in order to waive some of the arrears and also allow media outlets to pay pending taxes in instalments. In August, 2017, President Ashraf Ghani issued a presidential order to waive penalties on taxes to be paid by the media; and payment of due taxes in monthly instalments but this had addressed just a part of media outlets.

In a meeting with president all other financial debts of media such electricity bills and fees for use of frequency and taxes of other media outlets were discussed. President ordered a subcommittee to review all these problems and come up with a package of suggestions to deal with. According to reports from the subcommittee, media outlets owe more than 600 million Afghanis (USD 8.5 million).

### JOURNALIST SUPPORT FUND

About seven years ago, a structure was established under the name of the Financial Fund for Journalists, which, in order to achieve its goals, gained some financial assistance from a number of political and capital personalities, and provided part of this money as a contribution to several journalists are in need. With more journalists and media workers having lost their lives or been injured, following discussions, the Joint Committee made it possible to make procedures for using the fund more accessible and effective in order to help media workers genuinely in need. In a meeting with president he promised to help the Federation with fundraising. Now it is seeking another meeting with president to provide all prepared documents to ensure the prosperity of the fund activities and to commence fundraising.



An Afghan journalist is treated at a hospital after a suicide attack outside a wedding hall in Kabul on November 16, 2017. The blast, which killed at least nine people, was an apparent attempt to strike a political gathering under way inside. Credit: Shah Marai/AFP



# BANGLADESH

## LONG ARM OF THE LAW

Journalists and the media of Bangladesh are facing diverse challenges and pressures that include muzzling by legal means, loss of business, physical assault, threats, arrests and abduction. The growth in the number of media outlets in the country is somewhat matched by their independence, in that newspapers are seen to publish news involving corruption in influential quarters while television channels also broadcast news and live talk-shows criticising the powerful. However, there exists a palpable veil of silence.

Said Mahfuz Anam, editor, *Daily Star*, “I think twice before writing anything. I need to consider its political and social implications, and wonder who may interpret my writing in what way, and whether one would fall into a legal trap. A negative environment for press freedom exists. We are under pressure from various sides and influential persons are using draconian laws against journalists.”

Says Taufiq Imroze Khalidi, editor, *Bdnews24.com*, “In Bangladesh, freedom depends on ownership as well as editorial leadership. Theoretically we are free, but whether or not we can exercise that freedom is the question. In most cases, owners, most of whom are rogue businessmen or businessmen with questionable records, create problems when it comes to stories that go against powerful people in the political establishment. At times, weak editorial leaders fail to stand up to various pressures. Our experience is that you can exercise freedom and publish any story that meets professional standards. The problem is that if you have skeletons in your cupboard, you cannot do your journalism, or exercise your freedom.

Politicians in Bangladesh have ensured that media ownership, barring a few instances, remains with the people loyal to them. The nexus between owners and the political establishment is the reason behind media organisations ignoring bloggers’ rights and journalists’ rights in general. No one wants to be seen in opposition when the government is appeasing right-wing radicals.

## FAR FROM REALITY

According to available statistics, Bangladesh has a vibrant media industry registering a total of 3025 newspapers including 1078 dailies and 1947 weeklies, fortnightlies and monthlies across the country. Of these newspapers at least 434, including the leading national dailies, enjoy incentives from the government in the form of advertisements and tax waivers or low tax facilities.

Electronic media outlets are also seeing a spurt in growth, there are 45 government-approved private television channels of which 34 are on air. Moreover, innumerable web portals are circulating news and critical views from every corner of the country, thanks to interest in investing time, effort and money in becoming owners of media with or without any

hope of financial returns. At least 2,018 online newspapers from across the country have applied for registration with the government, Information Minister Hasanul Haq Inu told the country’s parliament on January 11, 2018.

But does Bangladesh really have a robust media industry? It is apparent that those with the financial heft can easily become editors of national dailies, even without becoming journalists. An owner of a registered daily newspaper need not appoint a single journalist or publish the paper regularly. It need be published only when an advertisement is arranged – by threat or bribe – through the government agencies. The practice of pocketing a percentage by publishing special advertisements in unknown dailies is rampant, even among reputed companies and agencies.

Finance Minister Abul Mal Abdul Muhith on August 8, 2017 trashed the government’s report on the existence of so many newspapers in Bangladesh terming those “rubbish”. The Minister said that he doubted whether there were even 15 newspapers, at best 20. “Some 500 newspapers! All bogus. You



A traffic sergeant in front of the Motsho Bhaban in capital Dhaka, hit Nasir Uddin, a photo journalist of *Daily Danabzamin*, after asking to check his documentation. Credit: BMSF

**“IN BANGLADESH, FREEDOM DEPENDS ON OWNERSHIP AS WELL AS EDITORIAL LEADERSHIP. THEORETICALLY WE ARE FREE, BUT WHETHER OR NOT WE CAN EXERCISE THAT FREEDOM IS THE QUESTION.”**

want me to fix a pay scale for them? No, not at all! I will fix pay scales for these 15 or 20 newspapers,” he told journalists.

Information Minister Hasanul Huq Inu, on January 14, 2016, told the parliament that the owners themselves had become editors of 1005 daily newspapers out of the country’s 1078 dailies. That means 93 percent dailies in Bangladesh have owners cum editors. Only 7 percent dailies have professional editors.

## WEAK FROM WITHIN

The practice of becoming an owner of a media house without any accountability to pay the journalists or other employees is a threat to press freedom in Bangladesh, say activists. “Corrupt practices are weakening the media, leaving professionals vulnerable. Other forms of corruption are arising out of these practices. In reality, press freedom in Bangladesh is only freedom for owners to do as they please. External pressures hamper press freedom less than the inherent weakness in the media industry,” said Omar Faruque, Secretary General of

Bangladesh Federal Union of Journalists.

“We can withstand outside pressures provided we have economic freedom. Our journalists are helpless, as they have no job security,” said Syed Istiaq Reza, Chief Editor of GTV. The phenomenon of television channels mushrooming in a short span of time, is a mark of the decaying industry. Investors are coming forward in this sector without assessing business viability, as they have other motives behind becoming media owners, say experts.

The government, on January 29, 2018 formed the ninth Wage Board for revising the national salary structure for journalists and workers employed in the newspapers and news agencies. But, most of the journalists do not get salaries and remuneration as stipulated by the successive eight wage boards. Electronic and online media have no service rule or national wage structure which has made the sector more vulnerable and unaccountable.

Electronic media are not in a strong position in Bangladesh, given the fears of media outlets being shut down at any time.





A Rohingya refugee holding a child is interviewed by media as he arrives at the Archbishop's residence during a visit by Pope Francis in Dhaka on December 1, 2017. Pope Francis arrived in Bangladesh from Myanmar on November 30 for the second stage of a visit that was overshadowed by the plight of hundreds of thousands of Rohingya refugees. Credit: Max Rossi/AFP

There are pressures from the government, opposition parties and also other powerful groups. The ownership pattern of the electronic media is the main problem, since the government issues licenses on political considerations. The professional editor as an institution is not robust, and editors fear taking independent decisions.

### ENFORCED DISAPPEARANCE

Agitating journalists of Bangladesh breathed a sigh of relief when missing journalist Utpal Das was found on December 20, 2017, more than two months after his abduction on October 10. The cheers of the journalists, who observed continuous protest programs demanding the rescue of Utpal Das, however, hides the shadow of fear, because the mystery behind his disappearance remains. It is not clear whether the abduction was work related, and the perpetrators are also yet to be identified.

Razu Ahmed, former general secretary of the Dhaka Reporters Unity, who spearheaded the journalists' campaign to rescue Utpal, said, "The fear will persist unless police identifies the perpetrators responsible for the abduction."

Utpal Das, reporter with online news outlet Purboposhcimbd, is one of about a dozen people in Bangladesh who vanished under mysterious circumstances in 2017, but he is one of the few victims of suspected abductions who resurfaced. Das narrated: "I was standing outside the Star Kabab (A restaurant in Dhanmondi residential area in Dhaka) and talking to a friend on my mobile phone. Before I knew it, four to five people came out of a microbus and dragged me inside and blindfolded me. The microbus drove around for about four hours. Then they confined me at a tin-shed room in a jungle. I used to sleep on the floor. I was given food through a narrow space under the door. They did not interrogate or torture me. They just slapped me. I could not

see any of the masked men other than their eyes."

Like some other abductees, who returned, Utpal Das also does not want to pursue a legal case. "I have a new lease of life. I am grateful to the journalist leaders, my colleagues and others. I will be grateful all my life. Possibly, I survived because of the voices in the street," Das said.

But journalist leader Razu Ahmed and others think it is important to "unmask the masked men". "The law enforcing agencies cannot remain idle, even if the victim or his family members are reluctant to file a case. It is the responsibility of the state to guarantee the safety of its citizens against those who are trying to challenge the state through spreading fear."

Bangladeshi police have said that they have been investigating all the cases, but others suspect that some of the abductions may have been so-called enforced disappearances – cases in which people vanish at the hands of local authorities. The government has denied such allegations.

### LEGAL MUZZLE

Kamrunnahar Shova, a senior reporter of the English daily *Financial Express*, is the most recent journalist to have been sued under Section 57 of the Information and Communication Technology (ICT) Act 2007. A case was filed against Shova and two other persons in Joydebpur thana in Gazipur over a Facebook post on March 26, 2018.

Since August 2017, Section 57 of ICT Act functions almost like an instrument reserved for the influential persons and the authorities, who have the ability to get approval from the police headquarters before suing anybody under the draconian law. The Inspector General of Police on August 2, 2017 issued an order directing police units across Bangladesh to take approval from the headquarters before recording any case under the said section.

Section 57 criminalises criticism or revealing any

**THE GOVERNMENT, ON JANUARY 29, 2018 FORMED THE NINTH WAGE BOARD FOR REVISING THE NATIONAL SALARY STRUCTURE FOR JOURNALISTS AND WORKERS EMPLOYED IN THE NEWSPAPERS AND NEWS AGENCIES. BUT, MOST OF THE JOURNALISTS DO NOT GET SALARIES AND REMUNERATION AS STIPULATED BY THE SUCCESSIVE EIGHT WAGE BOARDS.**

information, which may be defamatory to any person or institution or may go against any faith. At least 713 cases filed under Section 57 are currently pending with the lone cyber tribunal of the country. Of the accused, 25 are journalists who were sued either for publishing news items on their websites or on Facebook.

Meanwhile, the government made a commitment to dissolve the harsh law, but it is being replaced by a draft cyber security act, which, according to critics, is even harsher.

Rights activists and journalists raised a voice against the draft Digital Security Act 2018, already approved by the cabinet on January 29 and awaiting approval by the parliament.

The European Union and 10 countries including the US also expressed concern over several sections of the proposed law saying, it would "suppress freedom of expression in multiple ways". Foreign envoys met with Law Minister Anisul Huq at his secretariat in Dhaka on March 25, 2018 and expressed their concerns. "The new act would suppress freedom of expression in multiple ways. We are particularly alarmed about the threat of severe punishment for merely expressing a belief or opinion, and also about the imprecise terminology which could lead to misinterpretation of law; non-availability of bail for certain offences and the empowerment of the security agency to detain a citizen without warrant by court," German Ambassador Thomas Prinz told journalists.

The draft of Digital Security Act, 2018 splits matters of Section 57 into four separate sections (21, 25, 28 and 29) with punishment ranging from three to 10 years' jail term.

Section 21 of the proposed law holds expression of any criticism or wrong information or explanation about the country's founding father Bangabandhu Sheikh Mujibur Rahman or the liberation war, as an offence.

The law proposes up to 14 years' jail for committing such a crime for the first time and life imprisonment for a repeat offence.

Section 25 of the proposed law stipulates maximum three years jail term for publishing or broadcasting 'false' or 'distorted' information tarnishing the image of the state or any person. The punishment will be five years jail for a second offence.

A maximum seven years jail has been stipulated for 'hurting religious sentiment' under Section 28 of the draft law. The punishment will be ten years in jail for committing the offence for the second time.

Shooting of photos or videos, recording something or gathering information with the uses electronic devices secretly from the offices have been dubbed as a spying offence under Section 32 of the law. Responsible persons will face maximum

14 years jail on the charge. Life imprisonment may be the fate for committing the same act for the second time.

In an already restrictive atmosphere, the new law can only increase constraints. Says Mahfuz Anam, "The law is totally against freedom of expression. The police are registering cases and judges are also taking the allegations into cognizance though there is an instruction to become prudent in receiving such cases against the media. Bangladesh needs a very vibrant, free media. It does not need restrictive laws like the proposed Digital Security Act."

### UNSOLVED KILLINGS

On the morning of February 11, 2012, Sagar Sarwar, the news editor of the Maasranga TV station, and his wife Mehrun Runi, a senior correspondent at TV station ATN Bangla, were found dead inside their fourth floor apartment in the West Rajabazar neighbourhood of Dhaka.

Law enforcers still have not revealed a motive or released an investigation report into the killings although six suspects have been in custody for about six years without charges filed against them in the case.

Judges have extended the deadline 54 times for submitting an investigation report. The couple is among 24 journalists killed in Bangladesh since 1996. The mystery of at least 21 murders remains still unsolved for over two decades, as the local press demands answers and justice for their slain colleagues.

The list of others include Mohammad Kamaruzzaman, Saiful Alam Mukul, Mir Eias Hossain, Shamsur Rahman, Nahor Ali, Harunur Rashid, Shukur Hossain, Syed Faruq Ahmed, Manik Saha, Humayun Kabir, Kamal Hossain, Dipankar Chakravarty, Shahid Anwar, Sheikh Belal Uddin, Golam Mahfuz, Gautam Das, Belal Hossain Dafadar, Jamal Uddin, Talhad Ahmed Kabid, Sadrul Alam and Aftab Ahmed. Abdul Hakim Shimul, Sirajganj district correspondent for the Bangla daily *Samakal*, was added to the list of slain journalists in February 2017.

In March 2017, a court in Dhaka convicted six accused in the murder of photojournalist Aftab Ahmed in 2013. A Khulna Court on November 30, 2016 sentenced nine persons to life imprisonment for killing Manik Saha. Nine persons on June 23, 2013 were awarded a life term for killing Gautam Das. These three cases are now pending with the High Court as the convicts have appealed against their sentences. No other cases of killings have received judgments, showing the prevalence of impunity for killing journalists. Fortunately, no journalists have been killed in the line of duty since February 2017. This provides a slight ray of hope amidst the clouds of despair in Bangladesh.



# BHUTAN

## EMERGING CONTROLS

Bhutan, the small Himalayan Kingdom, rarely makes global news. In 2017, however, the standoff between India and China regarding the Doklam plateau, at the border of China and Bhutan, but strategically important for India, made headlines. Bhutan chose to remain largely silent, and the year was politically calm, with the general election planned for November 2018.

The forthcoming election has brought to the fore issues relating to freedom of expression, especially on the internet, and media rights while covering elections. A new law, which the government claims will strengthen the independence of the media and promote a free and vibrant media industry is, however a matter of concern for the media in Bhutan. The small media community, largely dominated by state-owned print, radio and television; and dependent on government advertising, faces multiple challenges to truly become independent and vibrant.

The media has evolved over the past few years and the biggest challenge for Bhutanese media is sustainability and reach as most of the media are confined to the capital Thimphu. Skilled human resources and accessibility of information are other challenges that the Bhutanese media face.

## NEW RESTRICTIONS

On December 5, 2017, the National Assembly unanimously passed the Bhutan Information Communications and Media Bill 2017. The Act repealed the Bhutan Information, Communications and Media Act 2006. Information and communications minister, DN Dhungyel, said that the new law would strengthen the independence of the media and promote a free and vibrant media industry. It is envisioned that the establishment of a Media Council would help “to promote and protect freedom and independence of the media” and to “serve as a standard-setting body, and regulate or curtail harmful, offensive, illegal or antithetical content on the Internet and other ICT and media services”. The Council also has the right to hear complaints and settle disputes in relation to offences related to media content that is not criminal in nature.

The new Act aims to address the rapid changes in the internet and media landscape. However, there is a danger that it could be used to curtail free speech as members of the Council will be government appointees and only one among five members represents the private media sector.

## THE ELECTION AND THE MEDIA

On April 20, 2018, the country elected 20 members of the 25-member National Council, the upper house of the bicameral parliament. The King, known as Druk Gyalpo (‘Dragon King’), as the head of state nominated the five remaining members of the Council.



A Bhutanese resident watches the convoy carrying Japanese Princess Mako on the outskirts of Paro on June 5, 2017. Japanese Princess Mako, the oldest of Emperor Akihito's grandchildren, was on a nine-day official visit to Bhutan. Credit: Diptendu Dutta/AFP

THE FORTHCOMING  
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COVERING ELECTIONS.

In view of the National Council election, the Election Commission of Bhutan (ECB) brought into effect the Media Coverage of Elections Rules and Regulations of the Kingdom of Bhutan 2018, and appointed a media arbitrator responsible for media coverage and advertising as per the election rules. Although the ECB claimed that media houses were consulted during the drafting of the Regulations, media professionals, claimed that they were not consulted and did not receive any request for feedback.

The ECB, as early as February 2018, notified all media houses to refrain from publishing content on candidates until the “Application for Election Campaign Fund” was released on March 20 following the scrutiny of nominations of candidates.

On March 4, *The Journalist*, an English-language weekly, published a profile of a candidate inviting an investigation by the media arbitrator. The private newspaper later apologised for the story and on March 12 suspended its managing editor, Sonam Tashi, for a month after the office of the media arbitrator asked it to take action against a reporter and the

editor for the story. The newspaper also withdrew the unsold copies of the newspaper.

The ECB spokesperson denied any pressure by the media arbitrator on *The Journalist* and said the newspaper realized the mistake and took action after the media arbitrator asked for a clarification.

*The Journalist's* chief editor, Ugyen Tenzin, in a report published in *Kuensel* daily said the newspaper accepts that it contravened the Election Act and the managing editor was reprimanded and severe administrative action taken against him.

The Journalists Association of Bhutan (JAB), an IFJ affiliate, said the role and powers of the office of the media arbitrator needs clarity; and also said that the association discourages professional misconduct among members as well as arbitrary decisions against journalists.

The ECB has also asked media houses to submit a report of their coverage of the elections, thus introducing new bureaucratic controls.

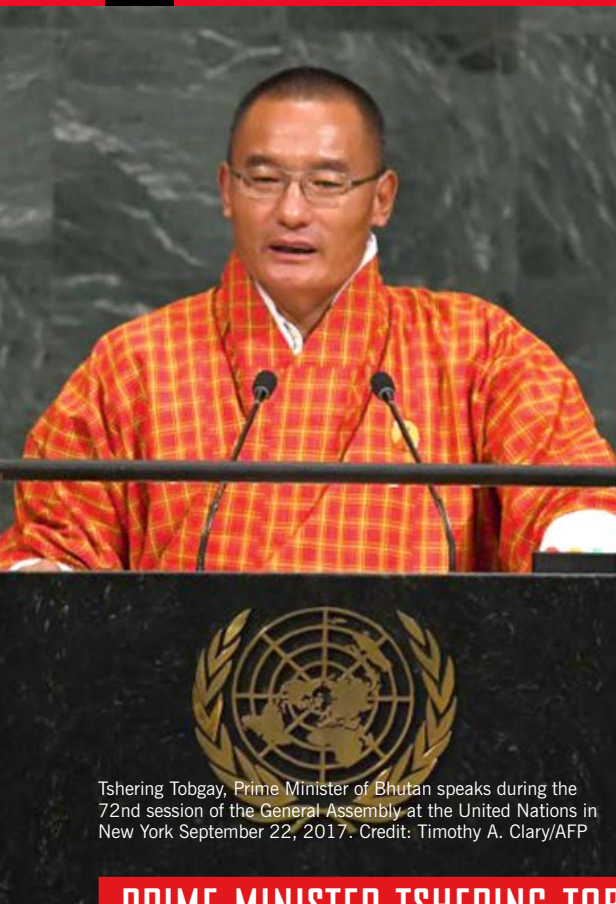
The level of pressure that the ECB and the media arbitrator

exerted on the media is exemplified by an editorial in *Kuensel*, the state-owned daily, published on March 15, 2018. It said: “Heavy-handed policing of media by some constitutional offices that overstep their mandate is making election reporting difficult. This is not healthy for the nation. A pity.”

The editorial further said: “In a democratic society, media’s role is critically important. Without responsible and fearless media, there will not be robust system of checks and balances. When newsrooms are kept on a tight leash, it either means we have dirty secrets to hide or ugly intrigues laid out for the future.”

While calling media to be more professional and responsible, the editorial further stated: “Today, media as the voice of the people is being threatened by public offices with this mandate and that, overstepping each other. The least these overbearing offices can do is recognise their own mandate and let media do their job...Otherwise, the tussle between media and the powerful offices will continue and the biggest loser will be the nation and her people.”





Tshering Tobgay, Prime Minister of Bhutan speaks during the 72nd session of the General Assembly at the United Nations in New York September 22, 2017. Credit: Timothy A. Clary/AFP



The Third Annual Journalism Conference which took place on January 31, 2017 brought together more than 60 journalists, including freelancers, to discuss issues and challenges faced by journalists in the digital era. The conference featured a panel discussion on the theme 'New Media: Challenges and Opportunities'. Credit: JAB



A cameraperson prepares to record an election debate in Dagana in March 2018. Credit: Bhutan Broadcasting Service

**PRIME MINISTER TSHERING TOBGAY SAID THE SHERIG CONFERENCE WAS CLOSED TO MEDIA AS PARTICIPANTS WOULD HESITATE TO RAISE ISSUES IN THE MEDIA'S PRESENCE. HE ADDED THAT THE MOST IMPORTANT THING THE MEDIA NEEDED TO KNOW WAS THE CONFERENCE RESOLUTIONS.**

### GROWTH OF SOCIAL MEDIA

Bhutan witnessed exponential growth of social media users in recent times. Internet penetration stands at 45 per cent while Facebook use is 43 per cent, with more than 350,000 Facebook users in Bhutan, which has a population of 820,000. Misuse of social media is becoming a matter of serious concern for the state in Bhutan. The year saw circulation of wrong and inappropriate content and deception, misinformation and fake news.

The ECB notified the public as well as social media users that any post, tweet, comment or opinion of a candidate must be in conformity with the election code of conduct. The ECB also urged the responsible use of social media while refraining from using anonymous identity or fake addresses. It also prohibits activity or post content that may adversely affect or unduly benefit the electoral prospects of candidates. Additionally, the commission warns social media users to refrain from any posts related to the elections, which can be construed as a campaign.

The media arbitrator for the elections also appointed two social media monitors at his office and a focal person in every district to monitor social media content. The ECB said they would investigate and take action on social media posts. The candidates were also asked to share their social media links to the commission for scrutiny.

### MORE REGULATIONS

The Bhutan Information Communication and Media Authority (BICMA) in December 2017 cancelled the licence of a weekly Dzongkha language newspaper, *Druk Yoezer*, for failing to meet circulation requirements. The paper started its operations on February 19, 2011 with 2,500 printed copies and employed about 10 staff. The BICMA also cautioned media houses that there would be zero tolerance to non-compliance and asserted that a circulation audit would henceforth be mandatory.

An editorial in the state-owned *Kuensel*, observed that "since 2011, the number of copies newspapers printed has dropped between 56 to 93 percent... [and] of the eight papers, only three print more than 40 percent of their initial target while the rest printed between seven to 13 percent'.

The BICMA fined state-owned Bhutan Broadcasting Service Corporation (BBSC) Nu 224,625 (USD 3,450) for reporting on banned film *Hema Hema: Sing Me a Song While I Wait*, on December 21, 2016. The authority also alleged that BBS broadcasted clippings of the film that were not certified, disseminating incorrect information and for misinforming and misleading the public. The BBS refused to pay the fines and the BICMA moved court. There were accusations and rebuttals in the court until mid-2017. The case is still pending.

The BICMA on August 15, 2018, issued directives to bring down number of television channels permitted to broadcast and distribute in Bhutan to 56 effective from September 1. The move, supposedly to 'to standardize and to bring uniformity among the number and types of TV channels in the country', cut off 91 televisions channels that were previously distributed in Bhutan. The BICMA said that in an assessment, it found that some channels, such as India's Life Ok were not "decent" channels and were not in line with Bhutanese culture.

### INACCESSIBLE INFORMATION

In December 2017, the government barred media from attending the Sherig Conference at the Sonamthang Central School in Panbang, Zhemgang. The five-day conference, an important annual event of the Ministry of Education, assesses issues and challenges faced by the education sector attended by representatives from all over the country. Minister for Education Norbu Wangchuk told the media that they would not be permitted to attend the conference and would instead be provided press releases on the matters discussed.

At a press meeting during the conference, Prime Minister Tshering Tobgay said the Sherig Conference was closed to media as participants would hesitate to raise issues in the media's presence. He added that the most important thing the media needed to know was the conference resolutions.

Earlier in June 2017, the media were barred from attending the annual Dzongdag (district governors) Conference in Thimphu. The three-day conference was attended by district governors of all 20 districts and discussed matters of law and order situation. The

government said that the conference was a working meeting and media was only allowed to attend the inaugural session.

### SUPPORTING JOURNALISTS

JAB, the IFJ affiliate in Bhutan, has been relentlessly working to support media development through skill development of journalists in the country. During the last year, JAB, with support from the United Nations Democracy Fund (UNDEF), and Swiss Development Cooperation (SDC) conducted various trainings. The activities of JAB included Annual Journalism Conference, Annual Journalism Award, giving away a total of 18 journalism grants to journalists; training on basic journalism skills, long-form narrative and storytelling; code of conduct and editing. During the year, JAB also published the first volume of the JAB Occasional Journal, *Bhutan Press Mirror* and opened the Bhutan Press Club. It also organised four one-day community workshops with 200 community members in rural areas to strengthen two-way communication between media and the communities

With the National Assembly election scheduled for November 2018, the tightening of rules on media by the ECB during April 2018 election indicates that the media will probably face more restrictions and pressure from the state in the coming year. The media will continue to struggle in the small market centred around capital Thimphu, for sustainability and independence; while the government tries to impose the role of the media as merely to report the official documents. The internet and social media will bring in more issues and the state's response could be regulations that curtail the fundamental right to freedom of expression.



# INDIA

## REGULATING DISSENT

Late March this year, Mahesh Hegde, owner of the Postcard News website, was arrested in the southern Indian state of Karnataka, on charges of causing ill-will on religious grounds. A monk of the Jain faith had a few days before, suffered serious injuries in a road accident. Hedge picked up one among many images of the monk circulating over the internet and pushed it along on his website with the embellishment that his injuries had been inflicted by a violent mob of Islamic radicals. Hegde added the legend that nobody was safe in Karnataka as long as Chief Minister Siddaramaiah rules. It just so happens that Siddaramaiah is from the main party in opposition to India's Prime Minister Narendra Modi.

Hegde's twisting of fact was clearly part of the build up to the campaign for elections to the state legislative assembly due mid-May in Karnataka. Postcard News is one among a growing ecosystem of websites that style themselves in a new idiom of nationalism, as articulating a supposedly long-suppressed majority voice in India. This idiom of majoritarian nationalism flourishes on antagonism – often confectioned in deliberately misreported facts – about the country's principal religious minority. It used to be referred to as 'hate speech' at one time, a very poorly defined category of offences in most parts of the world. In India, the harsh reality is that even with a surfeit of laws in place, the actual record of applying legal sanctions on hate speech has been indifferent.

A recent review of press freedom in India concluded that ultra-nationalist elements seeking to "purge" all traces of what they deem "anti-national" thinking from the public domain, have created an aura of fear among journalists and social media users. "Online smear campaigns" have been frequent, suffused with crass insults and threats of physical violence, that especially target female media practitioners. Journalists willing to run the risks have uncovered what seem to be organised efforts to capitalise on the vast scope of viral multiplication that the social media "hashtag" affords, to intimidate reporters who hold the misdeeds of elected politicians to the light.



Mahesh Hegde of Postcard News and the tweet which sparked the controversy  
Credit: Twitter



Journalists and photojournalists were attacked in Kolkata India after they covered a building fire.  
Credit: Tanmoy Bhaduri

This problem was clearly not on the minds of the official information agency of the Indian government on April 2, when it announced fresh guidelines on the accreditation of journalists, ostensibly to check the menace of "fake news". Media accreditation is granted to journalists after a specified number of years in the profession. If anything, this waiting period is sufficient assurance that professionals granted accreditation to access the official corridors in the national capital, will be immune to the temptations of fake news. The April 2 notification put journalists on notice of a "three strikes and out" policy. Any accredited media person found to have propagated 'fake news' would be put on notice and issued a formal warning after a second offence. A third transgression would lead to termination of privileges.

Following strong protests from the media community, the

notice was withdrawn, with the stricture ostensibly issued from the highest political authority – the office of the Prime Minister of India – that the information agency had gone beyond its jurisdiction. Guidelines on accreditation and their revision, the Prime Minister's Office said, were within the jurisdiction of the Press Council of India (PCI) and that was the appropriate forum for debating the issue.

It was not a source of comfort for journalists that the Chairman of the PCI, Justice C.K. Prasad, a retired judge of the Supreme Court of India, was already on record that he found little objectionable in the April 2 notification, since the problem it addressed was real and serious.

It so happened that Justice Prasad had at the same time, convened a meeting of the PCI to which few of the representatives of the journalists' unions and professional

bodies were called. The reason given for the move was supposedly, the ongoing reconstitution of the PCI. Eight professional bodies – including IFJ affiliates, the Indian Journalists' Union and the National Union of Journalists of India – wrote on the eve of the proposed meeting to the Prime Minister, urging that the reconstitution of the PCI be placed on hold since it was not in accordance with fair and democratic procedure.

This was one among a series of rather questionable decisions with a bearing on the media regulatory framework, where efforts to bring a semblance of order to a scenario of rapid flux continue to flounder. Little in the official response seems to indicate a genuine urge to get the best of the new modes of information sharing and communication, while safeguarding against hazards such as fake news. A day had not passed since



**EIGHT PROFESSIONAL BODIES – INCLUDING IFJ AFFILIATES, THE INDIAN JOURNALISTS' UNION AND THE NATIONAL UNION OF JOURNALISTS OF INDIA – WROTE ON THE EVE OF THE PROPOSED MEETING TO THE PRIME MINISTER, URGING THAT THE RECONSTITUTION OF THE PCI BE PLACED ON HOLD SINCE IT WAS NOT IN ACCORDANCE WITH FAIR AND DEMOCRATIC PROCEDURE.**

the Office of the Indian Prime Minister ordered that the 'fake news' circular issued by the Ministry of Information and Broadcasting be held in abeyance, before it announced the formation of a committee that will frame regulatory rules for news portals and media websites.

Five among the ten members of the committee were to be the secretaries of various ministries: civil servants who begin their careers administering a district and then serve various functional ministries in the states and the Indian union. Others were to be the representatives of the PCI, and various associations of the news broadcast and entertainment industries. Missing entirely were natives of the digital domain, of which a good number exist in India, that manage to set new standards on fact-checking both official claims made by the current regime, as well as their noisy cohorts of online propagandists.

The basic premise of the order constituting this committee to frame rules has been called out as false. The order claims for instance, that all other media – print and electronic included – are covered by certain norms, while the online media functions in a regulatory vacuum. Critics of the move point out that India's Information Technology Act, as adopted in 2000, incorporates Section 69, which provides for the interception, monitoring or decryption of any information stored in any computer resource, if a public authority or agency of the state thinks it warranted. In 2008, Section 69A was grafted onto this act by an amendment, authorising any state agency when satisfied that it is in the interests of public order, national defence, and a number of other criteria, to order the blocking of public access to any information through a computer resource.

In a significant judgment in 2015, India's Supreme Court struck down Section 66 of the IT Act which allowed for the criminal prosecution of certain kinds of messages posted on social media. After a number of arrests were effected under this provision of law, outrage built up to a sufficient degree for an individual to mount a legal challenge. The Supreme Court agreed with the challenge since it held the definition of an offence under Section 66 to be over-broad and vague, enabling excessive latitude for arbitrary actions by the law enforcement authorities.

In the same judgment, the Supreme Court allowed Section 69A of the IT Act to stand since its language was consistent with the provision of the Indian Constitution that provides for "reasonable restrictions" on the right to free speech. It is another matter of course, that these "reasonable restrictions" have never been systematically codified and continue to be arbitrarily interpreted by law enforcement authorities, which

can silence critical voices through the mere imposition of the tortuous and unending legal process.

### DEADLY RUMOUR MONGERING

For the giant social media firms and other online platforms driven by advertising revenue, the commercial calculation has proved decisive. YouTube, Google, Facebook and Twitter are known to have complied with demands from official quarters to remove certain kinds of content from their sites, simply because they all have operations in India and could potentially be subject to local liability laws. The Indian market though is of such expanse and promise that none of them would like to defy the official censor and risk being blocked.

It is a curiosity of the current state of the media in India, that the various excesses that are instigated through the heightened connectivity that social media enables, have never seriously attracted sanction or prosecution, or even an official reprimand. There was in the eastern Indian state of Jharkhand, a particularly gruesome incident in May 2017, when seven people without any obvious criminal intent, were lynched on suspicions of running a child trafficking racket. Four of the victims were cattle-traders who happened to be passing through the district at the time. They belonged to a religious faith – the largest minority in India – that has been long stigmatised for its ostensible disregard for the cow, sacralised as an object of veneration by some within the majority faith. Rumours of the child trafficking ring had circulated over WhatsApp for at least a month and may have fused with a heightened vigilantism against people of the stigmatised faith, to provoke the hideous act of violence.

Photographs and videos of the lynching were widely circulated through WhatsApp and other social media soon afterwards. There was nothing to suggest that the baleful mood had abated since, though few seemed prepared for the crime of December 6 in Rajsamand district of Rajasthan, when a young man randomly picked up a migrant worker in his neighbourhood, hacked him savagely and after failing to decapitate him, set him afire. Shot on mobile phone by the man's 14-year old nephew, the crime was soon circulating in vivid and gruesome detail on social media, gaining a nationwide audience.

In an unhinged rant delivered to the camera after completing his heinous act, the murderer spoke of his determination to avenge the insults his faith had suffered. Social media had meanwhile exploded with posts in support of the killer, with the video recording of the murder being shared using a variety of user identities. Within days, an effort at funds mobilisation had helped gather a reported three hundred thousand rupees for his wife.



**From left:** An Indian journalist holds a placard near the Indian parliament in New Delhi on March 27, 2018, during a protest over the murder of journalists. Amid growing outrage, the police arrested a truck driver accused of killing Sandeep Sharma over his investigative reporting into the country's 'sand mafia' in Madhya Pradesh. The television journalist was mown down by a truck as he rode a motorcycle on March 26, the third hit and run killing of a journalist in 24 hours. Credit: Sajjad Hussain/AFP

A poster painted following nation-wide protests following the murder of Gauri Lankesh, a newspaper editor and outspoken critic of the ruling Hindu nationalist party whose murder on September 5 in Bangalore sparked an outpouring of anger. Credit: Laxmi Murthy

Social media and the legacy outlets – print and TV – have a mutual relationship that is not yet clearly understood. But it is a likely hypothesis that excess on one side could be dampened by sobriety and responsibility on the other. In junctures of inflamed sensitivities and heightened vulnerability to violence, legacy media could conceivably play a role to lessen probabilities of contagion. Yet a close audit of media content that day and the next by the fact-checking website Altnews.in, showed that "the gut wrenching news from Rajasthan was largely ignored on prime time".

These skewed priorities were not confined to the news channels: a comparison of the Delhi editions of various newspapers underlined that it was shared in print too. "It is no longer surprising", the Altnews.in study concluded, "to see sections of mainstream media gloss over news that could put the establishment in the dock for its ineptness if not subtle encouragement to elements who are out to destroy the social fabric".

### SMART PHONES, FAKE NEWS

These phenomena remain to be studied and India offers a rich laboratory with its mix of media, all of which show continuing signs of growth, though some sectors are clearly failing to get their revenue calculations right. Statistics may often have no more than a brief utility in the rapidly changing scenario of the modern media, but they could be used provisionally to gauge which way the winds are blowing. In 2011, as Robin Jeffrey – the renowned media scholar who has written celebratory accounts of how the newspaper has transformed India – set out to research the revolutionary impact of the cell phone, India had 100 million newspaper copies coming to market every day, and an estimated 600 million cell phones in use. In his book co-authored with Assa Doron and published in 2013 under the title *The Great Indian Phone Book*, the authors saw these figures as portending momentous change, though the future relevance of the newspaper seemed assured.

By 2017, the figures had not changed very much in respect of newspaper numbers, though there were growing doubts

over how much of it was mere artifice to keep advertisers interested. Cell phone users – or at least the number of active SIM cards, which is its closest proxy – had topped one billion by then. Though these numbers tell their own story, it would remain incomplete without an understanding of how the vast population of cell phones is being used.

In September 2016 a new entity came into India's universe of information transactions, with a splashy celebrity launch in the western metropolis of Mumbai. Promoted by India's largest business conglomerate, Reliance Industries, under the brand-name Jio, the new entrant into the cell phone services market promised free data traffic over its "fourth generation" or 4G network (alternately called "long-term evolution" or LTE). Already vulnerable to mounting debt servicing obligations, other telecom and internet service providers were rattled. Their protests to the regulatory authority though, went unheeded.

In its June 2017 edition, the Ericsson Mobility Report which has become something of a standard reference source for trends in the telecom and internet domains, observed that total global "traffic in mobile networks increased by 70 percent" between the end of the first quarter of 2017 and the corresponding point the earlier year. "Part of this increase", it said, "was due to one Indian operator's introductory LTE offer that included free data traffic". Mobile subscriptions had registered a 4 per cent growth over the year. In terms of the net additions during the relevant quarter of 2017, India had the largest number at 43 million, with China second at 24 million. "The strong subscription growth in India", the report concluded, "was mainly due to an attractive LTE 'welcome offer' by one operator, with free voice and data".

Globally, smartphones accounted for 80 per cent of the total number of new mobile connections in the quarter, a figure expected to increase rapidly. Data traffic over mobile networks in 2017 grew 70 per cent globally, with video signals accounting for over 50 per cent of total traffic. Jio's entry in India had contributed to a dramatic growth in data traffic. Though the report uses a broader geographic category (India, Nepal and Bhutan), the vast part of the increase in data



**THE HASHTAG STRATEGY PERHAPS GOES ALONG WITH AN EDITORIAL POLICY OF SOFT-PEDALLING THE CRITICISM OF ESTABLISHED AUTHORITY, SINCE THE LARGEST NUMBER OF MOUSE-CLICKS TODAY SEEM TO BE RESERVED FOR NEWS ITEMS – FAKE OR OTHERWISE – THAT EMBELLISH THE IMAGE OF THE RULING PARTY AND ITS TOP LEADERSHIP.**

traffic in this region between 2016 to 2017 – 0.3 exabytes per month to 1.0 – could be attributed to India. Data usage per smartphone within this geographic region increased from 1.5 to 4.1 gigabytes per month over the year.

India's trajectory is a few steps behind the global trend in some respects, though the magnitude of the transition, because of the sheer size of the country, has attracted global attention. The Reuters Institute for the Study of Journalism (RISJ) has since 2011 been carrying out an annual survey of the digital media with substantial samples drawn from a large number of countries. While India is yet to figure in this annual survey, the global trends it highlights are clearly applicable in India and the evidence comes both anecdotally and from evidence from diverse sources.

In its survey published in October 2017, the RISJ identified a number of distinct trends. There was firstly, an increasing dependence on the smart phone for accessing news and information. "Distributed discovery" was becoming more important, with particular news sources less likely to be remembered than the platforms they were discovered on. Beyond these platforms, the growth of "private" messaging apps such as WhatsApp in news discovery was growing. And with all these multitudes of sources and choices, the vital attribute of "trust" was eroding in both social media and news.

### SENSATIONALISM REIGNS

In a scenario of great uncertainty, traditional media have been trying to gain some leverage through the online space, driving traffic to their sites using the hashtag as bait. The hashtag strategy perhaps goes along with an editorial policy of soft-peddalling the criticism of established authority, since the largest number of mouse-clicks today seem to be reserved for news items – fake or otherwise – that embellish the image of the ruling party and its top leadership. This goes along with a tendency, especially marked in the visual media and India's bustling ecosystem of news channels, to play up the trivial and the sensational.

This tendency was most in evidence over the year under review in coverage of the death of the Bollywood actor Sridevi Kapoor – often celebrated as India's first female superstar – in a hotel room in Dubai in February 2018. A thorough forensic audit was a legal necessity under Dubai law, given the circumstances of the death. This process alone and the findings that emerged were sufficient to trigger a frenzy of speculative reporting on India's news channels, complete with news anchors and reporters re-enacting the hotel room scenes in the minutes before the actor's death. It was sharply critiqued as "voyeuristic" and "insensitive" by commentators in India's relatively more sober print media. Social media meanwhile, brimmed over with posts using the

"death of news" hashtag or its equivalents.

Reporting that takes on and explains the full implications of policy choices the government has committed itself to, could be hazardous. In February 2018, The Tribune, headquartered in the northern Indian city of Chandigarh, ran a series of stories on the security vulnerabilities of an ambitious national database of Indian citizens. The reporter assigned to the story was able to obtain biometric and other information about registered Indian citizens through the mere payment of five hundred rupees (about USD 8). In response, the Unique Identification Authority of India (UIDAI), which runs the project, filed a criminal complaint against the reporter, the newspaper and its editor.

This manner of "strategic litigation" to stop critical reporting was in evidence in a story carried by The Wire, a news portal that has earned a substantial readership with its energetic fact-checking of official statements and claims. In October, the news portal ran a story documenting how a company owned by Jay Amit Shah, son of the ruling party president, had increased its annual revenue an astounding 16,000 times in just a year. It was subsequently learnt that Shah had contacted the legal officers of the Government of India for advice even before the story was published, after getting a sense of what was coming from the news portal's outreach effort to verify facts. Once the story appeared, Shah filed a criminal defamation suit for no less than a billion rupees (USD 15 million) that had all the hallmarks of an official censorship attempt through the endless harassment of court summons and adjournments.

Two senior journalists from Vice India – the local arm of a global website – quit when pressured to kill a story about an activist of the ruling party's youth wing, who was with full and informed consent, willing to render a candid account of his experiences as a gay individual within an intolerant political milieu. In a phone call to the reporters, the chief executive of Vice India cautioned that a phone call from the ruling party president was the last thing they wanted to receive.

Police raids in June 2017 on the offices and other premises of New Delhi Television (NDTV), on unsubstantiated allegations of money laundering, led to worries that one of the few news channels willing to give critical voices some space, was under threat. In Kashmir, always a challenging milieu for journalism, news photographer Kamran Yousuf was arrested while covering demonstrations in September 2017, on charges of causing public disorder and fomenting unrest. In a charge-sheet filed in court three months later, the National Investigative Agency (NIA) – a specialist arm dealing with terrorism offences – accused Yousuf of not being a "true journalist". To merit that status, the NIA



Ramesh Rath, a Balipatna-based journalist working for *Pragativadi*, an Odia-language daily was attacked by two bike-borne miscreants with a sharp weapon. Rath sustained a deep cut on his back and had to undergo treatment at a hospital in state capital Bhubaneswar. Credit: NUJ India

wrote, he would have to show greater commitment to covering events such as the "inauguration of a hospital, school building, road, (or) bridge", or the "statement of political parties or the government of India".

### BITING THE BULLET

Two journalists were killed in the restive North-East of India, both in the state of Tripura. Sudip Dutta Bhowmik, a 49-year-old journalist working for a local daily in the state capital of Agartala, was shot dead in November, within the base of an armed police force specialising in anti-insurgency operations. He had in the weeks prior, published a series of reports on corruption within the top command of the force.

Just two months before, 27-year-old Shantanu Bhowmik, who worked for a news channel in Agartala was seized by armed activists as he covered a demonstration of the Indigenous Peoples' Front of Tripura (IPFT). He was taken away from the scene of the demonstration and his body found at a spot some 30 km from the state capital. In elections to the state legislative assembly held in March 2018, the IPFT in alliance with the ruling party at the national level, won eight of the nine seats it contested and assumed a number of offices in the state cabinet.

Gauri Lankesh, editor of an eponymous weekly journal published from the southern Indian city of Bengaluru – capital of Karnataka state – was shot dead as she entered her home early one evening in September 2017. As the Indian media community sought to come to terms with the shock and trauma, one of the many warriors for the new hyper-nationalism in the virtual space tweeted a message that the "merciless" murder of "Commy (sic, Commie) Gauri Lankesh" was all about her deeds coming back to haunt her.

Gauri Lankesh was an outspoken journalist who inherited Lankesh Patrike, a newspaper that her equally

irreverent and iconoclastic father had founded and named after himself. She had since kept that effort at sharp social critique afloat under her own name, associating herself with human rights causes and speaking up strongly and frequently against the effort to stifle dissent under the cloak of the new nationalism.

Gauri Lankesh's assassins were waiting for her as she arrived home and sped away on motorcycles after shooting her dead. The method was eerily similar to that employed in three murders of public figures involved in campaigns against superstition and religious obscurantism: Narendra Dabholkar in the western Maharashtra city of Pune in August 2013, Govind Pansare in the southern Maharashtra town of Kolhapur in February 2015 and M.M. Kalburgi in the northern Karnataka town of Dharwar in August 2015. Unlike in the three earlier instances, one arrest has been made in the Gauri Lankesh killing. K.T. Naveen Kumar, allegedly an activist of an extremist group from a southern district of Karnataka, was arrested in March 2018, six months after the murder. Very little has since come to light about the circumstances of the murder and the others who may have been involved.

Incitement to murder, sexual violence and extreme nationalism – which often takes the form of a bullying partisanship for Indian sport, principally involving the iconic national cricket team – have become accepted parts of social media practice. Mainstream media which has long years of experience in the more sober and responsible idiom, could potentially call out these abuses, but financial fragility renders their voice weaker than in earlier years. The menacing prospect today in India is that the mainstream media may be opting to piggyback on the rampant abuses of the social media, to retrieve their commercial fortunes from a rapid plunge into the red.



A boy peeps out of his house as security guards maintain vigil in Srinagar during one of the innumerable curfews clamped during periods of frequent unrest in Kashmir. Credit: Faisal Khan

## KASHMIR: SIMMERING VALLEY

For more than three decades, journalists in Kashmir have been braving the challenges of living and reporting in a conflict zone. While the territorial dispute and internal strife are decades old, since the 1990s, Kashmir Valley has been in the throes of an armed insurgency, and intense militarisation and arbitrary use of draconian laws. The media has had to balance pressures from all sides: the government, security forces, militants, and the Kashmiri public. Journalists perform the difficult task of informing the public while risking life and limb, dashing headlong into dangerous volatile situations with no protective gear or safety training. Precarious working conditions – low wages, no job security, benefits, medical, life or risk insurance exacerbate the risks for journalists in Kashmir.

From 2016 onwards, the spike in unrest and mass uprising of ordinary Kashmiris -- especially youth -- following the killing of militant leader Burhan Wani by security forces in July saw special challenges for the media.

### EMERGENCE OF INDEPENDENT MEDIA

When the armed insurgency erupted in 1990 following what is termed the ‘Gawkadal massacre’ when paramilitary forces opened fire, killing about 50 unarmed protesters, there were only five or six Urdu newspapers being published from Srinagar. The international press was ejected from the Valley, and until 1995, there were no English dailies published in Kashmir (national dailies published from Delhi were distributed in the Valley). Now, there are about 61 registered Urdu newspapers, the prominent ones being: Al Safa Aftab, Srinagar Times, Kashmir Uzma, Nida-e-Mashriq, Uqaab and Afaaq. The main English dailies out of 34 are: Greater Kashmir, Rising Kashmir, Kashmir Images, Kashmir Observer, Kashmir Monitor, Kashmir Life, Kashmir Times and Kashmir Reader. These newspapers took on the challenging task of reporting the militancy and its impact on common Kashmiris, the might of the Indian state and human rights violations committed by the security forces and also by the armed militants.

There are no television channels based in the state other than cable TV and national channels broadcast in Jammu and Kashmir (J&K), which are sometimes blocked by cable operators under directions of the state government.

Journalism as a profession is not yet institutionalised in Kashmir. Structures of recruitment, wages, promotions and benefits are not uniform in any media house. For most media houses, the small scale of operations and lack of standard procedures leaves journalists and media staff vulnerable and their jobs insecure. Precarious working conditions are exacerbated by the conflict. Salaries are poor, with journalists working for as little as Rs 5000 (USD 80) per month. Interns often carry out major tasks, sometimes with no salary for up to six months. In such a scenario, there

are no appointment letters, medical benefits, insurance or pensions or provident funds. Written contracts are not drawn up and jobs and work assignments go according to oral agreements which are not binding. Reporters who travel for stories usually end up paying for conveyance themselves, unless they are lucky enough to hitch a ride with their colleagues from the national or international media. Photojournalists buy their own equipment, having to bear the costs of repairs and upgrades themselves. Phone bills are also borne by reporters.

In addition, saturation of the job market, with newly established journalism schools in Baramulla and Anantnag producing 120 graduates every year contributes to a glut in fresh entrants working for very low wages just to be able to gain experience and bylines, thus devaluing professional journalism.

Alongside, the growth of new media has not been matched with an understanding of working conditions of online journalists who are expected to be on standby 24x7. Not only do journalists in the electronic media have to broadcast, they also have to write for the website in English and Hindi and also send photographs. All of this for the same salary.

The lack of investment in professional journalism is displayed in the poor salaries paid to field reporters, and minimising expenditure by relying on newspaper vendors and hawkers in the districts to phone in with local updates which are then subbed and packaged as “news” – thus completely bypassing professional journalists. Another phenomenon peculiar to Kashmir is to make use of government employees as sub-editors in the evening. They package agency news in the manner required by the publication, for very little payment.

New technologies and mobile telephony are rapidly changing the way news is generated and disseminated. Like in other parts of the country, verification and other tenets of professional journalism are often sacrificed for speed and volume of outreach.

### INTIMIDATION AND RISKS

Since the armed conflict erupted in 1990, 21 journalists have lost their lives in targeted killings, or by being caught in the cross-fire. Assaults from all sides of the conflict – militants, the military and state-sponsored renegades (‘surrendered militants’ or Ikhwanis) had made journalism a hazardous profession during the 1990s. Abduction, parcel bombs and intimidation were not uncommon.

The risky balancing act of the Kashmiri media continues even today, and was mentioned in the report of the Press Council of India, ‘Media and Media Scenario of J&K’ released during a visit of the Council to Srinagar in October, 2017. The report noted that there were two narratives – of

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OF REPERCUSSIONS.

the Kashmiri media and the “media of the rest of India”. It went on to note that the “journalists in Kashmir have to manage the reality of walking on the tightrope amidst the threats of gun and political arm-twisting”

Today, while targeted killings are not the norm, journalists continue to be vulnerable while covering the conflict. Reporters from the districts receive more threats and physical assaults from security forces than those based in the capital Srinagar, and there is little recourse, it appears. Regular visits by army personnel and intelligence officers to the homes of journalists and harassment of their families, has become routine enough to be unremarkable – the annoyance and surveillance being borne as a fallout of working and living in a conflict zone. Journalists report being picked up and taken to Military Intelligence (MI) camps and interrogated, sometimes being detained with no charges. Questions about their stories sometimes leads to self-censorship to minimise harassment to families.

In a conflict situation, the identity of Kashmiri journalists is often deliberately blurred by the authorities. Freelance photojournalist Kamran Yousuf was picked up on September 5, 2017 by the counter-terrorism unit, the National Investigation Authority (NIA) and lodged in jail in capital Delhi. The 22-year-old from Pulwama town in South Kashmir was covering protests by civilians who were pelting stones at the security forces, a unique form of resistance in the Kashmir Valley. He was accused of pelting stones himself, and charged with serious crimes like criminal conspiracy, attempting to wage war against India, and sedition. The Kashmir Young Journalists’ Association was the first to stand up publicly and assert that Yousuf is a professional journalist, support for his cause soon gathered

force. Though he was released on bail about six months later on March 14, 2018, fighting the court case will be a long and arduous process.

As Yousuf’s experience shows, press photographers are particularly at risk, since they rush to the spot of incidents even as they are unfolding. Except for those who work for national or international media, local press photographers and video journalists do not have protective jackets or helmets. Due to the nature of their work, they are at the frontlines of conflict with no protection. Mir Javid, a journalist in Kupwara was deliberately targeted with pellets in August, blinding him in one eye despite extensive surgeries.

Likewise, photojournalist Zuhaib Maqbool, 30, was blinded in one eye by pellets shot at him and his colleague Muzamil Matoo, by the security forces in September 2016. Multiple painful surgeries later, he is yet to fully regain his vision. His cameras costing about Rs 200,000 which he calls his “eyes” were also damaged. Yet, they have no medical, risk or life insurance cover. Funds were raised through a Facebook campaign for their medical expenses. There were more than 1261 incidents of stone pelting in Kashmir in 2017, each of these risky for journalists to cover.

Women journalists are few in number, though more women than men graduate from journalism school. There are no female photojournalists and few reporters, the latter having to face additional vulnerabilities covering the volatile political reality that is Kashmir. Most are ghettoised in feature writing or ‘soft’ beats. Gender discrimination and sexual harassment are realities for women journalists negotiating the predominantly male world of media in this state.





Photojournalist Kamran Yousuf with friends after he was released on bail in March, 2018. He was in detention for over six months. Credit: Faisal Khan

**PRESS PHOTOGRAPHERS ARE PARTICULARLY AT RISK, SINCE THEY RUSH TO THE SPOT OF INCIDENTS EVEN AS THEY ARE UNFOLDING. EXCEPT FOR THOSE WHO WORK FOR NATIONAL OR INTERNATIONAL MEDIA, LOCAL PRESS PHOTOGRAPHERS AND VIDEO JOURNALISTS DO NOT HAVE PROTECTIVE JACKETS OR HELMETS.**

Online abuse and intimidation are growing problems. Reporters in the electronic media have had to go to the extent of deactivating their social media accounts due to the barrage of abuse within minutes of posting any story. WhatsApp messages from all over the world range from a “friendly nudge” to give a certain angle, to open threats. A reporter with a national channel said that on one occasion, an extremist leader threatened to broadcast a call to burn his house from the local mosque.

The conflict in Kashmir has led to a peculiar inversion of competitive “breaking news” and “exclusives”, particularly in the electronic media. Given the immediate and wide outreach of television, correspondents of national channels say that they are cautious about breaking news, especially about militant groups or human rights violations by the army. Therefore, they share information and newflashes go out simultaneously on tickers of all channels, thus reducing the risk for individual journalists. The vulnerability of Kashmiri journalists who live in the Valley is much higher than “parachute” journalists from Delhi or international channels who visit for a few days and leave, with no stakes in life in the Valley.

### ACCESS TO INFORMATION

News-gathering and verification are fraught with challenges in Jammu and Kashmir. From obstacles to physically accessing villages on the contentious Line of Control (LoC), the de facto border with Pakistan, to routine denial of information from official sources, getting the complete story and a quote from all sides is virtually impossible. In a recent case where a ‘suspected militant’ was killed in Uri (a border area), villagers said he was a civilian – a grazer. But it was impossible to verify because journalists were denied access and officials refused to comment.

In some areas, though official permission is obtained, the authorities on the ground do not accept the permissions and passes issued by other authorities. When curfew is imposed, which is routine during military operations, combing, crackdowns or even civil strife, obtaining curfew passes is difficult. Even with passes in hand (issued by the civil authority – the District Magistrate) the military personnel on duty do not permit journalists to enter the spot where incidents have taken place. When the military does take journalists to specific areas, it is usually in the nature of embedded journalism, and extremely controlled.

Official statements are often too late in coming, making it impossible to include quotes of relevant government and military sources within the schedule demanded by a daily news cycle. This routine stone-walling means that the official version is missing from news stories. Senior journalists say that while there is no direct censorship, circumstances are created to make it difficult to work. There is no system in place to talk to the responsible person in the police or security agencies to get the official version. Another way in which the army controls the flow of information and testimonies from affected populations is to intimidate villagers to the extent that common people are afraid to talk to journalists due to fear of repercussions.

Access to information is severely restricted during shutdowns of the telephone network or the internet. The penetration of the internet and mobile telephony is high. However, during military operations, mass protests and demonstrations, the internet is shutdown or slowed down to a speed that renders it useless. Such blockades are routine after military operations involving armed militants resulting in casualties, and last for least four days till after the funeral rites are completed, with a view to preventing popular mobilisation around the deaths of militants. The internet is also often shut or slowed down on Fridays, when public gatherings around mosques are likely to be volatile and turn violent with stone pelting. According to statistics generated by the Delhi-based Software Freedom Law Centre, India, Kashmir experienced 32 shutdowns in 2017 and 13 in 2018.

The struggle for journalists to get accreditation and the strict government control over this process is another method of blocking access to information.

### GOVERNMENT CONTROL

Most of the papers published from Kashmir are priced nominally, around Rs 3, and do not earn sufficient revenue through sales or subscriptions. None of the Srinagar-based newspapers is owned by a business house or corporation. Local business has been hit by the insurgency and corporates from outside the state are loath to spend advertising revenue here. Some Indian corporations have been issued directives not to advertise in J&K.

These papers depend heavily on government advertisements and paid public notices. This source of revenue comes at a price of course. The Central Government Department of Audio



Photojournalists in Kashmir are among the most vulnerable, rushing to the spot of military operations and civil strife. Several photojournalists hurt during protests are still undergoing medical treatment for serious injuries like loss of vision. Credit: Faisal Khan

Visual Publicity (DAVP), disburses advertisements, but with strings attached. Some publications receive advertisements disproportionate to their circulation (some print a token hundred copies for the record, while raking in large advertisement revenue). The content of these publications is impacted by the dependent relationship between the newspaper industry and the establishment, especially for economic survival. Pro-government publications are favoured with government accommodation, land, and other ‘privileges’ for propagating the official line. Those who do not play the game, pay a price.

In October 2017 the Home Ministry issued a letter addressed to senior officials of the state government and the Jammu & Kashmir police, saying: “It is understood that some newspapers in J&K are publishing highly radicalised content. This is against the Constitution of India as well as the Constitution of Jammu and Kashmir.”

The letter further says, “...publishing of anti-national articles in the newspapers of the state should be strictly dealt with. Such newspapers should also not be given any patronage by way of advertisements by the state government. This may be circulated to all concerned for strict compliance.” The message cannot be clearer. This was seen by editors in Kashmir as a form of censorship and direct control.

Editors say that even when reporting facts, Kashmiri papers are labelled as ‘anti-national’. In 2016, a publication which carried a photo of [militant leader] Burhan Wani on his death anniversary, had its advertisement revenue cut off on grounds that it was ‘promoting’ militancy, though journalists say that if large crowds are attending the

funerals of slain militants in large numbers, this is a reality which they are duty-bound to report. At a meeting with the Director of Information, editors were told “If you take government advertisements, we also expect something.”

Although central government revenue (through the DAVP) has largely been curtailed, state advertising revenue to the tune of about Rs 32 crore was disbursed in the year 2016-2017. However, this was not reflected in the status of salaries or benefits to working journalists, many said. Some journalists felt that the government could exercise control not by censorship of content, but by making minimum standards, salaries and benefits mandatory and deny advertisement revenue to publications that did not comply.

### ORGANISING FOR RIGHTS

The journalist community in Kashmir has been organised in various associations: Kashmir Press Photographers Association; Kashmir Journalists Corps; Welfare Association of Journalists; Kashmir Correspondents’ Club. The Kashmir Young Journalists Association founded in 2016 aims to serve the interests of fresh entrants into the profession and the Kashmir Editors Guild was set up in 2016 to lobby for issues related to editors. The Jammu and Kashmir Journalists’ Union, with about 30 members, is active in the Jammu region of the state, but not in the Kashmir Valley. An initiative to re-launch the Kashmir Union of Working Journalists which had been active in the 1980s, as well as a proposed Press Club provides hope for a united journalists movement to confront the challenges ahead.



# THE MALDIVES

## SWIMMING AGAINST THE TIDE

The Maldives has been in the throes of a severe political crisis since early 2018, when President Abdulla Yameen declared a state of emergency on February 5 and embarked on a mission to crack down on any opposition to his authority. The move was a response to the Supreme Court's February 1, 2018, order to release political prisoners and reinstate 12 Members of Parliament. If the court order had been followed, President Yameen would have found himself in a minority in the Parliament, facing a possible impeachment motion.

However, President Yameen effectively averted a personal crisis by declaring a state of emergency, detaining opposition leaders including members of parliament, dismissing and arresting the Chief Justice and a Supreme Court judge on charges of corruption, coming down heavily on opposition, and silencing all his critics including media.

The media and journalists faced a challenging situation during the emergency with critical and opposition media and journalists facing harassment, and others resorting to self-censorship. During the emergency, journalists were detained and attacked; media was threatened by government agencies with action for their unfavourable reporting, and ruling party leaders publicly called for shutting down opposing media.

The state of emergency – which lasted 45 days – represented an eruption of the deep churning, risks and challenges that the Maldivian media and journalists faced during the year. Waves of restrictions on freedom of expression and press freedom continue in the Maldives as its attempts to muzzle critical voices went unabated. State attempts to restrict press freedom resulted in fear among the media and journalists at a scale that critical news was difficult to publish in media operated from within the Maldives. Self-censorship – especially in issues critical to the government and anything relating to the opposition – was widespread and apparent in media content in the country.

### MEDIA IN EMERGENCY

The state of emergency, according to rights watchdog Amnesty International, was used as a 'license for heightened repression' by the Maldivian government. During the emergency, the opposition-aligned Raajje TV was forced to go 'off air' for 56 hours owing to the dangers to the media and journalists. On February 9, 2018, the station suspended its regular broadcast due to "increased harassment, threats and intimidation" and what it termed an "unsafe environment for journalists to report freely and independently, and without fear". The closure came after the ruling party leaders' public call to shut down the station and the withdrawal of security provided by the Maldives Police.

On February 9, 2018, two journalists working for Agence France-Presse, Indian photographer Money Sharma and British videographer Atish Patel, were asked to leave the



The opposition in the Maldives started holding nightly protests following the Supreme Court ruling on February 1, 2018, freeing political prisoners. Credit: Raajje TV

**DURING THE EMERGENCY, JOURNALISTS WERE DETAINED AND ATTACKED; MEDIA WAS THREATENED BY GOVERNMENT AGENCIES WITH ACTION FOR THEIR UNFAVOURABLE REPORTING, AND RULING PARTY LEADERS PUBLICLY CALLED FOR SHUTTING DOWN OPPOSING MEDIA.**

country after being picked up by police for doing journalistic activities on tourist visa.

Journalists also faced arrest and detention while covering opposition rallies during the emergency. On February 14, 2018, Mohamed Riyaz, technician with Vmedia, a news outlet owned by opposition leader Qasim Ibrahim, was arrested while assisting the channel's crew covering the opposition rally. He was later released. Two days later on February 16, Hussain Hassan from RaajjeTV and Leevan Ali Nasir from VTV are arrested during a protest rally at Male and were later released. Around 20 other journalists were taken to hospital after being pepper-sprayed by the police. Hassan travelled to Sri Lanka for treatment despite police's attempt to arrest him at the airport.

On March 16, the police arrested Raajje TV journalists Mohamed Wisam, Mohamed Fazeen, and its Head of Programmes, Amir Saleem. Fazeen was arrested while covering a joint opposition protest for allegedly disobeying a police officer, while Wisam and Amir were taken into custody with a court order on allegations of staging and uploading a fake video of policemen saying they would join opposition rally. Fazeen was released two days later while Wisam and Saleem were put into custody for 11 days before the court ordered their release on March 27 as police failed to present any evidence against them. The police returned their confiscated phones only on April 11, 2018.

The ruling Progressive Party of Maldives (PPM) went on an all-out verbal attack on Raajje TV and VTV. Lawmaker Ahmed Nihan alleged in a tweet that the protests had been organised by the media: "We see tonight's rally being led by journalists from RaajjeTV and VTV". On February 16, 2018 PPM vice president Abdul Raheem Abdulla demanded action against media outlets that spread discord saying that "RaajjeTV and VTV incited hatred and violence" and that they "work to misinform and put the public into a state of panic".

Deputy leader of PPM Abdul Raheem Abdulla on March 17 called on the authorities to shut down privately-run Raajje TV in a press conference broadcast live on Public Service Media.

### THREATS FROM STATE AGENCIES

On February 8, 2018, the Ministry of Defence and National Security warned of action on those found to have brought forward content impacting national security without a prior notice. The statement added that live shows and programs on media could "create chaos, confusion in public and create discord within the society".

On February 17, 2018, the Maldives police in a press release asked journalists to be "more professional". The police claimed that some journalists had acted like 'protestors' a day earlier in a rally and some media outlets had spread

misleading information during live coverage. On the same day, the Maldives Broadcasting Commission (MBC) issued a circular saying that some broadcasters were airing content threatening peace and stability and cautions broadcasters to exercise restraint 'when bringing live coverage'.

The Maldives Transport Authority also joined in issuing warning to media on February 28. The authority urged the media against spreading unsubstantiated reported regarding Xin Yuan 18 – a vessel with the Maldivian flag that allegedly supplied oil to North Korea. The authority was denying any link to the vessel and warned media against reporting it otherwise.

### REPRESSION BUILDS UP

However, the silencing of critical voices started much earlier than the emergency. In fact, on September 12, 2017, the UN High Commissioner for Human Rights Zeid Ra'ad al-Hussain said the Maldivian government was "increasingly cracking down on critical views" during the meeting of the UN Human Rights Council.

The decisions of the state-controlled MBC strongly indicate censorship and legal harassment of media. The MBC has imposed hefty fines on opposition-aligned Raajje TV thrice – each time immediately after the station paid the earlier fine. Raajje TV receives third defamation fine on October 8 when the MBC fined it MVR500,000 (USD 32,425) for airing





comments made by MP Mohamed Musthafa on Raajje TV on July 28, calling them a “threat to national security”. MP Mohamed Musthafa was not fined for defamation. It should be noted that the television network has also been fined for airing a slogan chanted during an opposition rally in a live coverage.

Sangu TV was fined MVR 100,000 (USD 6,500) and asked to apologize publicly on March 28 over remarks aired of an opposition lawmaker in December 2017. MP Mohamed Musthafa was said to have used an obscenity and defame President Yameen during a live event when he said the present administration has “introduced nothing but theft to the country”, the MBC concluded deciding over the fine. The privately-operated station refused to offer a public apology until it was issued a court order to do so and said it will file a court case against any decision once depositing the fine.

The fines were imposed under the controversial Anti-Defamation and Freedom of Expression Act 2016 that was heavily criticised by local and international organisations as being restrictive and contrary to international standards. The MBC also slapped a fine of MVR 200,000 (USD12,970) on state-owned Public Service Media over defamatory remarks made by a ruling party lawmaker at a televised press conference.

The MBC fined Medianet – the country’s main cable television service provider – MVR 500,000 (USD32,425) on June 17, 2017 for rebroadcasting an Al Jazeera corruption exposé in September. The documentary, which exposed systemic corruption, abuse of power and criminal activity at the highest level of government, was deemed to pose a threat to national security and the Maldives government blacked out the documentary in the Maldives. After Al Jazeera announced the release of the documentary, the ministers and ruling party lawmakers threatened to take action against all of the film’s Maldivian contributors. The government also

launched a media offensive against the documentary, even before it aired, accusing Al Jazeera of a conspiracy to topple the government as well as economic sabotage. A prominent editor appearing in the documentary – Zaheena Rasheed of the *Maldives Independent*, left the country because of the threat and currently still lives in exile.

The Maldives’ Majlis (Parliament) has been a bitter ground for dispute among ruling and opposition lawmakers with ugly scenes such as eviction of lawmakers, presence of high number of security personal and scenes of fist-fights between the lawmakers. However, the MBC denied the Maldivian peoples their right to know what is happening in their parliament by warning TV stations against broadcasting footage live-streamed on social media by MPs who are inside the parliament chamber saying such videos contained “obscene language and content contrary to standards of public decency”. It advised broadcasters to “ensure that scenes like this are broadcasted in line with the Broadcasting Act, regulations under the Act, the Broadcasting Code of Practice, and the Anti-Defamation and Freedom of Expression Act”. Legal action would be taken against those who violate broadcasting laws, the commission warned.

### HARASSMENT OF JOURNALISTS

As journalists are arrested, detained and questioned over found ‘objectionable’ could lead to huge arbitrary fines, the threat to the media and journalists is high and there is widespread self-censorship due to an atmosphere of fear.

Journalists in the Maldives are questioned over news content and legally harassed over their coverage of any programs organised by opposition political parties. Police questioned journalists at the news websites Avas and Mihaaru on February 1, 2018, after the sites published a statement issued by the jailed former vice president of



**AS JOURNALISTS ARE ARRESTED, DETAINED AND QUESTIONED OVER CONTENT, AND CONTENT FOUND ‘OBJECTIONABLE’ COULD LEAD TO HUGE ARBITRARY FINES, THE THREAT TO THE MEDIA AND JOURNALISTS IS HIGH AND THERE IS WIDESPREAD SELF-CENSORSHIP DUE TO AN ATMOSPHERE OF FEAR.**

From left: Police talking to media covering opposition protests in the capital Male when they were blocked by police. Several journalists were pepper-sprayed, and some hospitalised with injuries. Credit: Raajje TV

Maldives Police talking to media during protests in the capital Male’ on March 16, 2018 following the declaration of the State of Emergency. Credit: Mohamed Sharuhan/Raajje TV

the Maldives, Ahmed Adeeb. Police went to their office without prior notice and officers asked how the statement was obtained.

In June 10, 2017, *V news* senior editor Ahmed Rifau was summoned for questioning at the police headquarters over a headline about the arrest of a senior opposition figure in June. The police contended that the headline, ‘Adam Azim arrested on charges of trying to topple the government,’ misrepresented the content of the arrest warrant. Azim was accused of speaking in a manner that encouraged the illegal overthrow of the government and of undermining public trust and inciting hatred toward the judiciary.

A number of journalists – four from Sangu TV and three from Raajje TV, were arrested and others roughed up during an opposition rally held on the 52nd Independence Day in July. The journalists detained on charges of “obstructing the duties of a law enforcement officer” were Mohamed Wisam, Murshid Abdul Hakeem and videographer Ahmed Mamdhoo of Raajje TV, and Adam Janah, Ahmed Riffath, Mohamed Shanoon, and Abdullah Yamin of Sangu TV. They were later released.

On May 29, 2017, the Maldivian police issued summons on Twitter to three liberal bloggers -Dr Azra Naseem, Muzaffar ‘Muju’ Naeem, and Hani Amir- living abroad to present themselves for prosecution over unspecified charges. The police said they would ask the Prosecutor General’s office to press charges and try them in absentia if they refused. All three bloggers are known for their secular views and critical writing on Maldivian society and politics.

### FURTHER CLAMPDOWN AFOOT

Further media restrictions are likely to be imposed as the government-sponsored bill for the ‘Maldives Media Commission’ was tabled in the Parliament. Proposed

by ruling party lawmaker Jafar Dawood for the creation of a new media regulatory body after dissolving the broadcasting commission and media council, the proposed regulator can impose hefty fines and temporarily shut down newspapers and TV stations. After investigating breaches of a new code of ethics, the Maldives Media Commission can order print and online outlets to make corrections, issue warnings, and impose fines of up to MVR100,000 (USD6,485) for repeated violations.

If written or broadcast content is deemed to pose a danger to Islam, national security, public order or public health, the Commission can ask the police to stop publication or broadcast. The Commission can also seek court judgments to cancel the registration or broadcasting license of newspapers and TV stations. Journalists believe that the new bill, once passed, will target the print and online media. The current MBC can only target televisions and radios and the new Bill has been conceived so as to ensure that the print and online media come within the jurisdiction of the state-controlled authority.

International non-profit Transparency International Maldives condemned the government for proposing a bill that would merge two existing media watchdogs and “expand its sphere of state control on print and social media as well”. There was no progress in the Bill due to the political crisis and the state of emergency, but it is likely to be revived once the situation is normal.

Similarly, the Maldives government also issued new guidelines on the qualification for editors and asked all media outlets to meet the guidelines within 18 months. A Home Ministry regulation gazetted in January, 2018 imposes new criteria for editors at registered media outlets. According to the guidelines, editors need to be a Maldivian, aged 25 and above, have a degree in journalism



**WHILE EXPRESSING SOLIDARITY WITH MALDIVIAN JOURNALISTS, SAMSN POINTED AT THE NEED FOR STRATEGIES FOR NATIONAL, REGIONAL AND INTERNATIONAL SOLIDARITY TO ENABLE MEANINGFUL INTERVENTIONS IN THE PUBLIC SPHERE, BOTH INSIDE AND OUTSIDE THE BELEAGUERED REGION.**

or a related field as well as five years' experience at a ministry-registered media organisation. The guidelines are seen as a way to control media given there are only 483 people with a graduate degree in Maldives, according to 2014 census.

### BUILDING REGIONAL SOLIDARITY

In September 2017, the South Asia Media Solidarity Network (SAMSAN) meeting in Kathmandu focussed attention on the Maldives as a zone in need of urgent intervention to protect press freedom and journalists' rights. While expressing solidarity with Maldivian journalists, SAMSAN pointed at the need for strategies for national, regional and international solidarity to enable meaningful interventions in the public sphere, both inside and outside the beleaguered region.

The major issues in the Maldives, often interconnected were broadly related to arbitrary and repeated (mis) use of the Anti-Defamation and Freedom of Expression Act 2016 to penalize critical voices; the threat to critical voice; the state censorship of media content; violation of

press freedom and journalist's rights including arrests and criminal cases against journalists; new tougher law and regulations on the offing; impunity for perpetrators in the crimes against journalists; and self-censorship by the journalists.

The Election Commission has announced the first round of presidential elections in early September 2018. A second round, should it be necessary, would be held within 21 days from first election day. President Yameen is looking for a new mandate to extend his presidency, while the opposition is looking for an opportunity to oust him. The media, reeling under constant pressure from threats and repression and resorting to self-censorship, will face yet another challenge to cover the election in an independent manner. Although the EC had promised to allow foreign journalists to cover the election, there are already stricter measures for visa issuance for journalists in place.

With the election looming amidst the political crisis, the media is likely to witness another challenging year where press freedom comes under severe pressure.



Journalists were covering opposition protests in the capital Male when they were blocked by police. Several journalists were pepper-sprayed, and some hospitalised with injuries. Credit: Raajje TV

## LIVING TO TELL THE STORY

Zaheena Rasheed, editor of the *Maldives Independent* being interviewed for the Al Jazeera documentary *Stealing Paradise*. After the release of the documentary, Zaheena had to flee the Maldives due to threats to her life. Credit: Screenshot/Al Jazeera



In August 31, 2016, I packed a small suitcase and reluctantly left the Maldives, thinking I was only leaving for a week. I told my parents I'd be back as soon as the furore over a documentary I had worked on had died. I didn't want to leave - it felt like giving in. It will soon be two years, but the situation has only gotten worse.

The documentary by Al Jazeera, titled , exposed corruption and abuse of power at the highest levels of government, including a conspiracy to launder up to USD 1.5 billion through the central bank. Weeks before the film aired, the government, pushed through a new law criminalizing defamation. It allows journalists to be fined up to USD 30,000, and sets a six-month jail term if they are not able to pay the fine. The law also grants the government authority to impose fines and shut down publications.

The assault on the press has taken many forms in Malé, from threats and attacks to co-option. Ministers offered money to the best journalists in newsrooms to set up alternative outlets. Sometimes, half of newsrooms were poached to set up new websites or TV stations that were often pro-government in their coverage.

An oft-ignored topic is mental health. As journalists in the Maldives, we bore daily witness to grave injustices. Massive corruption and the squandering of public funds, police brutality and mass arrests, and the jailing and banishment of nearly all opposition leaders. Covering court hearings which went late into the night, I would leave the court house shocked by the blatant injustice I had just witnessed.

The hardest story I reported on was my colleague Ahmed Rilwan's disappearance. How do you tell a story objectively when that story concerns a member of your team? As journalists, we think of ourselves or are expected to be objective observers of human history, but we are as susceptible to trauma as the victims of the stories we tell.

In addition to the threats and harassment by the government, as an editor of a small and independent news website, I also frequently worried about funding for our website. The pressure was immense. When I left the Maldives a year ago, I was a mess. I was suspicious of strangers. I jumped at shadows, and I was afraid of the dark. My friend and blogger, Yameen Rashid's murder in April 2017 prompted a crisis of faith and a cynicism that I have not been able to shake off. Professionally and personally, the past few years have been some of the toughest in my life.

Through all of this, regional and international organisations have been keeping an eye on us, helping to keep global attention on what has been happening in the Maldives. The solidarity has made us feel that we are not alone. Conversations with journalists in Sri Lanka who had reported on the war, were eye openers. They told us, don't be martyrs, you must live to tell the story another day. That advice has always stuck with me.

*Zaheena Rasheed, Al Jazeera Media Network, is also the editor-in-exile of the Maldives Independent. This is an excerpt of a speech delivered on September 8, 2017 at a meeting in Kathmandu organised by the IFJ and SAMSAN.*



# NEPAL

## OLD ISSUES, NEW CONCERNS

After years of instability due to political transition, Nepal is finally on the road to stability after three levels of successful elections – local, provincial and general – held between May and December 2017. The coalition of the Communist Party of Nepal (United Marxist Leninist) and the Communist Party of Nepal (Maoist - Centre) won a majority in all three elections and formed the federal government under the premiership of KP Sharma Oli and provincial governments in six out of seven provinces. The alliance of parties based in the Madhes or the southern plains has formed a provincial government. With two major parties of the coalition now working on the unity process, PM Oli looks set to lead the country for a full term, bringing much-needed stability in the country's governance.

The Madhes-based parties, which had previously boycotted the promulgation of the Constitution, vowed to disrupt the elections, but ultimately did not follow through. The three elections, which transpired without noticeable violence, finally gave a legal validity to the Constitution of Nepal 2015. The participation of all political parties, except a splinter group of the Maoist party, was considered a good sign, since the dissatisfaction of the Madhes-based parties could be addressed in the parliament through a democratic process.

However, implementation of the new federal structure, the new Constitution as well as the new Criminal Code and Civil Code is not expected to be smooth. Both the Criminal Code and Civil Code consist of provisions that could have direct implications for the media. The federal structure is also expected to bring in new challenges, not only in its evolution, but also for press freedom as the provinces and local bodies are entrusted with some responsibility regarding regulation of local media.

It flags tough years to come for journalists as they face unprecedented legal pressures and other harassment, attacks and threats for their reporting of critical issues. Impunity for crimes against journalists is a long-standing issue still awaiting proper redress in the country.

### THE MEDIA AND THE COURT

During the year, the judiciary of Nepal was at odds with the media on several occasions. However, these cases were not prolonged and were not unfavourable for the media and journalists.

On February 25, 2018, Chief Justice Gopal Parajuli passed an order asking the Press Council of Nepal (PCN) to ban publication of news criticising him in *Kantipur* daily. The daily had published a series of investigative reports about discrepancies in the date of birth of the Chief Justice. Media reports alleged that he had revised the date of birth in his official documents in order to extend his tenure. In a contempt case filed by an advocate, Chief Justice Parajuli

heard the case – despite the issue being about him – and issued an interim order, also calling on the PCN to probe the news reports in question. The order asked the PCN to investigate whether they violated the journalists' code of conduct and to ensure that no news criticising the Chief Justice was published again.

Journalist Krishna Gyawali, editor Sudheer Sharma, and publisher Kailash Sirohiya appeared in the Supreme Court for the hearings before the case was discontinued when the Chief Justice was forced to resign. The Judicial Council determined the Chief Justice should be relieved from the post after gathering official documents to establish his date of birth, which turned out to be the date as claimed by the newspapers.

In November 2017, the Patan High Court backed attempts by the police to force editors of several online media platforms to reveal their sources. The Crime Division of the



Supporters of Nepali Communist Party Nepal-Union Marxist Leninist (CPN-UML) and Communist Party Nepal (CPN-Maoist Center) alliance at an election campaign meeting in Kathmandu on November 28, 2017. Nepal geared up for its first national elections under the new constitution, introduced as part of the peace deal that ended the country's Maoist insurgency, cementing its transformation from a Hindu monarchy to a secular federal state. Credit: Prakash Mathema/AFP

**THE FEDERAL STRUCTURE IS ALSO EXPECTED TO BRING IN NEW CHALLENGES, NOT ONLY IN ITS EVOLUTION, BUT ALSO FOR PRESS FREEDOM AS THE PROVINCES AND LOCAL BODIES ARE ENTRUSTED WITH SOME RESPONSIBILITY REGARDING REGULATION OF LOCAL MEDIA.**

Metropolitan Police Office in Kathmandu wrote to several online media platforms asking them to disclose the source of secret appraisal reports of top police officials that were published following a controversy on the appointment of the Inspector General of Police (IGP).

The online media platforms filed a complaint against the police's request claiming that it infringed press freedom and requested the court's intervention. But the Court ruled

that the police action did not violate freedom of the press thereby refusing to issue any order. The police mentioning the court decision again wrote to the online media pushing for disclosure of the source. After an outcry from journalist unions, including a statement of support from IFJ-affiliated Federation of Nepali Journalists (FNJ), the PCN intervened, met with senior police officials and urged them not to proceed with the request. The police were investigating





Gopal Khadka, the Managing Director of state-owned Nepal Oil Corporation (NOC) filed a defamation case against *Nagarik* daily, claiming Rs 800 million (USD 780,000) in damages on August 17, 2017. The Kathmandu District Court official served a notice to the daily's directors Binod Raj Gyawali and Shova Gyawali, editor-in-chief Guna Raj Luintel and correspondent Dilip Paudel on September 1. Credit: *Nagarik* daily

**ON FEBRUARY 25, 2018, CHIEF JUSTICE GOPAL PARAJULI PASSED AN ORDER ASKING THE PRESS COUNCIL OF NEPAL (PCN) TO BAN PUBLICATION OF NEWS CRITICISING HIM IN KANTIPUR DAILY.**



Kailash Sirohiya, chairman and publisher of Nepal's largest daily *Kantipur*, the group's director Swastika Sirohiya (C) and editor Sudheer Sharma (R) speak to the media after appearing briefly at the Supreme Court of Nepal in Kathmandu on March 2, 2018. They had been summoned by the country's chief justice for publishing articles critical of him, in a case widely condemned as an attack on press freedom. Credit: Gopen Rai/AFP

unlawful access to the files and the alleged tampering with confidential appraisal reports.

### POLICING THE MEDIA

The Nepal Police, on at least two occasions in 2017, tried to slap fabricated charges on journalists as a means to silence them.

On June 17, 2017, police arrested editor Khem Bhandari and executive editor Ganesh Bhatt of *Manaskhanda* daily and charged them under the Public Crime and Punishment Act in Kanchanpur district, western Nepal. It followed a news report that claimed that two women arrested by the police were innocent. After a strong protest by journalists and unions, the police released Bhandari and Bhatt after 28 hours.

On April 1, 2018, the District Court in Bajura cleared journalist Chakka Bahadur Malla of charges of rape due to lack of evidence. Malla, the district correspondent of Image Channel TV, was arrested and taken into custody on July 20, 2017, as he was about to register a case of attack against

four municipal officials who allegedly beat him up on July 13. He alleged the four municipal officials attacked him near the district headquarters and sustained injuries. The police had later framed a rape charge against him and kept him in custody for more than eight months.

Prakash Dhakal, a journalist with *Adarsha Samaj* daily, was attacked by police as he was reporting on a demonstration by students of the Prithvi Narayan Campus in Pokhara, western Nepal. During the police's attempt to disperse the demonstrators, the police charged on Dhakal despite him showing his press ID card. Dhakal received a minor injury on his leg.

Police also arrested more than a dozen journalists, especially those considered to be close to the Maoist group calling for boycott ahead of the elections, as 'pre-emptive measures for security'. Between May 2 to 11, 2017, half a dozen journalists from various districts were arrested by police. Most were kept in detention without charge until the conclusion of the local elections. However, Pustaman Gharti, a provincial delegate of FNJ charged with causing

'public offences' was kept in custody for 55 days before he was finally released. A Supreme Court case filed by executive committee member Janmadev Jaisi on behalf of the FNJ was ultimately instrumental in securing the release of the journalists.

Similarly, at least eight journalists were arrested from various districts in November 2017 ahead of the general election. Again, these journalists were kept in detention without any charges until the conclusion of the election. Although the election proceeded without major violence, there were some incidents of harassment and mistreatment of journalists including an attack on Dinesh Thapa, correspondent of OnlineKhabar.com, at his home by political cadre on November 25, a day before the first phase of the general election.

On July 31, 2017, the Election Commission (EC) issued a circular to the PCN 'to present the chief editor of the *Deshantar* weekly before the EC within three days' for clarification on two news items that the constitutional

body claimed to be 'false' and 'baseless'. The news items in question were published on July 23 and 30 accusing the EC of financial misconduct. The EC also directed PCN to take action against the chief editor Kabir Rana. However, the PCN took no action.

### CONTINUED THREATS

One of the biggest investigative news stories of the year in the country was about the state-owned Nepal Oil Corporation and the financial misconduct by its Managing Director Gopal Khadka. However, the publication of a series of news reports about the misappropriation of funds and misuse of authority by the government-appointed civil servant also saw attempts to silence the media.

On August 4, 2017, Khadka threatened journalist Dilip Paudel of *Nagarik* daily on the premises of the Ministry of Supplies, where Paudel was on a reporting assignment. Paudel had first reported misappropriation of funds by Khadka while buying various pieces of land for NOC at a





FNJ organised a two-day Investigative Reporting Training program in support of International Alert on October 11-12, 2017. Twenty working journalists from different leading media participated. Credit: FNJ

very high price. Despite the Parliamentary Public Audit Committee's order of an inquiry into the matter, Khadka had claimed that there was no truth in the news. He threatened Paudel that he would end his journalism career adding, "you have also a family, think about it".

On August 17, Khadka filed a SLAPP (Strategic Lawsuit Against Public Participation) as a defamation case against *Nagarik* daily, claiming NPR 800 million (USD 780,000) in damages with an intention to silence the media house from publishing reports about his alleged corruption. The Kathmandu District Court official served a notice to the daily's directors Binod Raj Gyawali and Shova Gyawali, editor-in-chief Guna Raj Luitel and correspondent Dilip Paudel on September 1. The media house filed a counter-claim of NPR 1.5 billion (USD 14.2 million). Khadka was later dismissed from office by the government on September 18. The legal case did not progress since Khadka had vacated his post but the case was widely discussed as a significant attempt to silence the media in Nepal.

In similar circumstances, Shivahari Ghimire of the daily *Nagarik* received a threat over news of illegal deforestation on May 6, 2017. The president of the Saraswati Community Forest Conservation Committee and an official at the District Forest Office in Lalitpur threatened Ghimire over the phone after news of deforestation was published. Umesh Paudel, a journalist with *Naya Patrika* daily, was also threatened via phone by businessman GP Paudel, on September 11, 2017, regarding news on a crypto-currency business. Paudel is one of the two journalists who reported 'Gravity

Currency' as fraud business and named GP Paudel as the head of that business.

### PHYSICAL INSECURITY

There were a number of attacks on journalists; the most concerning on January 15, 2018 when Sudeep Kaini, a correspondent with *Kantipur*, was attacked by a group of five assailants. While reporting on illegal sand extraction in the Marsyangdi river that was endangering local settlements, he was manhandled by the assailants, his camera and cell phone were snatched and his photos deleted. They also warned him not to reveal the incident. Kaini sustained a neck injury before being rescued by local residents.

Since May 2017, the Federation of Nepali Journalists (FNJ), has recorded 61 incidents of press freedom violation. Among those, were 27 journalist arrests; 9 attacks; 13 threats; 12 cases of seizure of media equipment and 10 incidents of verbal abuse. The FNJ concluded that although the number of press freedom violations has decreased over the past few years, the trend continues and there has not been any improvement in security or mechanisms to protect journalists. As a consequence, impunity and self-censorship remain the main issues of press freedom.

Another press freedom watchdog, the Freedom Forum, in a review of 2017 concluded that the election campaigning and activities failed to show due respect to freedom of expression and press freedom, thereby witnessing a surge in the number of violations.

### AWAITING REDRESS

Longstanding issues of press freedom in Nepal, meanwhile, still await redress. The regulation of online media, and social media, continues to draw attention. The controversial Online Media Directives, issued in February 2017, remain despite hefty criticism from the major media

Footage shows the attack on Prakash Dahal. Credit: Screenshot/Samacharpati.com



**POLICE ALSO ARRESTED MORE THAN A DOZEN JOURNALISTS, ESPECIALLY THOSE CONSIDERED TO BE CLOSE TO THE MAOIST GROUP CALLING FOR BOYCOTT AHEAD OF THE ELECTIONS, AS 'PRE-EMPTIVE MEASURES FOR SECURITY'. BETWEEN MAY 2 TO 11, 2017, HALF A DOZEN JOURNALISTS FROM VARIOUS DISTRICTS WERE ARRESTED BY POLICE. MOST WERE KEPT IN DETENTION WITHOUT CHARGE UNTIL THE CONCLUSION OF THE LOCAL ELECTIONS.**

and unions. The directives are restrictive in nature and give arbitrary powers to the Department of Information (DoI) to restrict and harass online media, thus threatening freedom of expression.

Along with the directives, Clause 47 of the Electronic Transaction Act's (ETA), continue to pose a threat for freedom of expression and are used to harass journalists. The state is using Clause 47 to ensure the implementation of the directives by saying that the media platforms listed with the PCN do not attract the clause whereas any other online publication of content can be charged with the clause criminalising online expression. Further, the Local Government Operation Act has provisions for canceling the license of FM radio stations.

Impunity and self-censorship are two key issues that continue to impede free expression in the Nepali media community. According to the FNJ records, out of 36 journalists killed since 1996, only six cases have gone on to prosecution. The level of threat and harassment of journalists, and the impunity to perpetrators, has led to a situation where journalists, especially those outside Kathmandu in regional areas, find it increasingly difficult to report on critical issues. In Kathmandu, the biggest media market, corporate interests area seen as playing an increasingly influential role in shaping content.

However, the biggest challenge for Nepal's media, journalists and unions is the changes expected to be

brought about by the new federal structure. Each of 753 municipal bodies and seven provincial governments are authorised to devise regulations – including those to regulate media, especially local media – and there are already concerns regarding some of draft regulations as they contain provisions that could be misused to curtail freedom of the press. The FNJ has taken the initiative to form a committee to devise model federal regulations relating to media, and having discussions with concerned central authorities to ensure that the proposed regulations do not curtail press freedom and journalists' rights.

### CHALLENGING TIMES AHEAD

While Nepal's constitution is explicit in mentioning press freedom and other related freedoms, many state actors and authorities are yet to whole heartedly accept it. The rise of social media, fake news and its viral spread online, have raised some issues that some state actors believe can only be controlled by tougher regulations.

The end of the political transition is a welcome phase as it will hopefully bring political as well as policy stability in Nepal. However, Nepal's Parliament now has hundreds of laws to be drafted and discussed. And alongside municipal and provincial governments, the parliament is also vested with the power to regulate local media. The years ahead will not be easy for Nepal's independent and critical media.



# PAKISTAN

## THREATS ON AND OFFLINE

In the new millennium, Pakistan has battled a tide of terrorism and violent extremism that has cost tens of thousands of lives and affected millions. A major victim has been the media. Dozens of online information practitioners, including bloggers and social media activists have also been killed, attacked, injured, harassed or faced legal cases for alleged blasphemy or treason in recent years. Between May 2017 and April 2018, at least five journalists were killed; dozens of others attacked, injured, harassed and intimidated and two kidnapped and remain missing.

According to data from the *Freedom Network*, of the 117 media practitioners killed in Pakistan since 2000, at least 72 were target-killed for their journalism work while the rest died in the line of duty in terror attacks and bombings. These high levels of violence and victimisation have ensured that Pakistan has consistently been ranked as one of the ten worst countries in which to practice journalism. The country has one of the lowest indicators of freedom of expression and safe access to information over the past decade. An important indicator of Pakistan's poor rankings in categories of freedom of expression, safety of journalists and online information practitioners is the incredibly high level of accountability. The killers of only two (Wali Khan Babar and Daniel Pearl) of the 117 media practitioners killed have been identified, gone to trial and been convicted. This makes Pakistan also one of the worst countries in the world in terms of combating impunity for crimes against journalists and failing to provide them and their families justice, thereby ensuring that journalism and freedom of expression remain threatened.

## ONGOING RISKS

Pakistan continues to have an environment that in general stifles freedom of expression and makes it difficult for the media and its practitioners, particularly journalists, from doing their job. In the period under review, at least five journalists were killed for their work and dozens of others were attacked, injured, harassed and intimidated into either self-censorship or looking out for themselves in an environment where impunity for crimes against them remains high and neither their employers nor the state offers much assistance.

The list of attacks against media practitioners in the period under review is long and the pool of perpetrators and threat actors grew to include, among others, government functionaries, political parties, security agencies, militant groups, religious factions, feudal and business classes and even the judiciary. No place is safe for journalists and media assistants – attacks happened in capital city Islamabad and in all four provinces of Balochistan, Khyber Pakhtunkhwa, Punjab and Sindh as well as in the Federally Administered Tribal Areas (FATA), Gilgit-Baltistan and even Pakistan-administered Kashmir. Crimes against journalists continue to go unpunished, adding to the entrenched impunity.



A Pakistani tribesman takes part with his hands chained during a protest rally in Islamabad on October 9, 2017. Hundreds of people from Pakistan's militancy-racked tribal areas rallied in Islamabad on October 9 calling on the government to abolish colonial-era British laws and merge the semi-autonomous northwestern region with the rest of the country. The Federally Administered Tribal Areas (FATA) are still governed by a century-old legal code known as the Frontier Crimes Regulations (FCR). Credit: Aamir Qureshi/AFP

## MEDIA BLACKOUT

During November 2017, federal capital Islamabad and adjacent city Rawalpindi saw a protest sit-in at the main interchange between two cities by a religious group, the Labaik Ya Rasool Allah. In order to remove the sit-in, the government launched a crackdown on the protesters on November 25, 2017. Soon thereafter, the police and paramilitary forces launched a crackdown, and the Pakistan Electronic Media Regulatory Authority (PEMRA), the electronic media watchdog, shut down the transmissions of

**DOZENS OF ONLINE INFORMATION PRACTITIONERS, INCLUDING BLOGGERS AND SOCIAL MEDIA ACTIVISTS HAVE ALSO BEEN KILLED, ATTACKED, INJURED, HARASSED OR FACED LEGAL CASES FOR ALLEGED BLASPHEMY OR TREASON IN RECENT YEARS.**





Journalists from the Pakistan Federal Union of Journalists (PFUJ) shout slogans during a demonstration in support of English daily *Dawn*, in Islamabad on May 3, 2017, World Press Freedom Day. The government had formed a committee to probe a October 6, 2016 story, which reported the details of a high-level civil-military meeting discussing the issue of banned militant outfits operating in Pakistan. Credit: Aamir Qureshi/AFP

Pakistani journalist Taha Siddiqui speaks during a press conference after being assaulted by armed men in Islamabad on January 10, 2018. Known for criticising the powerful military, Siddiqui said he had escaped an abduction attempt after being assaulted by armed men in Islamabad on January 10, in the latest case involving forced disappearances in the turbulent country. Siddiqui, who won France's highest journalism award the Albert Londres prize in 2014, said he was attacked by a dozen men en route to the airport in Rawalpindi but managed to escape before being kidnapped, suffering minor injuries during the scuffle. Credit: Aamir Qureshi/AFP

## IN THE PERIOD UNDER REVIEW, PEOPLE FACED SHUTDOWNS OF CELL PHONE NETWORKS AND INTERNET 17 TIMES IN VARIOUS PARTS OF THE COUNTRY. CELL PHONE NETWORKS WERE SHUT DOWN ON FIVE OCCASIONS IN ISLAMABAD AND RAWALPINDI ALONE.

all private news channels, accusing them of violating the code of conduct on live coverage. A total media blackout left people in the dark about what was happening in major cities across the country, triggering all sorts of speculations. Following the media blackout, the country's internet and telecom regulator, the Pakistan Telecom Authority (PTA) ordered blocking of all social media networking websites such as Facebook, YouTube and Twitter as well as popular communications apps such WhatsApp.

In the period under review, people faced shutdowns of cell phone networks and internet 17 times in various parts of the country. Cell phone networks were shut down on five occasions in Islamabad and Rawalpindi alone. In addition to these regular shutdowns, various parts of Balochistan province and the Federally Administered Tribal Areas (FATA) have faced cellular and internet shutdowns on different occasions in the period under review.

### CENSORSHIP OF SOCIAL MEDIA

In the aftermath of the issue of missing bloggers early in 2017, a petition was filed in February 2017 against the bloggers and their role in alleged online blasphemy in Pakistan. The petitioner Salman Shahid, prayed the court to direct the authorities to block all [allegedly] blasphemous pages on the social media besides taking action against those who had developed this content. Justice Shaukat Siddiqui of the Islamabad High Court, while admitting the petition, directed the authorities to block social media pages posting blasphemous and objectionable content. In March 2017, he ordered the authorities to place names of alleged blasphemers on the Exit Control List, initiate criminal cases against those committing blasphemy and form a joint investigation team (JIT) to look into the matter. The Court also directed Pakistan Telecommunication Authority (PTA) to set up teams to monitor and scrutinise social media for blasphemous material so that it may be removed. The Court further ordered the Federal Investigation Agency to bring back from abroad bloggers allegedly involved in online blasphemy to initiate proceedings under the law against them. After lengthy proceedings, in August 2017, the Court issued a detailed judgment and exonerated the alleged blasphemers but ordered PTA to identify any NGOs, bloggers and other journalists involved in circulating "blasphemous content" on social media and suggested that the Parliament make the blasphemy law tougher. The court also directed PTA to create a firewall to block unwanted and sacrilegious content in Pakistan.

Pakistan's official requests to Facebook, Twitter and Google for users' info, content removal grew in recent times.

**Facebook:** During the first half of 2017 Pakistan submitted a total of 1,050 requests to Facebook 'relating to criminal cases' for user data, referring to 1,540 Facebook accounts, according to Transparency International. During this period, Pakistan also made 399 'accounts data preservation' requests to Facebook in connection with official criminal investigations. Facebook also received 613 requests from Pakistan related to users/accounts. In the same period, Facebook restricted access to 177 places of content upon requests from the Pakistan Telecom Authority (PTA) and FIA. The content was allegedly in violation of local laws relating to blasphemy and national security.

**Twitter:** During the first half of 2017, Pakistan submitted seven information requests to Twitter concerning 60 Twitter accounts according to Transparency International. The authorities in Pakistan also submitted 24 content/account removal requests to Twitter during this period. The government of Pakistan also made two emergency disclosure requests to Twitter.

**Google:** Pakistani authorities submitted eight user data requests to Google, according to the Google Transparency Report 2017. Pakistan also made 12 user/account requests to Google. Under these requests, the authorities may seek information about multiple accounts. Since 2009, Google received a total of 69 content removal requests, concerning 896 items, from Pakistan. Out of these 69 requests, 14 were submitted to Google during the first six months of 2017. Through these 14 requests, Pakistan asked for the removal of 98 items. Ten out of 14 requests related to items of 'religious offence', two were about hate speech and one each about defamation and violence.

### ONLINE POLICING

In the past year, Pakistani authorities increasingly invoked the controversial Prevention of Electronic Crimes Act (PECA), 2016, to restrict freedom of expression and dissent online by criminalising dissent. There were at least three occasions when the PECA was invoked against journalists, the first time since its inception. In June 2017, Zafarullah Achakzai, reporter at *Qudrat Urdu* daily, was arrested in Balochistan province by the paramilitary Frontiers Corps under PECA and handed over to the FIA in Quetta for criticising the military, the provincial chief and intelligence agencies for the poor law and order situation. He was released later but still faces criminal charges. In July 2017, Abdullah Zafar, a reporter for



Pakistani journalists and civil society activists hold placards against the attack on Ahmed Noorani, a senior journalist of a local newspaper who was beaten by unknown attackers on motorbikes on October 26, during a protest in Karachi on October 28, 2017. Credit: Rizwan Tabassum/AFP



**THE ANNOUNCEMENT SAID THAT SOCIAL MEDIA WAS BEING “USED AS A DEADLY WEAPON TO DISCREDIT AND DESTROY LEADERSHIPS AND STATE INSTITUTIONS AND PROMOTE CONFLICTS THROUGH FAKE NEWS,” AND STRESSED THAT LIKE THE ARMED FORCES AND THE JUDICIARY, THE PARLIAMENT WAS ALSO A NATIONAL INSTITUTION.**

Pakistani rangers stand on a blocked flyover during a press conference of Khadim Hussain Rizvi the head of a religious group the Tehreek-i-Labaik Yah Rasool Allah Pakistan (TLRAP). Rizvi was announcing the end of sit-in protest during a press conference in Islamabad on November 27, 2017. The Islamist leader whose group clashed violently with Pakistani security forces and paralysed Islamabad for weeks called off the sit-in protest after the law minister resigned, meeting its key demand. Credit: Aamir Qureshi/AFP

*The Nation* daily, was picked up outside his home in Karachi, Sindh by security personnel in plainclothes. He was freed after 20 hours in captivity and said that he was tortured and interrogated about his social media posts on “missing persons”. He was also formally booked under the PECA law. In August 2017, Jabbar Umrani, a correspondent for *Waqf News* channel, was booked in Quetta, Balochistan under the PECA law for violating its statutes banning criticism of security policies online. The FIA registered a case and is investigating Umrani’s social media comments that the authorities find disparaging.

On October 25, 2017, the federal Ministry of Interior announced a plan “to formulate a framework to monitor social media in order to prevent it from being used as a tool to malign national institutions and spread anarchy or extremism in the country.” The announcement said that social media was being “used as a deadly weapon to discredit and destroy leaderships and state institutions and promote conflicts through fake news,” and stressed that like the armed forces and the judiciary, the parliament was also a national institution. The interior minister stressed a need to formulate a framework of guidelines that “maintains democratic freedoms and ensures that no foreign hand or saboteur can use social media to create political chaos, spread extremism or carry out terrorism in Pakistan, or belittle national institutions.” The FIA was directed to formulate this framework for social media monitoring in consultation

with all stakeholders including people in the information technology industry, bloggers and social media activists.

### ABORTED LAWS

The *Pakistan Print Media Regulatory Authority (PPMRA) Ordinance* was proposed in June 2017 when news broke about the preparation of a new national level press/print media registration law. According to news reports in September 2017, the federal government was preparing a law on the pattern of the Pakistan Electronic Media Regulatory Authority (PEMRA) for the print media. Allegedly, the Federal Ministry of Information, Broadcasting and National Heritage tasked the Press Council of Pakistan (PCP) in March 2017 to prepare a draft of the bill. Media stakeholders, particularly media owners and journalists, strongly reacted to the reported bill, but the State Minister for Information, Broadcasting and Cultural Heritage expressed her ignorance about the preparation of the bill. She ordered an inquiry and immediately suspended an assistant director in her ministry. The committee held Nasir Jamal, the director general of the Internal Publicity Wing of the ministry, responsible for initiating the preparation of the draft bill apparently without the minister’s permission. Later, the government dropped the idea of bringing in the new print media law altogether.

*The Sindh Press, Newspapers, News Agencies and Books Registration Act, 2017*

According to news reports in September 2017, the Sindh

provincial government had prepared a draft law to regulate registration of papers, printing presses, news agencies and books in the province. The Sindh government had reportedly prepared the draft in the wake of the Eighteenth Constitutional Amendment. The draft law, as reported, was aimed at ensuring that every book or paper printed in the province would clearly mention the name of the printer and place of publication, along with the date. The proposed law required every publisher or owner of a newspaper to apply for a declaration [regulated prior permission] and submit an affidavit saying that he will pay salaries to employees as per the Wage Board Award. No further development has been reported.

### GATHERING POLITICAL WILL

In the context of indicator 16.10.1 of the Sustainable Development Goals (SDGs) (Number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the previous 12 months), there is no dedicated policy in place or any specific procedural, legislative or structural/institutional mechanism at either the federal level or anywhere in the provinces that addresses the issue of combating impunity for crimes against journalists in Pakistan. However, commitment exists. In 2012, the United Nations developed the *UN Plan of Action on Safety of Journalists and Issues of Impunity* aimed at helping states improve an enabling and safer environment

for journalists and journalism. Pakistan was selected as one of the five pilot countries for its implementation. Pakistan endorsed the Plan in 2013 and committed itself to, among other things, legislate for the safety of journalists and other information practitioners and improve the state’s capacity to combat impunity and provide special mechanisms for safety of journalists.

While provincial governments, legislatures and political parties have, in general, expressed commitments to enacting special laws on safety of journalists and to, therein, provide effective and responsive mechanisms to combat impunity of crimes against journalists and other information practitioners, a critical mass or a demand for a special provincial law on safety of journalists and information practitioners is missing. Detailed and comprehensive empirical data and analysis on the scale of threats and attacks against journalists, particularly in the context of tracking impunity in the justice system is missing, as is adequate documentation on the process of access to justice for key cases of attacks against journalists and information practitioners in the provinces. Data collected against representative cases on the issue of impunity – with the help, perhaps, of a specialised impunity index – can help provide a gap analysis of the justice system for attacks against media practitioners. This empirical-based analysis can hugely facilitate increased accountability in Pakistan and help protect freedom of expression in the provinces.



# SRI LANKA

## ON THE BRINK

Sri Lanka is at cross roads. With growing crises in the political, economic, social, and cultural spheres, the country faces looming uncertainty. The situation that was deteriorating during 2017, has now reached a climax. In the period between May 2017 to April 2018, Sri Lanka has witnessed a number of developments with far-reaching consequences.

The post-Rajapaksa expectations of respect for human rights and enhanced democratic governance in Sri Lanka following the regime change in January 2015, were based on bi-partisan politics in the South, willingness of the Tamil polity to find a negotiated political solution, and a strong civil society. The factors that propelled change have now come under threat due to the emerging political instability.

On the one hand, former president Rajapaksa, who maintained an authoritarian family oligarchy, threatens to come back to power using war triumphalist nationalism as his political platform. Sinhala Buddhist majoritarianism provides the foundation for his politics. On the other hand, the ruling coalition which came to power on the promise of democratisation, justice, and accountability has almost disintegrated. The two coalition partners, the Sri Lanka Freedom Party (SLFP) headed by President Sirisena and the United National Party (UNP) headed by Prime Minister Wickremasinghe, have taken up contradictory positions on political, economic, social, and cultural issues. The year 2017 was marked by deep political and social polarisation of the country.

The recent anti-Muslim violence that sent shock waves throughout the country is an indication of the increasingly widening ethnic polarisation. Xenophobia, fuelled by 'fake news' on social media, remains disturbingly widespread. In the wake of anti-Muslim riots in early March, the government blocked all social media platforms blaming social media for inciting violence and mobilising rioters. Now, the government plans to bring in mechanisms to monitor and control social media.

The section of civil society that could have played a role in providing an alternative narrative has been partly co-opted by the government, while the rest of civil society remains fragmented on ethnic, political, and social lines. For a variety of reasons including the absence of a united approach, the once vibrant media rights organisations have become weak.

Since January 2015, post-Rajapaksa Sri Lanka made a paradigm shift in its relations with the international human rights community, coordinating positively with United Nations human rights mechanisms and opening up the country for international scrutiny. A number of UN working groups and Special Rapporteurs as well as international human rights organisations visited the country and

produced critical reports, while commending the positive developments.

The Right to Information Act has been in force since February 3, 2017. The Right to Information Commission of Sri Lanka which maintains a trilingual website, has so far been proactive on access to information and demonstrated a remarkable independence.

The National Human Rights Action Plan (NHRAP) for the period 2017–2021 was made public on November 1 and approved by the Cabinet in January 2017. The Action Plan has a number of goals related to freedom of expression. However, there has been no public discussion on the Action Plan, either before or after it was published.



A Sri Lankan army soldier guards a mosque in Sri Lanka's capital Colombo on March 9, 2018, amid fears that anti-Muslim riots in the central region of Kandy could spread to other areas of the island. The government declared a state of emergency and imposed curfews in Kandy to quell four days of riots that left three people dead and over 200 Muslim-owned businesses, homes and vehicles set ablaze. Credit: Ishara S. Kodikara/AFP

**XENOPHOBIA, FUELLED BY 'FAKE NEWS' ON SOCIAL MEDIA, REMAINS DISTURBINGLY WIDESPREAD. IN THE WAKE OF ANTI-MUSLIM RIOTS IN EARLY MARCH, THE GOVERNMENT BLOCKED ALL SOCIAL MEDIA PLATFORMS BLAMING SOCIAL MEDIA FOR INCITING VIOLENCE AND MOBILISING RIOTERS. NOW, THE GOVERNMENT PLANS TO BRING IN MECHANISMS TO MONITOR AND CONTROL SOCIAL MEDIA.**



From right: Sunday newspapers displayed by a roadside vendor in Colombo on February 11, 2018. Sri Lanka's ruling alliance was humiliated in local elections seen as a test of its leadership and the party of ex-president Mahinda Rajapakse was on track for a shock landslide victory. Credit: Lakruwan Wanniarachchi/AFP

Members of the Purawasi Balaya group hold a rally calling for calm following violence in central Sri Lanka, in Colombo on March 8, 2018. A daytime curfew was relaxed on March 8 in the troubled Sri Lankan district of Kandy where three people were killed in anti-Muslim riots, but schools remained closed as beefed-up security forces patrolled the streets. More than 200 homes, businesses and vehicles were set ablaze during three days of violence sparked by the death of a truck driver from the Buddhist Sinhalese majority community at the hands of a Muslim group, in an incident of 'road rage'. Credit: Ishara S. Kodikara



## THE DEVELOPMENTS THAT TOOK PLACE DURING 2017 HINT AT THE POSSIBILITY OF THE REPRESSIVE RAJAPAKSA FAMILY OLIGARCHY RETURNING TO POWER, OVERTURNING DEMOCRATIC GAINS ACHIEVED AFTER 2015.

During the period under review, open space for critical opinions and the right to dissent remained intact in general. However, this period saw multiple incidents of censorship as well as assaults and harassment of media personal. The Censor Board refused permission to perform a theatrical performance on abortion which was part of V-Day PatriAnarchy. Since November 2017, the popular website LankaeNews remains banned in Sri Lanka.

Impunity for serious violations of human rights, including killings of journalists, continues to be one of the key concerns. Despite advocacy by media rights organisations, no media rights violator has been brought to book so far.

The government's failure to deliver on its promise of political, social, and economic justice and the infighting between the ruling coalition have provided fertile ground for the nationalist forces in the North as well as the South. The developments that took place during 2017 hint at the possibility of the repressive Rajapaksa family oligarchy returning to power, overturning democratic gains achieved after 2015.

It is in this context that Sri Lanka needs to achieve the Sustainable Development Goals (SDGs) as part of the global 2030 agenda. While the SDG 16 speaks of promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels, target 16.10 is directly related to freedom of information and expression: "ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements".

Conceptually, the aspect of public access to information

refers to the presence of a robust system through which information is made available to citizens. Such a system represents a combination of intellectual, physical, and social elements that affect the availability of information to individuals. Further, viewing public access to information as a matter of human rights reinforces the aspect of protecting fundamental freedoms.

To achieve these standards Sri Lanka needs democratic governance that facilitates and encourages citizens' participation, but the developments in the country in the preceding year do not appear favourable for SDG 16:10.

At the United Nations Universal Periodic Review (UPR) of Sri Lanka held in November 2017, the Government of Sri Lanka accepted recommendations to take all necessary measures to ensure the protection of civil society actors, and journalists and to investigate cases of threats and attacks against them, and to take measures to adequately protect human rights defenders, to ensure proper investigation into alleged attacks and to prosecute those found responsible.

### FACING THE BRUNT

No journalists or media workers were killed, kidnapped or made to disappear in Sri Lanka during the period under review. Fortunately, the murderous culture of death squads and white vans (that were used for abductions) has passed. However, journalists continued to face the brunt of violations by the police and other authorities.

Susantha Bandara Karunaratna, a journalist working for the *Sunday Apple* newspaper, was tortured by the Assistant Superintendent of Police Tangalle, I. T. Daluwaththa.

Susantha was engaged in his duties as a journalist, covering a peaceful protest in Hambantota Town on October 6, 2017 when he was illegally arrested, detained, tortured, and denied urgently needed medical treatment. The Asian Human Rights Commission called on the Attorney General to direct the Inspector General of Police (IGP) to initiate a full-scale investigation and to indict and prosecute the Police Officers under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Act No. 22 of 1994.

### RIGHT TO INFORMATION

The Right to Information Act became operational in Sri Lanka on February 4, 2017. During its first year of existence the Right to Information Commission has made remarkable progress. Summarising the appeals it has received, Commissioner of the Right to Information Commission, Attorney-at-Law Kishali Pinto Jayawardena stated that, "The majority of such appeals have been made by ordinary citizens. In that sense, it is heartening to see that our country is heading towards an information culture, albeit slowly." A sizeable number of RTI requests were rejected by the government authorities, and lack of funds hampers the recruitment of sufficient staff. Recent research by journalist Sulochana Ramiah Mohan of *Ceylon Today* concluded that while the intentions may be good, the operational aspects leave much to be desired. The research noted that in some state institutions RTI officers were yet to be appointed, RTI forms were not available to be downloaded at most of the government ministries' official websites, and many official websites do not mention the RTI officer. Websites also lacked contact email addresses to enable citizens to submit their complaints online. It was concluded that overall, obtaining information through the ministries' official websites was a "tedious" process.

### A JOURNALIST'S QUEST FOR INFORMATION

On December 12, 2017, the official website of the Ministry of Foreign Affairs listed the names and contact details of two persons to be contacted regarding Right to Information. An email was sent to the information officer of the Foreign Ministry, requesting information regarding a high-profile person in Sri Lanka and on December 15, 2017 a response was received: "We will inform you of our decision on your request within 14 days". A reminder was sent by the writer to the information officer after 14 days and on January 2, 2018, an official letter was sent on email which stated, "Even though we decided to provide the information requested by you through application dated 12/12/2017, we regret that we cannot provide the information within the 14 days stipulated in our initial decision letter due to the reasons given below... We are therefore extending the time period to provide the information until the January 12, 2018". It was further stated that the Ministry needed "more time to collect accurate statistics as requested". The letter provided the name and email address of an Additional Secretary, to appeal to if the writer was dissatisfied with the extension. However, emails addressed to the Additional Secretary bounced back twice. (Sulochana Ramiah Mohan, *Ceylon Today*).

### HUMAN RIGHTS ACTION PLAN 2017-2021

In 2017 the government introduced the much-awaited National Human Rights Action Plan (NHRAP). The Action Plan consists of numerous goals and corresponding objectives, among which are enhancing investigatory





Sri Lankan journalists and activists hold candles during a vigil in Colombo on January 30, 2018 for murdered colleagues and demanded justice for those killed for their work. Credit: Lakruwan Wanniarachchi/AFP

procedures regarding extrajudicial killings, criminalising enforced disappearances, ensuring constitutional recognition of the right to privacy, enhancing awareness of the law pertaining to hate speech, operationalising and fulfilling the right to information, enhancing democratic transparency, and ensuring compliance with the Fundamental Rights Chapter of the Constitution and transparency in the law making process. However, during the period under review, there was no visible progress under any of these objectives.

The Action Plan notes that apart from recognising constitutional and international obligations to guarantee civil and political rights, Sri Lanka has enacted legislation to substantiate certain core civil and political rights, including the ICCPR Act, No. 56 of 2007, Right to Information Act, No. 12 of 2016, and Office on Missing Persons Act, No. 14 of 2016.

NHRAP includes the short-term goal (4.1.1.) of replacing the current counterterrorism law, Prevention of Terrorism Act (PTA), with a law that is compliant with constitutional provisions and international human rights law. PTA, which was used to suppress media workers during the previous regime, directly affects freedom of expression along with other human rights. It was under this law that journalist J. S. Tissainayagam was convicted by the Colombo High Court and sentenced to 20 years of rigorous imprisonment, though he was pardoned by then President Rajapaksa in 2010.

Although several drafts of a new counterterrorism law have surfaced, none have complied with international human rights standards. In May 2017, the Cabinet approved, with little public consultation, a draft Counter Terrorism Act (CTA), which is intended to replace PTA. In the face of severe public criticism, the government has not moved forward. The Bill falls short of the government's pledges on protection of human rights and ending detention without charge.

## PREVENTING HATE SPEECH

One of the medium-term goals of the NHRAP is to enhance awareness of the law pertaining to hate speech. To achieve this goal, it is planned to conduct a public awareness campaign on the provisions of the ICCPR Act, No. 56 of 2007 pertaining to the prohibition of hate speech and to conduct an awareness campaign at the secondary school level. Of late, hate speech has become a pressing concern in the country. While substantive action is hardly taken against hate speech in Sri Lanka, in early March the government blocked access to social media platforms in the guise of fighting hate speech during the outbreak of communal violence. No action has been taken so far to effectively address widespread hate speech which remains a major issue related to freedom of expression in Sri Lanka.

## RELIGIOUS FREEDOM

To achieve the objective of removing unlawful impediments to freedom of religion, the NHRAP seeks to take proactive measures to prevent attacks on places of worship, firstly, by investigating, prosecuting and upon conviction, punishing perpetrators of religion-based violence under appropriate laws, secondly by providing additional training to law enforcement actors and judicial officers, thirdly by taking disciplinary action in instances of failure by local police to prevent attacks on religious communities, and fourthly, by establishing mechanisms at community level in consultation with inter-faith groups. Attacks on religious places belonging to Muslims and Evangelical Christians have taken place regularly during the period under review. However, no effective action has been taken to protect religious freedom.

The Muslim Council of Sri Lanka, an umbrella organisation for civil society groups, has recorded 25 attacks on mosques and Muslim-owned establishments since April 2017 to July

## THE SOCIAL MEDIA BAN THAT WAS IMPOSED IN THE WAKE OF ANTI-MUSLIM RIOTS IN KANDY WAS ANOTHER ALARMING INSTANCE OF MEDIA CENSORSHIP. THE ANTI-MUSLIM GANGS MOBILISED THEMSELVES ON SOCIAL MEDIA, PARTICULARLY FACEBOOK, AND ANTI-MUSLIM RHETORIC WAS WIDELY SHARED.

2017, and the National Christian Evangelical Alliance of Sri Lanka has reported over 40 incidents in 2017.

The controversial Buddhist monk Galagodaatte Gnanasara Thero surrendered in late June 2017, after evading arrest for a month following charges of hate crimes against Muslims. He was arrested in court and granted bail soon after. The significant influence that Sri Lanka's Buddhist clergy wields on the country's political affairs, brings in to question whether tackling religious intolerance in Sri Lanka is a legal challenge or a political one.

Following violent incidents against Muslims in Gintota in Galle district in November, in Ampara, in the Eastern Province, in February 2018, major anti-Muslim violence in Kandy district in early March 2018 prompted the declaration of a state of emergency, imposition of curfew and ban on social media.

A prominent lawyer and human rights activist, Lakshan Dias was publicly threatened with disbarment by the then Minister of Justice, Dr. Wijedasa Rajapaksa, for providing figures on the number of such attacks in a television debate in May 2017. He was named and shamed by nationalist media causing him to leave the country for a short period.

## CENSORSHIP AND CONTROL

The fourth goal of the National Human Rights Action Plan aims at protecting and promoting the freedom of speech and expression including the right to information.

The blocking of the popular and critical web site LankaeNews.com within Sri Lanka is a notable regression of good governance promises. All local internet providers have blocked access to LankaeNews on the orders of Telecommunication Regulatory Commission (TRC) of Sri Lanka. So far, all inquires to find out the reasons for blocking the website have been unsuccessful. The TRCSL has turned down an RTI request regarding the ban on LankaeNews, stating that the disclosure of information pertaining to the ban is a threat to national security. The RTI request was filed by Groundviews.org.

Although the request on LankaeNews ban was rejected, TRC released information revealing that it had blocked 13 websites in Sri Lanka since 2015. The websites blocked include a number publishing political news and a few publishing pornographic material. The reasons given for blocking four websites: vigasapuwith.blogspot.com, ukussa.org, Lankanewsweb.today, and LankaeNews, was "publishing incorrect information and damaging the President's reputation". Two, lankanewsweb.today and sinhala.lnwtoday, were blocked for "publishing false information".

The information that was initially denied to Groundviews on national security grounds, was released later following

an appeal to the RTI Commission. It was confirmed that the website LankaeNews was blocked following a complaint from the Office of the President in November 2017.

Experts opine that the TRC has no power to block a transmission without invoking judicial proceedings or obtaining an order from the Minister in charge, thus rendering the LankaeNews ban not only politically, but also legally wrong.

The government seems to have abandoned its project of media regulation, which was initiated by then Director General of the Government Information Department in early 2017. The first draft of the proposed press law, titled *Independent Council for News Media Standards* (ICNMS) envisaged a fine of LKR 1 million (USD 6400) for any media institution determined as operating in contempt of an ICNMS decision). The amended draft that emerged in July 2017, provides for a fine of Rs 100,000 (USD640) and a three-month jail term for those who obstruct the work of media outlets, and also for those found guilty of contempt of decisions of the ICNMS. The revised draft has not yet been widely discussed among all stakeholders.

Meanwhile, political control of large state media networks continues unabated, making state-controlled media the most prevalent propagandist force.

## REINING IN SOCIAL MEDIA

The social media ban that was imposed in the wake of anti-Muslim riots in Kandy, was another alarming instance of media censorship. The anti-Muslim gangs mobilised themselves on social media, particularly Facebook, and anti-Muslim rhetoric was widely shared. The Sri Lankan Facebook community is over five million strong and the overwhelming majority use mobile connections to read, share and post on Facebook. Yudhanjaya Wijeratne, a writer and a data scientist concluded that contrary to the government's expectation, the ban on social media merely brought Facebook activity to January-February levels (on average, a roughly 50 per cent drop from the three days before the riots). By being uncoordinated and by deploying draconian tactics of the sort that one would have expected from the Rajapakse regime, the government has lost a great deal of credibility", he observed.

The irony is that while the ban was in force, both the President and the Prime Minister kept posting on their Facebook pages. The censorship sent a clear message regarding the government's power to control media and information. As most users turned to Virtual Private Networks (VPN) to access Facebook, at the later stages of the state of emergency and social media ban, the government started to block VPNs as well.



The government is now discussing the setting up of an institution to monitor social media usage as a measure aimed at preventing provocation of hate against any community or religion. “The government will not block social media such as Facebook but there will be strict monitoring, which will be aimed at preventing postings which provoke hate among communities and religions. This monitoring may result in baring those who upload hate speech on social media,” stated the Minister of Digital Infrastructure Technology.

Many Sri Lankan rights activists have raised the issue of not being able to report hate filled and abusive posts on Facebook in local languages. The government invited Facebook officials to the country within weeks of anti-Muslim violence to discuss the issue.

Writing an open letter to Facebook, Colombo-based think tank the Centre for Policy Alternatives expressed that, “The role of social media platforms like Facebook in amplifying messages of violence has not been adequately examined. A delegation from Facebook met with the Government of Sri Lanka and committed to together to combat hate speech. However, the contents of that discussion are not in the public domain. It is not clear to what extent Facebook will be willing to work with representatives of civil society, some of whom have been flagging content on Facebook that violates its own Community Standards, for years. The lack of unbiased Sinhala-language moderation is regularly cited as one of the root causes why pages regularly posting abusive content along these themes are allowed to thrive online, despite sustained reporting from concerned users”.

Thirteen civil society organisations in a letter addressed to Facebook founder Mark Zuckerberg, urged that, “At the very least, the company should make clear the number of moderators assigned to deal with user generated reports around content in Sinhala, in which Facebook office or time zone they are located in, as well as their gender. There should also be a clear commitment to look into and resolve user generated reports within a specific time period, which during heightened violence, must be further reduced”.

### HUMAN RIGHTS COMMISSION OF SRI LANKA

The Human Rights Commission of Sri Lanka (HRCSL) has shown a high level of independence and proactively intervened in protecting and promoting human rights and the rights of journalists in Sri Lanka.

For instance, in March 2018 HRCSL Vavuniya regional office was able to obtain press for accountability of the military. A Tamil journalist Shanmugum Thavaseelan was insulted and harassed by military officers while he was covering a protest over land in Mullathivu in the Northern province in late February 2018. Upon his complaint, the HRCSL regional office conducted an inquiry at which the HRCSL was able to obtain a guarantee from the military officer in charge of the camp that journalists covering protests would not be harassed in the future.

The HRCSL also weighed in on the social media ban. Chairperson of the Commission Dr. Deepika Udagama stated that “the Commission recognizes the critical necessity to

protect freedom of expression and the right to information as guaranteed by the Constitution of Sri Lanka and Sri Lanka’s international human rights obligations... In doing so, we recognize the need to strike the necessary balance between those rights and maintenance of public order and the protection of the rights of all.”

### RIGHT TO ASSOCIATION UNDER THREAT

In February 2018, the Cabinet decided to publish in the Gazette the repressive *Draft Act to Amend the Voluntary Social Service Organizations (Registration and Supervision) Act no. 31 of 1980* and present it to Parliament for approval. The drafting of this Bill took place in secrecy with no consultations. The Bill, the purpose of which is to “regulate, supervise and inspect” NGOs through a ‘National Secretariat for NGOs’, gives significant investigative powers to the Secretariat which assumes and duplicates functions of the police. The extraordinary and excessive power given to the Secretariat infringes on freedom of association, freedom of expression, as well as the right to privacy. It must be noted that the draft legislation, prepared in 2011 when the National NGO Secretariat was under the Ministry of Defence



Fugitive Buddhist monk Galagodaatte Gnanasara (C) arrives at a court in Colombo June 21, 2017, to surrender in response to a warrant for his arrest. Gnanasara went underground from late May after police linked dozens of alleged hate crimes against Muslims to his radical group BBS or Buddhist Force. Credit: Ishara S. Kodikara/AFP

## THE SIGNIFICANT INFLUENCE THAT SRI LANKA'S BUDDHIST CLERGY WIELDS ON THE COUNTRY'S POLITICAL AFFAIRS, BRINGS IN TO QUESTION WHETHER TACKLING RELIGIOUS INTOLERANCE IN SRI LANKA IS A LEGAL CHALLENGE OR A POLITICAL ONE.

and the Defence Secretary was Gotabhaya Rajapaksa, was aimed at controlling civil society.

Activists came down heavily on the proposed law. “The draft Act creates a range of ‘offences under the Act’, some of which are broadly and vaguely defined and leave room for abuse. Offences includes non-registration, which violates Freedom of Association and the principle of “Voluntary Notification”. Even a simple request for information if deemed inadequately responded to may attract a Rs. 250,000 fine or one-year imprisonment and thus, is likely to create a fear psychosis”, opined Ruki Fernando.

Sri Lanka’s media watch dog Free Media Movement noted that under the proposed amendment, “enjoyment of fundamental democratic values such as freedom association and freedom of peaceful assembly will be challenged. It is evident that the underlying aim of these amendments is

to control the activities of civil society organisations and community organisations.”

According to the Draft Act, all voluntary civil associations, have to register themselves with the National NGO Secretariat. The proposed amendment seeks to empower National NGO Secretariat to launch investigations into activities of civil society organisations without any judicial oversight.

Significantly, no major political party opposed this amendment. In the face of mounting opposition from civil society, however, the government decided to postpone the amendment, leaving the question as to what motivates a government committed to good governance to approve a suppressive Act that seeks to control civil society. In times of crisis, a robust civil society and a professional independent media are the bulwarks against the creeping tide of authoritarianism.



## LIST OF MEDIA RIGHTS VIOLATIONS BY JOURNALIST SAFETY INDICATORS (JSIS), MAY 2017 TO APRIL 2018

### AFGHANISTAN

**Killings of Journalists: 24**  
(Journalists: 17, Media staff: 7;  
Male: 22, Female: 1)

**Threats against the lives of journalists:**  
**None recorded**

**Other threats to journalists: 1**  
(Male: 1 Female: 0)

**Non-fatal attacks on journalists: 6**  
(Male: 6, Female: 0)

**Threats against media institutions: 0**  
**None recorded**

**Attacks on media institutions: 3**

### KILLINGS OF JOURNALISTS

**May 7, 2017: Baghlan**

Asadullah Kuhzad, reporter for *Peshkeswat* newspaper was killed by unknown gunmen in a targeted attack in Pul-u-Khumri in Baghlan province.

**May 17, 2017: Nangrahar**

Mohamad Amir Khan, Zinullah Khan, Abdul Latif and Ghani, four media workers for the Afghan Public Radio and Television (RTA) in Jalalabad in Nangrahar province were killed in a suicide attack on the RTA. 17 other staff members were injured in the attack. Media reports said that four attackers forced their way into the RTA station at around 9:30 am. Two suicide bombers blew themselves up at the front gate and outside the main building while other attackers entered the main building. It took the security forces more than three hours to end the assault.

**May 31, 2017: Kabul**

TOLO TV staff member Aziz Naween, Press TV reporter Habibullah Hassanzada, Mohammad Omer Uruzgani who worked for National Radio Television and BBC Afghanistan driver in Kabul Mohammed Nazir were among victims of the explosion in the Zanbaq Square in Afghanistan capital, which killed at least 80 people and injured 350. Three more journalists of BBC Kabul and a reporter of TV1 channel were also injured.

**November 7, 2017: Kabul**

Naqibullah, the security guard of Shamshad Television was killed when gunmen stormed the TV station's offices in Kabul. Naqibullah was killed as he patrolled the front gates to the building.

**November 17, 2017: Kabul**

Husain Nazari, cameraperson with Rah-e-Farda TV was critically wounded in a suicide attack at a political gathering in Kabul on November 16 and succumbed to his injuries a day later. His colleague reporter Taqi Sadid was also injured in the attack. The explosion outside the Qasr-E-Naween Hotel in Kabul

claimed the lives of 19 people including eight policemen. Daesh (also known as ISIS) reportedly claimed responsibility for the attack.

**December 28, 2017: Kabul**

Sayed Mehdi Hosaini, a journalist who worked for Jomhor News Agency, was among those killed in multiple blasts at a Shia cultural centre in Kabul. According to Afghan media reports, the blast claimed the lives of at least 40 people and left over 80 more injured. The so-called Islamic State claimed responsibility for the attack.

**January 21, 2018: Nangrahar**

A vehicle carrying a team from Radio Television Afghanistan (RTA) was attacked in Batikot district of Nangrahar province in eastern Afghanistan. The driver was killed while journalist Baz Shinwary and cameraperson Mohamad Rafiq were seriously injured when an armed group opened fire on their car. The driver received several bullets and died on the spot.

**April 25, 2018: Kandahar**

Two unknown gunmen shot dead Kabul News TV journalist Abdul Manan Arghand, 31, at Yarana Market in the outskirts of Kandahar city, Afghanistan. Arghand, who had worked as a journalist for 13 years, was driving to work when the gunmen on a motorbike intercepted his car and opened fire, killing him on the spot.

**April 30, 2018: Kabul**

Nine journalists, including a female journalist, were killed in back-to-back suicide attacks. The journalists were killed when the attacker disguised as a journalist detonated himself amid journalists gathered to cover an earlier suicide attack. Those killed were senior photojournalist Shah Marai of AFP, Tolo News cameraman Yar Mohammad Tokhi, Radio Azadi journalists Abadullah Hananzai, Moharram Durrani and Sabawoon Kakar, 1TV reporter Ghazi Rasooli and cameraman Nowroz Ali Rajabi, Mashal TV reporter Salim Talash and cameraman Ali Salimi.

**April 30, 2018: Khost**

Unknown gunmen killed Ahmad Shah, 29, a Pashto reporter with BBC Afghan Service, in Khost, eastern Afghanistan. Two armed men on a motorcycle shot Shah dead while he was on the way to home at around 4 PM.

### NON-FATAL ATTACKS ON JOURNALISTS

**June 8, 2018: Ghor**

Qadeer Ghafori, a journalist for Radio Azadi in Ghor province, was beaten and detained by National Directorate of Security (NDS) officers. Ghafori was stopped by an unknown person in civilian clothes while he was

returning home. He was beaten after asking for the person's identification and was then taken to one of NDS offices in Ghor province and was detained there for two hours.

**June 13, 2017: Nangrahar**

Security personnel of a private construction company assaulted Ziar Khan Yaad of TOLO News and Sabawoon Sahil of Maiwand TV for their critical reporting about the ongoing road construction in Surkhrod district of Nangrahar province in eastern Afghanistan. They were also confined in a room for a few hours and harassed. The journalists were reporting on the delay in construction of the Nangrahar-Kabul road and late payments to the labourers.

**September 23, 2017: Helmand**

Sardar Mohammad Sarwari of Shamshad TV was abused and assaulted by Dr. Molladad Tobakar, the head of presidency public health in Helmand province, while the journalist was working on a report about complaints that a local hospital did not receive its allocated budget. The doctor refused to provide Sarwari any information regarding the hospital budget and instead threatened him via fake Facebook accounts prior to the physical assault.

**October 12, 2017: Baghlan**

Shir Mohammad Jahish head of Tanweer TV was on the way home from work when his car was attacked by unidentified gunmen near his residence in Pul-i-khumri, capital of Baghlan Province in north-eastern Afghanistan. Jahish's guard, Amanullah Haqiar was killed in the attack while Jahish sustained injuries on his face and body.

### OTHER THREATS TO JOURNALISTS

**May 25, 2017: Baghlan**

Abdul Hai Namati, provincial governor of Baghlan, cut off a television interview stating that he didn't like the questions. He was being interviewed for a program called 'Face to Face' on Arezo TV. There were four journalists present at the interview, who were subsequently threatened and ordered to delete the footage. Ahmad Fawad Talash, Javid Saddat, Said Amin Jalali and Salam Fretat were held for two hours and were only allowed to leave after intervention from media rights organisations.

### ATTACKS ON MEDIA INSTITUTIONS

**May 17, 2017: Nangrahar**

Four media workers including a technician and a producer at the RTA were killed and 17 others injured when four attackers, including two suicide bombers, forced their way into the RTA station at around 9:30 am. The two suicide bombers blew themselves up at the front gate and outside the main

building while other attackers entered the main building. It took the security forces more than three hours to end the assault. It was not immediately clear if RTA journalists and staff were among those injured, but many of the journalists were trapped inside the building during the attack. The station building was partly damaged in the attack.

**November 7, 2017: Kabul**

Two armed men with guns, explosive materials, and suicide jackets stormed into Shamshad Television in Kabul, killing a front gate guard and injuring 22 media workers and journalists. The condition of six injured is serious. Shamshad TV's security guards engaged the attackers at the main building entrance and opened backdoor as safe exit for majority of employees. Afghan Special Forces helped the television guards killed both attackers to end the attack in less than three hours. The channel's live broadcasting resumed two hours later with presenters with injured hand describing the attack. The Islamic State of Iraq and the Levant (ISIL, also known as ISIS) has reportedly claimed responsibility for the attack.

**January 21, 2018: Ghor**

Unidentified armed group burnt down Radio Saday-e-Adalat destroying all equipment and the building in Firuzkoh, capital of Ghor province, central Afghanistan.

### OTHER NOTABLE INCIDENTS / DEVELOPMENTS

#### ARREST/DETENTION

**October 25, 2017: Kabul**

Ahmadullah Sarkand, broadcast manager of Radio Killid, and Bismullah Watandust, a journalist with Radio Shyba, were detained by the National Directorate of Security (NDS). Provincial police claimed that Watandust was detained for his Facebook post about arrested cricket player Samih Yousuf that allegedly 'provoked people against the government and police'.

#### REGULATIONS

**July 10, 2017: Kabul**

Afghanistan's President Ashraf Ghani signed into law a cybercrime bill targeting online crime and militancy by groups such as the Taliban and Islamic State amid concerns that it could limit free speech. The Cyber Crime Law criminalises a range of online activities including hacking, spreading ethnic hatred, distribution of online defamatory speech, exposing government secrets, and cyber-terrorism.

#### INTERNET SHUTDOWNS

**November 1, 2017: Afghanistan**

The Afghanistan Telecommunication Regulatory Authority directed internet service providers to block Telegram and WhatsApp services. It was not fully implemented.

### BANGLADESH

**Killings of journalists: 0**

**None recorded**

**Threats against the lives of journalists: 1**  
(Male: 1, Female: 0)

**Other threats to journalists: 0**

**None recorded**

**Non-fatal attacks on journalists: 6**

(Male: 6, Female: 0)

**Threats against media institutions: 0**

**None recorded**

**Attacks on media institutions: 0**

**None recorded**

### THREATS AGAINST LIVES OF JOURNALISTS

**December 23, 2017: Dhaka**

Shyamal Dutta, editor of Bangla-language daily *Bhorer Kagoj*, faced threats of violence from religious fundamentalists who publicly called for his hanging over a news report on a book published by the state-owned Madrassah Education Board. On December 23, a demonstration in front of the Press Club in Dhaka demanded punishment for Dutta and the reporter concerned. Defamation cases have also been filed against the editor and an arrest warrant was issued. Dutta was also subject to threats and derogatory comments on social media.

### NON-FATAL ATTACKS ON JOURNALISTS

**November 30, 2017: Rajshahi**

Four journalists – Saikat Afroz, 35, of Somoy TV, Rizvi Joy and Milon Hosssain, 25, of ATN News, and Partho Hasan of DBC News – were attacked in Pabna of Rajshahi Division. A group of 25 to 30 people carrying sticks and iron rods attacked them on instructions from Shirhan Sherif Tomal, the son of Land Minister Shamsur Rahman Sherif. The journalists were recording footage of people damaging banners and posters welcoming the PM hung by Tomal's rival groups. Tomal later surrendered to the police.

**January 25, 2018: Sylhet**

Nirananda Paul, a video journalist with Jamuna TV, and Mamun Hasan, photojournalist with the *Jugantor* daily, were attacked in the Sylhet Court where they were covering the bail decision on a local Awami League (AL) leader Liaquat Ali in a murder case. They were recording video footage and

taking photos of Ali and 29 others while the accused were being taken to jail after the court refused to regularise the interim bail, when around 50 AL cadres attacked them.

### OTHER NOTABLE INCIDENTS / DEVELOPMENTS

#### ARREST/DETENTION

**May 1, 2017: Dhaka**

Ahmed Razu, the executive editor of the website natunsomoy.com, was arrested in his Dhaka office under the Section 57 of the ICT Act. His arrest following complaints to the police by private business enterprise the Walton Group, which accused him of tarnishing the company's image by deliberately publishing 'fabricated' news. The website published a number of news articles which criticised the after-sales service of the business, particularly regarding its phones and motorcycles. Razu was formerly a journalist with a Walton Group-owned newspaper.

**June 7, 2017: Dhaka**

Journalist and university teacher Afsan Chowdhury was arrested on June 7 for defamation under the ICT Act for one of his Facebook posts. A retired army officer Masud Uddin Chowdhury filed the case after Chowdhury falsely identified him as the father of a rape accused. Chowdhury claimed that he removed the post as soon as he realised it was a mistake. On June 11, the High Court granted him anticipatory bail on condition that he would present himself to a judicial court within four weeks.

**June 12, 2017: Sylhet**

Golam Mostafa Rafiq, editor of *Habiganj Samachar* daily was arrested from his office over an allegedly false report published in the newspaper. Rafiq was sent to jail by a court. The report in question stated that the ruling party MP Abdul Majid Khan would not get the party nomination for the next election.

**August 1, 2017: Khulna**

The police arrested Abdul Latif Morol, a correspondent for Bangla-language *Daily Probaha* in the coastal town of Dumaria, about 200 km south of capital Dhaka. The police were acting on a criminal complaint lodged by Subroto Faujdar, the Dumaria correspondent with a rival newspaper *Daily Spandan*, and a supporter of the ruling party. The complaint alleged that Morol's Facebook post amounted to defaming Minister for Fisheries and Livestock, Narayan Chandra Chanda.

**November 1, 2017: Rangpur**

Anisur Rahman, journalist with *Daily Sangbad* in Roumari in Rangpur district in northern Bangladesh was arrested under the



controversial Section 57 of the ICT Act. He was charged with taking a screenshot of a Facebook post involving the president and the prime minister and for showing it to the local people.

**November 21, 2017: Mymensingh**  
The police arrested two online journalists – Md Layes Mondol and Md Sabid – from Trishal in, Mymensingh district in northern Bangladesh on charges of publishing ‘false and fabricated’ news involving the Bangladesh Army and former chief justice. The news was published in the news portal Trishalnews.com on November 16.

**December 26, 2017: Dhaka**  
Blogger Asaduzzaman Noor (aka Asad Noor) was arrested at Hazrat Shahjalal International Airport in Dhaka as he was about to leave the country on a flight to Kathmandu, Nepal. The head of an Islamic seminary had initiated criminal action against Noor, accusing him of creating content on social media that “hurt religious feeling by mocking Prophet Mohammed” and making negative comments toward Islam. Police charged Noor on January 11, 2017 with defamation of religion under the ICT Act.

## ENFORCED DISAPPEARANCE

**October 10, 2017: Dhaka**  
Utpal Das, 29-year-old senior reporter for *purbopaschimbd.com* went missing after leaving his office in Motijheel. His phone was immediately turned off. On October 22 his family filed a general diary at the Motijheel police station, which was followed on October 23 by *purbopaschimbd.com*. On October 23 his family held a press conference demanding an investigation. On December 10, Das was dropped off in Bhulota, Narayanganj in a black microbus, similar to the one which was abducted in. Following the ordeal, Das said: “I was standing outside the Star Kabab (A restaurant in Dhanmondi residential area in Dhaka) and talking to a friend on my mobile phone. Before I knew it, four to five people came out of a microbus and dragged me inside and blindfolded me. The microbus drove around for about four hours. Then they confined me at a tin-shed room in a jungle. I used to sleep on the floor. I was given food through a narrow space under the door. They did not interrogate me, or torture me too much. They just used to slap me. I could not see any of the masked man other than their eyes.”

## REGULATIONS

**May 17, 2017: Dhaka**  
Bangladesh’s foreign ministry directed all its missions to monitor the activities of Bangladeshi journalists traveling abroad to find out whether they are involved in any ‘anti-state activities’.

**January 29, 2018: Dhaka**  
Bangladesh’s Council of Ministers met on January 29 and approved the draft of Digital Security Act 2018, designed to combat ‘growing cybercrimes that are affecting many public and private organisations’. The draft will be now presented to the Jatiya Sangsad – the unicameral parliament for approval, where the ruling Awami League party holds a strong majority, and it is expected to pass. The draft act seeks to repeal controversial Section 57 of the Information and Communication Technology (ICT) Act that deals with defamatory or other harmful contents online which has been used to silence critics and journalists. However, journalists and rights activists believe that the new draft is draconian and gags freedom of expression.

## INTERNET SHUTDOWNS

**February 11, 2018: Bangladesh**  
The Bangladesh Telecommunication Regulatory Commission instructed all internet service providers to shut off mobile internet and reduce broadband speeds to 25 kbps from 8:00am-10:30am on exam days for the rest of February. On February 12, 2018, the government backtracked and ordered ISPs to ensure uninterrupted internet service.

# BHUTAN

**Killings of journalists: 0**  
**None recorded**  
**Threats against the lives of journalists: 0**  
**None recorded**  
**Other threats to journalists: 0**  
**None recorded**  
**Non-fatal attacks on journalists: 0**  
**None recorded**  
**Threats against media institutions: 0**  
**None recorded**  
**Attacks on media institutions: 0**  
**None recorded**

## OTHER NOTABLE INCIDENTS / DEVELOPMENT HARASSMENT

**August 17, 2017: Tsirang**  
Nirmala Pokhrel, a local journalist in Tsirang working for *Kuensei*, faces libel charges by a woman for making a post on Facebook that the latter battered and mistreated her stepdaughter. In response to the alleged libel charge against her by the Tsirang police on August 17, Nirmala Pokhrel submitted a three-page justification stating that on June 17, she posted a Facebook status stating that a woman was ill-treating her stepdaughter in a town below Damphu, Tsirang. However, their identities were not revealed and they do not know each other.

## REGULATIONS

**June 21, 2017: Thimphu**  
The media were barred from attending the annual Dzongdag (district governors) Conference in Thimphu. The three-day conference was attended by district governors of all 20 districts and discussed matters of law and order situation.

**August 15, 2017: Thimphu**  
The Bhutan Information Communication and Media Authority (BICMA) issued directives to bring down the number of television channels permitted to broadcast and distribute in Bhutan to 56 effective from September 1. The move cut off 91 televisions channels that were previously distributed in Bhutan.

**December 16, 2017: Thimphu**  
The Bhutan Information Communication and Media Authority (BICMA) cancelled the licence of a weekly Dzongkha language newspaper, *Druk Yoezer*, for failing to meet circulation requirements.

**December 27, 2017: Zhemgang**  
The government barred media from attending the Sherig Conference at the Sonamthang Central School in Panbang, Zhemgang. The five-day conference, an important annual event of the Ministry of Education, discusses issues and challenges faced by the education sector attended by representatives from all over the country.

# INDIA

**Killings of journalists: 8**  
**(Male: 7, Female: 1)**  
**Threats against the lives of journalists: 7**  
**(Male: 5, Female: 2)**  
**Other threats to journalists: 0**  
**Non-fatal attacks on journalists: 34**  
**(Male: 29, Female: 5)**  
**Threats against media institutions: 1**  
**Attacks on media institutions: 2**

## KILLINGS OF JOURNALISTS

**May 15, 2017: Madhya Pradesh**  
Shyam Sharma, journalist with *Agniban*, a local evening newspaper, was on his way to Manglia Square in Indore when his car was stopped by two assailants on motorbikes. They asked him to wind down his window, slit his throat and fled the scene. A passer-by saw Sharma bleeding heavily and rushed him to hospital. He was moved to another hospital, where he was pronounced dead on arrival.

**September 5, 2017: Karnataka**  
Gauri Lankesh, 55, a senior journalist and editor of Kannada language weekly *Gauri Lankesh Patrike* who had received a series of threats from Hindu extremists of whom she was critical, was shot dead outside her home in Rajarajeshwari Nagar

in Bengaluru. As she returned from work, unidentified gunmen on a motorbike shot at her. Lankesh died on the spot after receiving gunshots to the head and chest. One arrest has been made so far.

**September 20, 2017: Tripura**  
Santanu Bhowmik, 28, journalist with *Dinraat*, a cable television channel in Tripura state, northeast India was attacked and fatally wounded while he was covering a protest in Mandwai near Agartala, the capital of Tripura. He suffered head injuries from sharp objects during clashes between supporters of the Indigenous People’s Front of Tripura (IPFT), a tribal party agitating for a separate state, and the Ganamukti Parishad, wing of the Communist Party of India, Marxist (CPI-M), the ruling party in the state. Bhowmik was covering the protest and road blockade by the IPFT when he was attacked, possibly with sticks and rods. The police rushed him to a hospital where doctors declared him ‘brought dead’.

**November 21, 2017: Tripura**  
Sudip Datta Bhowmik, 49, senior journalist with the Bangla language *Syandan Patrika* and contributor to local television channel News Vanguard was shot at point-blank range by a trooper at the battalion headquarters of the paramilitary Tripura State Rifles (TSR), near state capital Agartala. Bhowmik had recently exposed financial irregularities in the TSR. He was taken to the hospital only three hours later, where he was declared ‘brought dead’.

**November 30, 2017: Uttar Pradesh**  
Naveen Gupta, 35, correspondent for Hindi daily *Hindustan*, was shot dead in Bilhaur in Kanpur district by bike-borne assailants as he came out a public lavatory behind his brother’s shop. He died on his way to hospital with five bullets to his face and torso.

**March 25, 2018: Bihar**  
Naveen Nishchal from *Dainik Bhaskar* and Vijay Singh, who worked for a Hindi magazine, were killed when their motorbike was hit by a car near Garhani on the Arrah-Sasaram highway. The car was driven by a former village head, who has several criminal cases against him. Nischal’s family says that he had received threats in the days preceding his death.

**March 26, 2018: Madhya Pradesh**  
Sandeep Sharma, an investigative journalist, was deliberately crushed by a truck in Bhind, and died in hospital. In CCTV footage of the incident, the truck can be seen suddenly swerving and crushing Sharma who was riding a motorbike. Sharma had recently done two ‘sting’ investigations about sand mafia for a regional TV station, News World, and made allegations about the involvement of police officials. Sharma had reportedly sought police protection following the publication of the reports but it was not provided.

## THREATS AGAINST THE LIVES OF JOURNALISTS

**September 24, 2017: Kerala**  
Biju Muthathu, a TV journalist in Kerala received death threats after his documentary aired. The threats related to the title *Thendigalude Daivam* or ‘God of Beggars’, about a temple that shelters the aged and destitute.

**September 24, 2017: Tamil Nadu**  
The editor of *The Covai Post* Vidyashree Dharmaraj and reporter AR Meyammai based in Coimbatore, received death threats over Facebook, Twitter, WhatsApp and VoIP calls for a story on their website about a ritual of parading half-naked pre-pubescent girls at the Yezhaikaatha Amman Temple in Madurai.

**September 30, 2017: New Delhi**  
At least four journalists filed police complaints in Delhi and Noida after receiving death threats via WhatsApp. The calls and messages warned that anyone critical of the government, and the ruling Bharatiya Janata Party would meet the same fate as journalist Gauri Lankesh. Mohammad Ali, a reporter with *The Hindu* daily, chief reporter of *Firstpost*, Debobrat Ghose and Sonal Kapoor of NDTV were among more than a dozen journalists who have received similar messages on WhatsApp. Ravish Kumar of NDTV has also received death threats on WhatsApp.

## NON-FATAL ATTACKS ON JOURNALISTS

**May 1, 2017: New Delhi**  
New Delhi police officers assaulted journalist Meghnad Bose, of *The Quint*, while he was recording a Facebook live video. Bose was held by policemen, slapped multiple times and detained inside a police van for 30 minutes before being driven to the police station.

**May 3, 2017: Andhra Pradesh**  
Four unidentified people beat up Telugu TV channel reporter Nallamilli Rama Reddy, at Pittala Vemavaram village in Andhra Pradesh. Reddy, who had recently filed two stories on illegal sand mining, was seriously injured and taken to hospital.

**May 5, 2017: Kashmir**  
Police beat up journalists covering protests after the Friday prayers in Sopore. The Station House Officer (SHO) of Sopore Mudasir Geelani reportedly led the police attack, in which *Varmul Post* photojournalists Eeshan Peer and Mohd Younis, were injured.

**May 16, 2017: West Bengal**  
Police attacked several photojournalists and camerapersons were who covering a fire in the Kohinoor building on the well-known Park Street in Kolkata. Police attacked

the media workers, accusing them of obstructing the fire department. The driver of a police van kicked and pushed several photojournalists, in front of police officers who took no action.

**May 22, 2017: West Bengal**  
At least 50 media workers were attacked and beaten by police officers and personnel of the Rapid Action Force (RAF) as they covered a protest march organised by the Communist Party of India (Marxist) in at the Esplanade in Kolkata, West Bengal. The attack saw at least a dozen journalists and media workers seriously injured.

**June 9, 2017: Delhi**  
Journalist Basit Malik was investigating the alleged demolition of a mosque in Sonia Vihar, Delhi when a mob he was speaking to became violent and assaulted him for almost two hours after learning that he had a Muslim name “While I was speaking, the mob kept jostling me around, and several people continued to hit me. I was unable to ascertain the identity of the attackers, and kept reiterating that I was a journalist. Then, the mob dragged me from the lawn and made me stand with my back to a wall that appeared to be a part of the haveli. The men surrounded me, and pointed their phones at me, recording videos... The mob kicked me, punched me, and slapped me. They continued to take videos of this assault.”

**August 7, 2017: Odisha**  
Ramesh Rath, a Balipatna based journalist working for *Pragativadi*, an Odia language daily was attacked by two bike-borne miscreants with a sharp weapon in Odisha. Rath sustained a deep cut on his back.

**September 23, 2017: Uttar Pradesh**  
Several journalists were injured when police ‘baton charged’ the group as they covered violent clashes at the Banaras Hindu University (BHU) in Uttar Pradesh. Four journalists sustained injuries and needed treatment in hospital. The police also damaged their cameras and other equipment.

**September 24, 2017: Kerala**  
Sajeev Gopalan of *Kerala Kaumudi* was hospitalised after an attack by police officials in from of his house. Gopalan had published stories critical of police.

**January 23, 2018: Meghalaya**  
Freelance journalist Biplab Dey, who regularly contributes to *The Assam Tribune* and the *Meghalaya Guardian*, was assaulted by a group suspected to be members of the All Rabha Students’ Union in Athaibari, West Khasi Hills District of Meghalaya, northeast India, when he went to document the evidence of illegal transportation of timber to Assam. The attackers snatched Dey’s camera and mobile phone to destroy evidence.



**March 10, 2018: Assam**

Police in the state of Assam in India’s Northeast, brutally beat up about six journalists, including News18 TV journalist Emmy C Lawbei while on assignment covering a students’ demonstration. Lawbei and other journalists were at the Assam-Mizoram state border on assignment where students were protesting after the Assam administration issued prohibitory orders. The police used force to disperse the students, Lawbei and other journalists were chased and beaten.

**March 26, 2018: Delhi**

Delhi police assaulted two women journalists and snatched away the camera of one while they were covering the demonstration organised by students and teachers of the Jawaharlal Nehru University in New Delhi, India on March 23. One male journalist was also beaten up and sustained injuries. Anushree Fadnavis, a photojournalist with the *Hindustan Times* daily, was roughed up and her camera was snatched away by policewomen “I was clicking photographs of a student being dragged when the police targeted me,” Fadnavis said. “They were talking about snatching and breaking my camera. I kept pleading with them to spare my camera.” The police officer on duty also roughed up and grabbed another woman journalist by her breasts. The two journalists had filed separate complaints accusing the police of assaulting and molesting reporters at the site of the JNU protest.

**April 9, 2018: West Bengal**

Photojournalist Biplab Mondal of *The Times of India* daily was forcibly undressed, illegally confined and beaten while other journalists and photojournalists were attacked in Alipore, Kolkata, West Bengal on April 9, 2018 while they were covering the filing of nomination papers for the polls to the local bodies (panchayats). The attackers, allegedly affiliated to the ruling Trinamool Congress, saw Mondal taking pictures of the violence that broke out during the nomination, asked him to delete all the pictures and attacked him when he refused. Other journalists, including ETV’s Manas Chattopadhyay, were also attacked and forced to delete pictures from their mobile phones. Chatterjee sustained injuries on his right hand. The journalists alleged that the police were present but did not intervene to stop the violence.

**April 17, 2018: Meghalaya**

Two masked motorcycle borne miscreants threw an IED (improvised explosive device) at the house of Patricia Mukhim, editor of *Shillong Times* daily at Umpling, Shilong. No one was injured in the attack.

**THREATS AGAINST MEDIA INSTITUTIONS****September 28, 2017: Arunachal**

The Adi Baane Kebang Youth Wing (ABKYW), the youth wing of the organisation for the indigenous Adi people, destroyed and burned copies of *The Arunachal Times* daily newspaper at the Indira Gandhi Park; and uploaded a video of it on social media. The ABKYW has also ‘banned’ the distribution of the daily in East Siang district and issued what it calls a ‘show cause notice’. The ABKYW has been critical of the daily for ‘ignoring their voice’ and ‘not backing their demands’ while the newspaper maintained that it had remained neutral and covered all sides.

**ATTACKS ON MEDIA INSTITUTIONS****August 25, 2017: Haryana**

After the self-styled ‘godman’ Gurmeet Ram Rahim Singh was found guilty by a special Central Bureau of Investigation (CBI) court, on charges of rape and sexual assault of two female devotees in 2002, his followers ran amok and attacked media vehicles and journalists in Haryana and Punjab. At least four outdoor broadcasting (OB) vans of media houses – NDTV, Republic TV, India Today and E24 – were toppled, damaged and burnt near the court premises in Panchkula, Haryana. Apart from this, at least 38 media personnel have registered complaints with the police regarding loss of equipment and damage to vehicles. Reporter Rakesh Kumar and video journalist Shipendar Happy from PTC News were attacked and robbed in Sirsa, near Dera Sacha Sauda, the headquarters of Ram Rahim Singh.

**September 20, 2017: Kerala**

Asianet News regional offices in Kerala were attacked, reportedly for its series of news reports about the alleged involvement of the state minister encroaching on land for his plush resorts.

**OTHER NOTABLE INCIDENTS / DEVELOPMENTS****ARREST/DETENTION****June 21, 2017: Karnataka**

The Speaker of Karnataka legislative assembly K B Koliwad authorised the one-year imprisonment and a fine of Rs 10,000 (USD 200) of Ravi Belagere, editor of weekly tabloid Hai Bangalore, and Anil Raj, editor of a local tabloid Yelahanka Voice for publishing reports criticising the members of legislative assembly (MLAs). Belagere was punished for the article published in September 2014 about Koliwad’s attempt to get into state cabinet. Koliwad himself moved a motion on breach of privilege by the editor and had chaired the hearing as the chairman of the privileges committee. Raj, was punished on

the basis of a motion by two other MLAs which the committee found to be defamatory.

**September 4, 2017: Kashmir**

Kamran Yousuf, a freelance photojournalist, was picked up in Kashmir. Yousuf, 23, resident of Pulwama in South Kashmir who contributed photographs to several local newspapers including the Greater Kashmir, was arrested by the National Investigation Authority (NIA) on grounds of instigating stone pelting at security personnel and was transferred to New Delhi for interrogation the next day. He was released on bail on March 14, 2018.

**October 27, 2017: National Capital Territory**

Vinod Verma, a senior journalist formerly with the BBC, was arrested by the Chhattisgarh police in the early hours of the morning on charges of extortion. Verma allegedly had in his possession a “sex-tape” purportedly of a Chhattisgarh Minister who filed a complaint of blackmail. Verma had been part of a Editors’ Guild of India fact-finding team to look into the situation of journalists in conflict-hit Chhattisgarh state. A special court of the Central Bureau of Investigation granted him bail on December 28, 2017.

**November 5, 2017: Tamil Nadu**

G Balakrishnan (Bala), an independent editorial cartoonist based in Tirunelveli district, was arrested by the Crime Branch wing of Tamil Nadu police for a cartoon he posted on social media criticising the district administration and Chief Minister Edappadi K. Palaniswami. He was accused of “obscene representation” and defamation and was booked under Sections 67 of Information Technology Act and 501 of the Indian Penal Code. He was released on bail a day later.

**December 10, 2017: Kashmir**

Kashmir police arrested French freelance journalist Paul Comiti in Srinagar for ‘violating visa regulations’ by filming protest activities in Kashmir, and presented him to the court, which remanded him on custody for five days. Comiti, 47, was visiting Kashmir to carry out research for his documentary on a business visa valid until December 2018. The police charged him with violating the Passport Act and carrying out activities not permitted under a business visa.

**CENSORSHIP****July 22, 2017: West Bengal**

Police raided the office of Nepali-language satellite TV channel, ABN, asked the employees to vacate the office, stopped the broadcast and then sealed the office. They were acting on complaints lodged by the Darjeeling district cultural and information department. The police alleged that the

employees of the media house shared news about the ongoing demonstrations on Facebook after telecasting the news, instigating agitators to turn more violent.

**August 24, 2017: Kashmir**

Kashmiri users and activists received official notices from Twitter, warning that their online content could be acted upon in the future. This came after Twitter received a complaint from the Indian government, asking it block over 100 accounts and tweets that have been found “propagating objectionable content”. Most of the content and accounts appear to involve Kashmir and Kashmiri issues. It is unclear how many accounts or tweets Twitter has officially blocked.

**HARASSMENT****June 5, 2017: New Delhi**

The Central Bureau of Investigation (CBI) raided the residences of Prannoy Roy, the executive chairperson of NDTV, in New Delhi and Dehradun in connection with allegations of Roy and NDTV causing losses to a private bank by defaulting loans. The CBI said it had registered a case and raided four places belonging to Roy and his wife Radhika Roy.

**June 19, 2017: New Delhi**

Ruling Bharatiya Janata Party (BJP) spokesperson Nupur Sharma filed a police complaint against journalist Rana Ayyub over a tweet that Sharma claimed to be ‘defamatory, hate-filled and derogatory’. Ayyub, the author of *Gujarat Files: Anatomy of a Cover Up*, a book about the 2002 Gujarat riots, that implicates BJP top leaders for the riots, had tweeted a comment on the Presidential candidate by an alliance backed by BJP. The complaint stated that Ayyub’s tweet reflected ‘extremely casteist, hateful and disrespectful mindset’ against the scheduled castes or dalits, which the candidate represents. The complaint asks for Ayyub to be booked under the Scheduled Caste and Scheduled Tribe Prevention of Atrocities Act, which appears to be a disproportionate use of law.

**August 4, 2017: Karnataka**

Dhanya Rajendran, a senior journalist and editor-in-chief of digital news platform The News Minute, was mentioned more than 30,000 times on Twitter abusing her for her tweet about a movie.

**October 9, 2017: Gujarat**

Businessman Jay Shah filed a criminal defamation case in Ahmedabad, against reporter Rohini Singh and editors Siddharth Varadarajan, Sidharth Bhatia and MK Venu, of the news portal The Wire for the report ‘The Golden Touch of Jay Amit Shah’ highlighting a dramatic increase in some of his businesses since Narendra Modi became prime minister. The story based on annual filings of Shah’s companies with the

Registrar of the Companies, was published by The Wire, a not-for-profit independent news website. Jay Shah is a son of the ruling Bharatiya Janata Party (BJP) president Amit Shah.

**January 7, 2018: New Delhi**

The Unique Identification Authority of India (UIDAI) filed a police complaint against *The Tribune* daily and its reporter Rachna Khaira over an investigative story. The case was lodged by a deputy director of the UIDAI with the Delhi Police Crime Branch cyber cell naming Khaira as well as sources quoted in the news published on January 3 exposing the breach of the database of the national identity card Aadhar containing personal information of citizens, for a fee. In the complaint, the UIDAI has accused the newspaper and media of cheating by impersonation, forgery, using forged documents and IT-related offenses.

**April 14, 2018: Andhra Pradesh**

A police report was filed against journalist and cartoonist Swathi Vadlamudi in Hyderabad for a cartoon depicting mythical gods on the issue of rape for ‘deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs.’ Vadlamudi also received online abuses by Hindu groups.

**REGULATIONS****May 9, 2017: New Delhi**

The Supreme Court of India issued an order banning news media from publishing statements by Calcutta High Court judge CS Karnan, who accused other senior judges of corruption. A bench headed by Chief Justice Jagdish Singh Khehar, while sentencing Justice Karnan to six months in prison on charges of contempt of court, ordered that “since the incident of contempt includes public statements and publication of orders made by the contemnor, which were highlighted by the electronic and print media, we are of the view, that no further statements made by him should be published hereafter”.

**April 4, 2018: India**

The Information and Broadcasting Ministry of India has formed a committee without any representation of working journalists to recommend regulations for online media. On April 4, the Ministry constituted a 10-member committee including secretaries of three ministries, two departments, and representatives of the Press Council of India (PCI), News Broadcasters Association (NBA) and Indian Broadcasters Federation (IBF) to ‘frame and suggest a regulatory framework for online media / news portals including digital broadcasting and entertainment / infotainment sites and news /media aggregators’. The terms of reference of the committee include to ‘delineate the sphere of online information dissemination which needs

to be brought under regulation, on the lines applicable to print and electronic media’.

**INTERNET SHUTDOWNS**

From May 2017 to April 2018, the internet was shut down or deliberately slowed down on 82 occasions in different parts of India. In most cases, the justification given for an internet shutdown was “to maintain law and order”, and many shutdowns were either pre-emptive or reactive measures in the face of mass, or potentially violent public protests. For example, in the volatile Kashmir Valley, which experienced nearly half of the shutdowns in India, clamping down on communications generally followed military operations in which militants or civilians are killed. In Darjeeling, a 45-day internet shutdown was ordered due to political demonstrations, protests and clashes by activists seeking a separate state. For a complete listing please refer to the chapter on Internet Shutdowns.

**MALDIVES**

**Killings of journalists: 0 – None recorded**  
**Threats against the lives of journalists: 0 – None recorded**  
**Other threats to journalists: 0 – None recorded**  
**Non-fatal attacks on journalists: 0 – None recorded**  
**Threats against media institutions: 1**  
**Attacks on media institutions: 0 – None recorded**

**THREAT AGAINST MEDIA INSTITUTIONS****February 8, 2018: Male’**

The opposition aligned Raajje TV suspended its regular broadcast from February 8 to 10 due to increased harassment, threats and intimidation as well as an unsafe environment for journalists to report freely and independently. The TV station’s decision came after a warning by the Ministry of Defence and National Security alongside the withdrawal of security provided to the station by the Maldives Police. Earlier on February 4, Abdul Raheem Abdullah, the deputy leader of the ruling Progressive Party of Maldives (PPM), had called on the security forces to immediately shut down Raajje TV accusing it of giving airtime to opposition leaders.

**OTHER NOTABLE INCIDENTS / DEVELOPMENTS****ARREST/DETENTION****July 26, 2017: Male’**

At least seven journalists – four from Sangu TV and three from Raajje TV – were arrested and a number of others roughed up by the Maldives police on charges of ‘obstructing the duties of a law enforcement officer’. The media reported damage to the camera and



other equipment while the videos showed that police used excessive and unnecessary force against the journalists reporting the rally organised on the 52nd Independence Day of the Maldives. The arrested journalists were later released. They were Mohamed Wisam, Murshid Abdul Hakeem and videographer Ahmed Mamdhoo of Raajje TV, and Adam Janah, Ahmed Riffath, Mohamed Shanoon, and Abdullah Yamin of Sangu TV.

#### February 16, 2018: Male'

Hussain Hassan from RaajjeTV and Leevan Ali Nasir from VTV were arrested during a protest rally at Male'. Around 20 journalists were taken to hospital after being pepper-sprayed.

#### March 16, 2018: Male'

The police arrested Raajje TV journalists Mohamed Wisam, Mohamed Fazeen, and Head of Programmes Amir Saleem were arrested. They were arrested on March 16. Fazeen was arrested while covering the protest by the Joint Opposition for allegedly disobeying a police officer, while Wisam and Amir were taken into custody with a court order. Amir was arrested outside the Raajje TV station. Fazeen was released after a day while two others were charged with criminal offences relating to identity theft. Wisam and Amir were released later.

## HARASSMENT

#### May 29, 2017: Male'

The Maldivian police issued summons to three liberal bloggers living abroad – Dr Azra Naseem, Muzaffar 'Muji' Naeem, and Hani Amir – posting separate statements on Twitter. The statement asked the bloggers to present themselves to speak in their defence against unspecified allegations. The police said they would ask the Prosecutor General's office to press charges and try them in absentia if they refused.

#### January 12, 2018: Male'

Sheikh Nasrullah Musthafa, a preacher, lodged a defamation case against five journalists of *Mihaaru* daily and the media group VMedia over news reports. The stories referred to the preacher's arrest for illegally sending four individuals on Hajj pilgrimage to Saudi Arabia in November 2017. The five reporters from *Mihaaru* and VMedia were summoned to court for a dispute resolution hearing on defamation charges. The preacher later withdrew the case.

## REGULATIONS

#### March 1, 2018: Male'

The opposition aligned VTV was fined 400,000 rufiyaa (USD 25,940) for alleged defamation of the President.

#### March 29, 2018: Male'

Private TV Sungu was fined with 100,000

rufiaa (USD 6485), for alleged defamation of the President.

## NEPAL

#### Killings of journalists: 0

#### Threats against the lives of journalists: 0

#### Other threats to journalists: 4

(Male: 4, Female: 0)

#### Non-fatal attacks on journalists: 5

(Male: 5, Female: 0)

#### Threats against media institutions: 0

#### Attacks on media institutions: 0

## OTHER THREATS TO JOURNALISTS

#### May 6, 2017: Kathmandu

Anjaan Dahal of online portal Filmykhabar was threatened over news by an unidentified person on May 6. The caller expressed dissatisfaction over news written by Dahal and threatened him with action if the news was not removed.

#### May 6, 2017: Kathmandu

Shivahari Ghimire of *Nagarik* daily, received a threat over news of illegal deforestation. The president of the Saraswati Community Forest Conservation Committee and an official at the District Forest Office in Lalitpur threatened Ghimire over the phone.

#### August 4, 2017: Kathmandu

Gopal Khadka, the Managing Director of the Nepal Oil Corporation (NOC), threatened journalist Dilip Paudel of *Nagarik* daily in the premises of the Ministry of Supplies, where Paudel was on a reporting assignment. Paudel had first reported misappropriation of funds by Khadka while buying land for NOC. The Parliamentary Public Audit Committee had ordered an inquiry into the matter, concluding that proper procedures were not followed while buying the land.

#### September 11, 2017: Kathmandu

Umesh Paudel, a journalist with *Naya Patrika* daily, was threatened over a phone call by GP Paudel regarding news about a fraud business of crypto-currency. Paudel is one of the two journalists who reported 'Gravity Currency' as fraud business and named GP Paudel as the head of the business.

## NON-FATAL ATTACKS ON JOURNALISTS

#### October 6, 2017: Kalikot

Journalist Arjun Prasad Bhattarai was attacked by three people while he was playing a game of carrom in Manma, Kalikot. The district headquarters houses the police, courts and administration, and is a source of local news for journalists.

#### October 16, 2017: Accham

Yagya Raj Dhungana, the consulting editor of

Radio Accham, was attacked by the police while he was participating in advocacy against corruption in police.

#### November 26, 2017: Sindhupalchowk

A gang led by a cadre of a political group on the eve of the first phase of the general election, attacked Dinesh Thapa, correspondent of OnlineKhabar.com at his home in Sindhupalchowk. Thapa sustained injuries on his chest and back.

#### January 15, 2018: Gorkha

A group of five assailants attacked Sudip Kaini, a correspondent of *Kantipur* and *The Kathmandu Post* dailies at Abu Khaireni while he was reporting on the illegal sand extraction in the Marsyangdi river that endangered local settlements. The assailants manhandled the reporter, snatched away his camera and cell phone, and deleted photos threatening him not to reveal the incident. Kaini sustained a neck injury and was rescued by local residents.

#### February 6, 2018: Kaski

Prakash Dhakal, a journalist with *Adarsha Samaj* daily, was attacked by the police when he was reporting on the demonstration by students of the Prithvi Narayan Campus in Pokhara, western Nepal. During the police's attempt to disperse the demonstrators, the police charged on Dhakal despite him showing his Press ID card. Dhakal received a minor injury on his leg.

## OTHER NOTABLE INCIDENTS / DEVELOPMENTS

## ARREST/DETENTION

#### May 2, 2017: Rukum

Hari Bishnu Oli, editor of *Sikhchya Sanjal* weekly, was arrested in Rukum district ahead of the local elections.

#### May 4, 2017: Parbat

Journalist Gopal GC of Nabadristi Online was arrested in Parbat district ahead of local elections.

#### May 8, 2017: Rolpa

Pustaman Gharti, a provincial delegate member of Federation of Nepali Journalists (FNJ), was arrested in Rolpa district ahead of local elections and charged with public offence. He was freed after 56 days.

#### May 10, 2017: Makwanpur

Tilak Adhikari, editor of *Janata Jindabad* weekly, was arrested at his residence in Makwanpur district ahead of the local elections.

#### May 10, 2017: Kathmandu

Thakur Prasad Timalisina and Gambhir Pathak, FNJ members in Kathmandu district, were arrested ahead of the local elections.

#### June 17, 2017: Kanchanpur

Editor Khem Bhandari and executive editor Ganesh Bhatt of *Manaskhanda* daily were arrested for publication of a news report and charged under the Public Crime and Punishment Act in Bhimdatt Municipality, Kanchanpur, western Nepal. The news in question is a report about the police arrest of two women whom the newspaper claimed to be innocent. Police released Bhandari and Bhatt after 28 hours of detention on June 18.

#### July 19, 2017: Bajura

Chakka Bahadur Malla, district correspondent for Image Channel TV, was arrested and taken into custody by the police in Bajura. He was in the process of registering a case with the police after he was attacked along with four municipal officials of the Budinanda Municipality on July 13. A gang attacked them near the district headquarters. Malla received injuries and was recovering when he was arrested after a police complaint was registered against him. The police registered a case of rape against Malla, in which the District Court, on April 1, cleared him due to lack of evidence.

#### November 26, 2017: Various

At least eight journalists including Khem Thapaliya of *Jaljala* monthly, Jitendra Maharjan of *Nihugu Jwojalapa* monthly, Dipesh Shahi of *Madhyanha* daily, Kalibahadur Mahatara of *Janaprabhat* weekly, Jagadish Nath Yogi, Prakash Dumre of *Garjan Post* weekly, Jayashwor Acharya and Padam Prasad Pokhrel of *Pyuthan Mission* monthly were arrested from different parts of the country in November in connection with the election security.

#### February 20, 2017: Dharan

Sangarashasil Lamjel and Jamuna Shrestha from *Prabodh* weekly, and Mina Tamsuwa from the *Morning Times* daily were arrested and booked under the Some Public (Crime and Punishment) Act. They were released on bail after one weeks' detention.

## HARASSMENT

#### August 17, 2017: Kathmandu

Gopal Khadka, the Managing Director of state-owned Nepal Oil Corporation (NOC) filed a defamation case against *Nagarik* daily, claiming NPR 800 million (USD 780,000) in damages with an intention to silence the media house from publishing reports about his corruption. The Kathmandu District Court official served a notice to the daily's directors Binod Raj Gyawali and Shova Gyawali, editor-in-chief Guna Raj Luintel and correspondent Dilip Paudel on September 1. *Nagarik* daily published a series of investigative stories on

corruption involved in the procurement of land by NOC in various parts of the country, the daily's sister publication *Republica* reported. A parliamentary probe committee has investigated the issue and concluded that procurement procedures were not followed in purchase of the lands. The media house filed a counter-claim of Rs 1.5 billion.

## REGULATIONS

#### July 31, 2017: Kathmandu

The Election Commission issued a circular to the Press Council of Nepal 'to present the chief editor of the *Deshantar* weekly before the EC within three days' for clarification on two news items that the constitutional body claimed to be 'false' and 'baseless'. The news items in question were published on July 23 and 30 accusing the EC of financial misconduct. The EC also directed PCN to take action against the Chief Editor Kabir Rana.

#### November 21, 2017: Kathmandu

A ruling of Patan High Court in Nepal backed attempts by police to force editors of online media to reveal their sources. The Crime Division of the Metropolitan Police Office in Kathmandu wrote to several online media platforms asking them to disclose the source of the secret appraisal reports of top police officials, following a controversy about the appointment of the Inspector General of Police (IGP). The online media agencies filed a complaint against the police's request claiming that it infringed press freedom. But the Court ruled that the police action didn't violate freedom of the press. The police is investigating the unlawful access to the files and the alleged tampering with the secret appraisal reports.

#### February 25, 2018: Kathmandu

The Nepali Supreme Court ordered the country's Press Council to ban the publication of news criticising the chief justice. *Kantipur* daily published a series of articles about discrepancies in the date of birth of Nepal's Chief Justice Gopal Parajuli. The articles alleged that he might be close to retirement age. Chief Justice Parajuli heard the case – despite the issue being about him– and entered an interim order, calling on the Press Council of Nepal (PCN) to probe news reports published by *Kantipur* mentioning discrepancies about his birth date in official documents. The order asked the PCN to investigate if the news violated journalists' code of conduct and to ensure that no news criticising the Chief Justice is published again.

## PAKISTAN

#### Killings of journalists: 5 (Male: 5, Female: 0)

#### Threats against the lives of journalists: 28

(Male: 28, Female: 0)

#### Other threats to journalists: 0 – None recorded

#### Non-fatal attacks on journalists: 53 (Male: 52, Female: 1)

#### Threats against media institutions: 1

#### Attacks on media institutions: 0 – None recorded

## KILLINGS OF JOURNALISTS

#### May 17, 2017: Punjab

Armed robbers gunned down Abdul Razzaq, a Churian correspondent of ARY News television in an attempted robbery in Pattoki, Kasur in Punjab. Razzaq was killed when assailants opened fired on him and Muqadar Hussain after stopping their car. Hussain was taken to hospital and survived but Razzaq died at the scene.

#### June 11, 2017: Khyber Pakhtunkhwa

Bakshish Elahi, the Bureau Chief of *K-2 Times*, an Urdu daily newspaper in Haripur, was shot dead by unknown motorbike-borne gunmen near his home at Lora Chowk, Haripur district of Khyber Pakhtunkhwa. The gunmen fled the scene after firing five shots at Elahi, one of which hit him in the head and others in the chest and stomach.

#### October 12, 2017: Khyber Pakhtunkhwa

Haroon Khan, journalist with Sach TV and a stringer for Mashriq TV channel, was gunned down outside his home by unidentified assailants in an apparently targeted killing. Khan had returned home when his killers opened fire, hitting him several times before fleeing the scene, according to police sources. He was taken to hospital and declared dead on arrival.

#### March 1, 2018: Punjab

Anjum Muneer Raja, 40, sub-editor with Islamabad-based Urdu daily *Qaumi Pukaar* was shot dead just before midnight on Bank Road, the high-security area near the Pakistan Army's national headquarters, in Rawalpindi, Pakistan while he was returning home after work. The motorcycle-borne assailants intercepted Raja's motorcycle and fired six bullets, killing him on the spot.

#### March 27, 2018: Punjab

Zeeshan Ashraf Butt 29, with Urdu daily *Nawa-i-Waqt* and former chairperson of the Sambrial Press Club, was shot dead by Imran Cheema, chair of the Begowala Union Council, in Begowala, when the journalist inquired about taxes levied on shop owners. After Cheema threatened him, Butt called District Council chairperson to complain and Cheema shot him during the telephone call.



## THREATS AGAINST THE LIVES OF JOURNALISTS

### June 2, 2017: Islamabad

Azaz Syed, a senior journalist with Geo TV, was intercepted by a masked motorcycle-borne individual at Park Road in the capital city while he was returning home. A car with the suspected kidnappers was following him closely and the suspects asked him to come out of the car but he sped into a nearby police station to take shelter.

### June 9, 2017: Islamabad

Journalist Rana Tanveer, who had reportedly received death threats for writing about religious minorities in *Express Tribune* daily, was run over by a car. Tanveer survived the murder attempt with an injured left leg. Tanveer had moved to a safe house after his residence door was painted with a death threat a few days earlier.

### July 9, 2017: Sindh

People in plainclothes picked up *The Nation* reporter Abdullah Zafar from his residence in Karachi. He returned home after 20 hours and said that he was taken away in Police armoured vehicle and subjected to torture for his comments on social media about “missing persons.”

### July 17, 2017: Kharan

Banned militant group Baloch Liberation Army issued a list of 17 journalists in Balochistan asking them to stop reporting negatively against them or be ready to face action.

### July 20, 2017: Islamabad

Reporters Saba Bajeer and Malik Irfan of *Channel 24* and Eitzaz Hussain of *Dawn News* channel were harassed and threatened by officials of the Federal Investigation Agency as at a hospital in Islamabad where the FIA officials had brought a senior government official facing corruption charges for treatment. The cameras of the journalists were also snatched.

### August 18, 2017: Islamabad

Reporters Babar Anwar and Hafiz Haseeb of *Mubaligh* daily received threatening calls from unknown persons for publishing a story on alleged consumption of liquor by officials of the Kashmir House, the Islamabad secretariat of the government of Pakistan-administered Kashmir.

### December 23, 2018: Islamabad

Naeem Asghar, reporter for *Express News*, received a threatening letter in Islamabad from the banned Hizbut Tahrir religious group, which seeks to overthrow the government and establish a pan-Islamic caliphate.

### January 10, 2018: Islamabad

Taha Siddiqui, the Pakistan bureau chief of India-based World Is One News (WION) television news network and a regular contributor to international media including the *New York Times* and France 24, escaped an abduction attempt in Islamabad, Pakistan. He was intercepted by around a dozen gunmen while he was in a taxi on the expressway to the airport. The gunmen pulled him out of the taxi, threatened to kill him and beat him up before pushing him into a vehicle. He managed to escape by jumping out of the moving vehicle, crossed the expressway and hailed a taxi to the nearest police station.

## NON-FATAL ATTACKS ON JOURNALISTS

### May 8, 2017: Chaman

Akhter Gulfam, reporter, and Habib Khan, cameraman, of ARY News channel were in Balochistan beaten up by paramilitary Frontier Corps personnel for filming and reporting on clashes between Afghan and Pakistani border forces in Chaman. The personnel also deleted the footage recorded on Khan’s camera.

### May 11, 2017: Karachi

Amin Yousef, the resident editor of *Nawa-i-Waqt* daily was targeted in a day-light robbery. Yousef, the former general secretary of the Pakistan Feder-al Union of Journalists was on his way to his office with his daughter, when gunmen on a motor-bike intercepted his car, stealing his mobile phone and cash at gunpoint. Neither Amin nor his daughter was injured in the attack.

### May 17, 2017: Kasur

Muqadar Hussain, correspondent for *ARY News* channel, was shot and injured in Punjab by highwaymen who saw him filming one of their robberies in real-time on his mobile phone. Hussain was injured by a bullet in his arm.

### May 19, 2017: Islamabad

Akbar Yousafzai, reporter for *Geo News* channel, was attacked and injured by Capital Development Authority (CDA) officials in Islamabad investigating an allegedly illegal occupation of government land in F7 sector by some CDA officials.

### June 2, 2017: Islamabad

Two unidentified men attacked Zeeshan Ali, an Iranian photojournalist, working for the Islamic Republic News Agency (IRNA) in Islamabad. He was taking shots depicting the observance of Ramazan in Pakistan, in Islamabad’s G-8 sector when armed men assaulted him and taken away his equipment at gunpoint.

### June 11, 2017: Karachi

Zubair Ashraf, reporter at *Express Tribune* daily, who was riding a motorcycle, was attacked in Sindh and injured by the guards of Pakistan Muslim League-F leader Yasir Shah. The attack came after Shah’s motorcade failed to shoo aside motorcyclists to ensure a brisk passage for him. One of the guards pointed a gun at Ashraf after he resisted.

### June 19, 2017: Faisalabad

A group of nine reporters and camerapersons of various TV channels, including *Samaa News*, *NewsOne*, *Dunya News*, *Channel 24* and *ARY News*, were attacked and injured by security guards of Faisalabad Agriculture University in Punjab while interviewing on campus six students who the university administration had expelled for adverse opinions on social media. Yousaf Cheema, reporter for *Samaa TV*, sustained serious injuries.

### June 20, 2017: Quetta

Shahbaz Ahmed, cameramen for *Dunya News* channel, was attacked and injured in Balochistan by members of Pakistan People’s Party in Balochistan as he attempted to get close to the politician Chairman Bilawal Bhutto at a party meeting in Quetta for better footage.

### June 20, 2017: Islamabad

Students of the Madressah Haqqania beat up Din News employees and broke their camera. The TV channel staff claimed that they were reporting on alleged electricity theft by the management. During the incident, cameraman Rashid Azeem was beaten badly.

### August 10, 2017: Rawalpindi

Reporters Safdar Klasra, Naila Afsar and Benazir Mehdi of Bol News channel were physically assaulted and injured in Punjab by apparently workers the ruling Pakistan Muslim League-N party whose protest in Rawalpindi they were covering. Klasra had to be hospitalised.

### September 12, 2017: Islamabad

Supporters of religious group Labaik Ya Rasool Allah attacked TV crew of Neo channel. Reporter Usman, cameramen Ali Raza and Ameer Hamza were attacked with sticks and stones. The supporters also damaged the channel’s DSNG van. The attackers, according to channel’s bureau chief Ayaz Shujah, were “angry” at not getting “due coverage.”

### September 21, 2017: Multan

Wajih Ahsan, reporter, and Aslam Baig, cameraman, of *Samaa News* channel were detained and thrashed by police personnel in Punjab for filming the chaotic area around the Mumtazabad Police Station. Their footage was impounded before they were set free.

### September 24, 2017: Islamabad

Matiullah Jan, anchorperson for *Waqt News* channel and columnist for *Nawa-i-Waqt* daily, was attacked by unknown persons with bricks hurled at his car as he was travelled home in Islamabad.

### September 26, 2017: Islamabad

Reporters Amir Saeed Abbasi of *Dunya News*, Shah Khalid Hamdani of *92 News* and Saad bin Altaf of *Neo News* channels were attacked and injured by security personnel in plain clothes in Islamabad for getting too close to former prime minister Nawaz Sharif as he arrived at a corruption hearing against him at the local accountability court. Abbasi fainted and required hospitalisation.

### October 1, 2017: Dera Ismail Khan

Hasnain Qureshi, cameraman for *Geo News* channel, was stopped by police in Khyber Pakhtunkhwa as he arrived to cover a public protest in Dera Ismail Khan city. Upon resistance, the security personnel beat up Qureshi.

### October 4, 2017: Lahore

Tauseef Akram, cameraman for the Associated Press of Pakistan news agency, was beaten up in Punjab by the unruly workers of the ruling Pakistan Muslim League-N when he arrived at a party convention in Lahore and insisted on entering the conference venue.

### October 24, 2017: Islamabad

Hussain Qayyum, cameraman for *Express News* channel, was attacked and injured by the staff of the National Database and Registration Authority in Islamabad as he started filming a dispute that broke out at the office among the officials. His camera was also broken.

### October 27, 2017: Islamabad

Unknown motorcyclists stopped senior reporter Ahmed Noorani of *The News* daily in Islamabad at Zero Point and beat him up. He was dragged out and savagely attacked with knives, sustaining serious injuries, including several to his head, that required several weeks of hospital care.

### November 22, 2017: Islamabad

The protesters attacked two senior photojournalists as they covered the clash with the police. Muhammad Asim of *Dawn* and Jahangir Chaudhry from *Jang* sustained minor injuries as a crowd with staffs attacked them.

### November 25, 2017: Rawalpindi, Islamabad, Lahore and Karachi

Several journalists were injured, including some sustaining rubber bullet and baton injuries, as they covered a government crackdown against the religious group Labaik Ya Rasool Allah, which had been blocking

a key entryway into Islamabad for over two weeks. The crackdown was against the group in Islamabad, Rawalpindi, Lahore and Karachi cities. Among those injured included reporters Qamar Munawar of *Dunya News*, Saddam Mangat of *Channel 24*, Tariq Hassan, Talha Hashmi and Ahmed Faraz of *Geo News*, Yasin Hashmi of *Business Plus* channel, Faisal Awan of *Waqt News*; photojournalists Tanveer Shahzad of *Dawn* newspaper, Pervaiz Asi of *Metro Watch* daily, Shahzad Gill of *Daily Sun* and Irfan Haider of *Nia Mahaz* daily; and cameramen Zulfiqar Zulfi and Sultan Shah of *Abtak* channel, and Shiraz Gardezi of *Geo News*. The injuries were sustained by actions of both the religious group and the security agencies. The DSNG vans of *Samaa News*, *Abtak News* and *Geo News* channels were also attacked and damaged.

### November 28, 2017: Khyber Pakhtunkhwa

Aleem Haider Zaidi of Such TV channel survived an attack on his life in Kohat district of Khyber Pakhtunkhwa province when unidentified gunmen opened fire.

### December 9, 2017: Sukkur

Reporter Usama Talat of *Geo News* and photographer Salman Ansari of *Jang* daily were attacked and injured by the colleagues of a drunken policeman in Sindh as the journalists filmed him performing a dance on the road.

### December 23, 2017: Multan

The house of Imran Chaudhry, the reporter for *Geo News* channel, in Punjab came under attack from unidentified masked men who fired several rounds of gunfire at his residence in Multan.

### December 24, 2017: Karachi

Arshad Baig, reporter for *Express News* channel, was attacked and injured by lawyers in Sindh for recording footage of an alleged criminal trying to run away from the premises of city courts in Karachi. His footage was destroyed and he was detained for a few hours before being freed.

## THREATS AGAINST MEDIA INSTITUTIONS

### October 4, 2017: Balochistan

Banned insurgent group Baloch Liberation Front (BLF) issued a 20-day ultimatum to media in Balochistan to either start publishing press statements of banned insurgent groups or “face attacks”. The Balochistan government had prevented local media offices from publishing the statements of these groups. The banned BLF ultimatum ended on October 24 and from the next day media boycott started in the Baloch belt of Balochistan. Subsequently, on October 25, a hand-grenade was hurled at the Hub

Press Club wounding six journalists. Next day, Pak-News Agency, a news distribution agency, was attacked in Turbat and a vehicle transporting newspapers was attacked in Awaran district.

## OTHER NOTABLE INCIDENTS / DEVELOPMENTS

### ARREST/DETENTION

### June 30, 2017: Balochistan

Zafarullah Achakzai, 21, chief reporter of *Qudrat* daily, was arrested by the paramilitary Frontiers Corps under the Prevention of Electronic Crimes Act 2016 and handed over to the Federal Investigation Agency (FIA) in Quetta, Balochistan for criticising the FIA on social media.

### July 11, 2017: Lahore

Dr Sheikh Wali, the editor of daily *Jahan-e-Pakistan*, was booked in Punjab for hate speech for authoring and printing an article on Ali, the grandson of Prophet Mohammed, which allegedly hurt the sentiments of Shia Muslims. While the police later stopped raiding his offices, the case against him stands.

### August 5, 2015: Balochistan

Jabbar Umrani, a correspondent for *Waqt News* channel, was booked in Quetta, Balochistan under the PECA law for violating its statutes banning criticism of security policies online. The FIA registered a case and is investigating Umrani’s social media comments that the authorities find disparaging.

### September 17, 2017: Lahore

Ashraf Nankanvi, drone camera operator, and Mohammed Mohsin, DSNG van driver, of *Geo News* channel were taken into custody in Punjab by military personnel for operating a drone camera without prior permission outside the office of Provincial Election Commissioner in Lahore. They were later released after agreeing not to film the premises with drone cameras.

### October 7, 2017: Islamabad

Shabbir Seham, reporter for *Daily Times* newspaper, was booked under Anti-Terrorism Act, and summoned by the Gilgit Baltistan Anti-Terrorist Court for defaming without proof some ruling party legislators in Gilgit Baltistan for alleged involvement in human trafficking. The journalist is based in Islamabad and the National Press Club and Pakistan Federal Union of Journalists resisted an attempt by the Gilgit Baltistan government to arrest Seham.

### October 15, 2017: Peshawar

Shah Nawaz Tarakzai, reporter for *Mashaal Radio*, and Islam Gul, reporter for *Waziristan Times*, were picked up by security agencies’



personnel in Khyber Pakhtunkhwa and kept incommunicado for over 24. After being freed they said they had been interrogated for alleged links with an ‘anti-military’ online newspaper, denying any such links.

November 5, 2017: Islamabad

Hamid Mir, senior journalist for *Geo News* channel and *Jang* newspaper, was, under orders of the Islamabad High Court, booked for alleged conspiracy to kill a former intelligence operative Khalid Khawaja, who was killed in April 2010 in the tribal areas by allegedly the banned Tehrik-e-Taliban Pakistan group. The widow of Khawaja moved the court to seek the arrest of Mir for her husband’s kidnapping and subsequent execution. Earlier, the Lahore High Court had declared Mir innocent in the case.

November 24, 2017: Khyber Pakhtunkhwa Paramilitary forces detained five tribal journalists and a press club employee after a magnetic bomb was discovered beneath the car they were riding in Landikotal town in Khyber district bordering Peshawar. Four journalists were freed after 12 hours while the owner of the car – Khalil Afridi – was still detained and grilled, according to the Freedom Network Pakistan. The detained journalists were Khalil Afridi of Khyber News channel, Farhad Shinwari of Mashaal Radio, Mehrab Shah Afridi of Tribal News Network, Umar Shinwari of Pakistan Television and Imran Khattak of *Khabran* newspaper.

December 19, 2017: Karachi

Shabbir Usmani, reporter for Express News channel, was booked for harassment by the Karachi police in Sindh on the complaint of a local religious seminary. The police registration was preceded by several threats that Usmani said he received from the seminary.

January 5, 2018: Karachi

Reporter Fawad Hasan, reporter for *Express Tribune* newspaper, was picked up in Sindh by paramilitary Rangers personnel while covering condolence reference of late Dr Hasan Zafar, a leader of the Muttahida Qaumi Movement (MQM-London) at the Karachi University. Hasan was interrogated about his interview of MQM leader Altaf Hussain whose speeches and comments have been banned in Pakistani media by the Lahore High Court. Hasan was freed after a few hours.

February 15, 2018: Tando Bago

Rafaqat Ali Jarwar, reporter for daily Koshish, was arrested and jailed by police in Sindh and booked for alleged terrorism and robbery. Deputy Inspector General Hyderabad Police Javed Alam later alleged at a press conference that the police had busted ‘a gang of Indian agents,’ which allegedly included Rafiqat. Nasrullah Jarwar, the brother of Rafiqat, alleged that the police arrested his brother to “teach me a lesson” for writing stories on an allegedly unholy ‘sugarcane nexus’ between local sugar mill owners and politicians.

CENSORSHIP

November 2, 2017: Orakzai

Paramilitary Frontier Corps officials in Orakzai tribal district in FATA imposed a ban on local journalists to report on official matters.

November 25, 2017: Islamabad

The Pakistani authorities ordered the take-down of all television news channels and blocked access to some social media platforms following a political demonstration in Islamabad. The Pakistan Electronic Media Regulatory Authority (PEMRA) issued a directive prohibiting live coverage of the operation to end the Faizabad sit-in protest. The Pakistan Telecommunication Authority (PTA) also directed the blocking of Facebook, YouTube, DailyMotion, Twitter and Instagram in some parts of the country on the Interior Ministry’s orders. Internet services in Faizabad, Rawalpindi where the protests were happening, were also suspended. The directives stood for nearly 28 hours until they were withdrawn.

January 19, 2018: Islamabad

The federal government forcibly shut down operations of Europe-managed international broadcaster *Radio Mashaal* in Pakistan. A notification issued by the Ministry of Interior alleged that as per an intelligence report, the radio was airing programs “found against the interests of Pakistan and in line with hostile intelligence agency’s agenda.” The Prague-based broadcaster denied the allegations.

April 16, 2018: Lahore

A full-bench of the Lahore High Court in Punjab ordered the Pakistan Electronic Media Regulatory Authority (PEMRA) to order all TV channels in the country to ban all criticism of the country’s judiciary by former prime minister Nawaz Sharif, his daughter Maryam Nawaz and all ministers of their ruling Pakistan Muslim League-N party. Several of the ministers are facing contempt of court charges for criticising various recent controversial judgments of the country’s superior judiciary which have seen Sharif sacked as prime minister, unseated as president of his party and barred from politics for life. In July 2017, the Lahore High Court had banned all TV channels in the country from airing the views of self-exiled Pakistani politician Altaf Hussain. The censorship still stands.

ENFORCED DISAPPEARANCE

August 5, 2017: Jamshoro

Ghulam Rasool Burfat, reporter for *Sindh Express* daily, was kidnapped from outside his residence in Sindh. Police has since been unable to track Burfat or been able to identify and prosecute his abductors.

August 9, 2017: Jamshoro

Badal Nohani, the secretary-general of

Jamshoro Press Club, was abducted in Sindh from the press club premises by masked people who arrived in some vehicles. Police has since been unable to track him down or identify and prosecute his abductors.

HARASSMENT

July 12, 2017: Islamabad

Raja Mudassar, photographer for *Express* daily, was abused and prevented entry to the residence of Pakistan Tehrik-i-Insaf Chairman Imran Khan in Islamabad by his guards as he arrived to cover his press conference.

July 12, 2017: Islamabad

Shahid Mattila, reporter for ARY News channel, was abused and insulted by Muhammad Safdar, the son-in-law of former prime minister Nawaz Sharif, as he filmed him at the Federal Judicial Academy in Islamabad where he had appeared for a hearing.

REGULATIONS

January 19, 2018: Islamabad

Pakistan’s Interior Ministry ordered the shutdown of the office and the operations of Radio Mashaal, a Pashto language broadcaster linked to the US-funded Radio Free Europe (RFE), on recommendations of the Inter-Services Intelligence (ISI). The ministry said that as per an ISI report, the radio airs programs “against the interests of Pakistan and in line with hostile intelligence agency’s agenda”.

INTERNET SHUTDOWNS

September 29, 2017: Pakistan

Between September 29 to October 1, most cities in Pakistan remained without mobile and Internet services as a part of the security measures for Ashura, during which there are major religious processions across Pakistan. The Sindh Home Department issued a formal notification of network disconnection across eight cities including Karachi while mobile and internet services were reported suspended in Punjab including Faisalabad, Baluchistan including Quetta and Khyber Pakhtunkhwa including Peshawar without formal notice. The suspension notification by the Government of Sindh’s, Home Department stated that the suspension was being carried out on request of law enforcement agencies ‘as there are apprehensions of coordination of criminal activity by miscreants/criminals through the use of Noorancellular phones/internet’. Several regions in Pakistan saw intermittent shutdowns. For a full listing, see chapter on Internet Shutdowns.

SRI LANKA

Killings of journalists: 0 – None recorded

Threats against the lives of journalists: 1

(Male: 1, Female: 0)

Other threats to journalists: 5

(Male: 5 Female: 0)

Non-fatal attacks on journalists: 1

(Male: 1, Female: 0)

Threats against media institutions: 1

Attacks on media institutions:

0 – None recorded

THREAT AGAINST THE LIVES OF JOURNALISTS

February 8, 2018: Western Province

Sisira Kumara Kuruppuarachchi provincial journalist *Mabubima* daily was returning home after covering a local government election meeting in Katunayaka, Gampaha District, around 8.00 pm along the Gampaha-Minuwangoda road near the ‘Black Bridge” unidentified person threatened him with a weapon and told him not to engage in anti-government politics. He complained about the incident to the local police.

OTHER THREATS TO JOURNALISTS

June 8, 2017: Colombo

John Amaratunga, Minister of Tourism Development and Christian Religious Affairs, threatened journalists when he was asked questions regarding an environmental issue at Mutturajawela wetlands and the charge that people were blaming him for the garbage problem in at Bopitiya in Wattala. Furious over the questions, Amaratunga asked the journalists to leave.

January 28, 2018: Uva

Kapila Kuruppuarachchi of Sirasa TV and Jayalath Dissanayake of TV Derana, who were covering the election rally of United People’s Freedom Alliance (UPFA) and Sri Lanka Freedom Party (SLFP) under the

patronage of President Maithripala Sirisena, were threatened and chased away by an aide of the Minister of Transport and Civil Aviation Nimal Siripala De Silva.

March 13, 2018: Colombo

KA Suresh Wijayarangana, the deputy manager current affairs at Neth FM radio, was threatened on telephone by deputy minister Palitha Thewarapperuma after an investigative radio program alleged him of corruption. The deputy minister said, “You will learn a lesson”.

March 28, 2018: Northern Province

Sri Lanka Military questioned Provincial Journalist Shanmugam Thavaseelan attached to the ABC Media Net Work A'lampil in Mullaitivu District in regarding his professional activities and threaten him to refrain from his professional duties

NON-FATAL ATTACKS ON JOURNALISTS

December 10, 2017: Southern Province

Provincial journalist Rohan Pradeep Kumara, who works for Hiru TV and Diviania newspaper, was assaulted by the Navy Commander Admiral Ravindra Wijegunaratne at the Hambantota port while covering the navy intervention on the protest by the port workers.

ATTACKS ON MEDIA INSTITUTIONS

April 4, 2018: Colombo

Unruly mob exploded large amounts of fire crackers outside the gates of the Sirasa News First Colombo office and threw exploding fireworks at the closed gates and premises and boundary walls of the news group.

OTHER NOTABLE INCIDENTS / DEVELOPMENTS

CENSORSHIP

November 8, 2017: Colombo

Lanka-e-News a UK-based website that often publishes reports critical of the Sri

Lankan government was inaccessible in Sri Lanka. The site was blocked after it published a report online alleging corruption by the Office of the President in a deal relating to the purchase of warships. The website said that ‘the Telecommunications Regulatory Commission of Sri Lanka (TRCSL) which is under the President has ordered ISPs to block people in Sri Lanka accessing our website’.

HARASSMENT

July 30, 2017: Central Province

Palani Digambaram, Minister of Infrastructure and Community Development allegedly ordered the microphone of Sirasa Media correspondent Indika Roshan Kauarachchi to be removed from the podium where he was speaking in Hatton, Central Sri Lanka on Sunday, July 30. Kauarachchi was reporting the event at the invitation of the Government Information Department. Footage from television recordings shows evidence that the Sirasa microphone had been removed from the podium. Since the incident, supporters of the Minister have continued to threaten Indika.

IFJ violations monitoring is undertaken by the IFJ Asia-Pacific together with affiliates of the IFJ across South Asia and members organisations and activist members of the South Asia Media Solidarity Network (SAMSN) and updated regularly via the SAMSN Digital Hub. IFJ violations mapping provides specific categorisation of violations on journalists across the region as well as geographic mapping detail.

To provide further updates to the 2017-2018 figures, contact IFJ South Asia Project Coordinator, Ujjwal Acharya (ujjwal.acharya@gmail.com)

SAMSN MEDIA VIOLATIONS (MAY 2017 - APRIL 2018)

	Abduction	Accidental Death	Arrest / Detainment	Attack	Censorship	Economic Pressure	Harassment	Internet Shutdown	Killing	Law	Regulations	Threat
AFGHANISTAN			1	6			1	1	24		1	
BANGLADESH			7	5				1			1	1
BHUTAN							1					
INDIA			3	12	2		4	82	8	2	2	4
MALDIVES			3				2				2	1
NEPAL			8	5							3	2
PAKISTAN	1		2	10	1			12	5		1	4
SRI LANKA				3	1		3	1		0	3	3
TOTAL:	1	0	4	41	4	0	1	97	37	2	13	15



# JOURNALISTS DETAINED IN SOUTH ASIA IN 2017-18

The IFJ has documented cases of 68 journalists detained or jailed in South Asia in the current report period, from May 2017 to April 18.

Pakistan leads in the record of South Asian countries detained or jailing journalists, with 21 journalists incarcerated in the period. Bang-e-Sahar editor, Daulat Jan Mathal, has been incarcerated since 2016, despite a bail order issued by an Islamabad court in October 2016. The country's anti-terrorism court continues to revoke any right to bail. Another three journalists also remain in jail including fellow journalists Akhlaq Jokhio and Qurban Gadehi who have been in detention since January 2017 and are currently serving five years for defamation against a property developer Rafaqat Ali Jarwar who has been in detention since January 2018 on alleged terrorism and robbery charges.

In Nepal, 19 were jailed or detained, with 14 journalists charged under the vaguely worded 'Some Public (Crimes and Punishment) Act 1970\*'. Most of these

were detained around the three phases of the country's election process for alleged connections with the Maoist factions that had boycotted the polls. Three currently remain in jail and their status is unknown. Nepal was also the only country that jailed women journalists in the past year, of which it arrested two.

Three Bangladesh journalists remain in jail at the time of publication. Editor of Weekly Blitz, Salah Uddin Shoaib Choudhury, was convicted of harming the country's interest under Section 505(A) of the Penal Code for intentionally writing distorting and damaging materials for articles written about the rise of Islamic fundamentalism in Bangladesh. Originally detained in 2003, he was later released on bail, but was incarcerated again in January 2014, to serve seven years.

Another two journalists were detained in Pakistan and released on bail. Yet one of them, Hafiz Husnain Raza, was released only to be re-arrested by police on other charges. He was again released on bail in March 2018.

In the Maldives, eight journalists were held for less than 24 hours and another for less than a week in a round-up of journalists. Another two were released on bail.

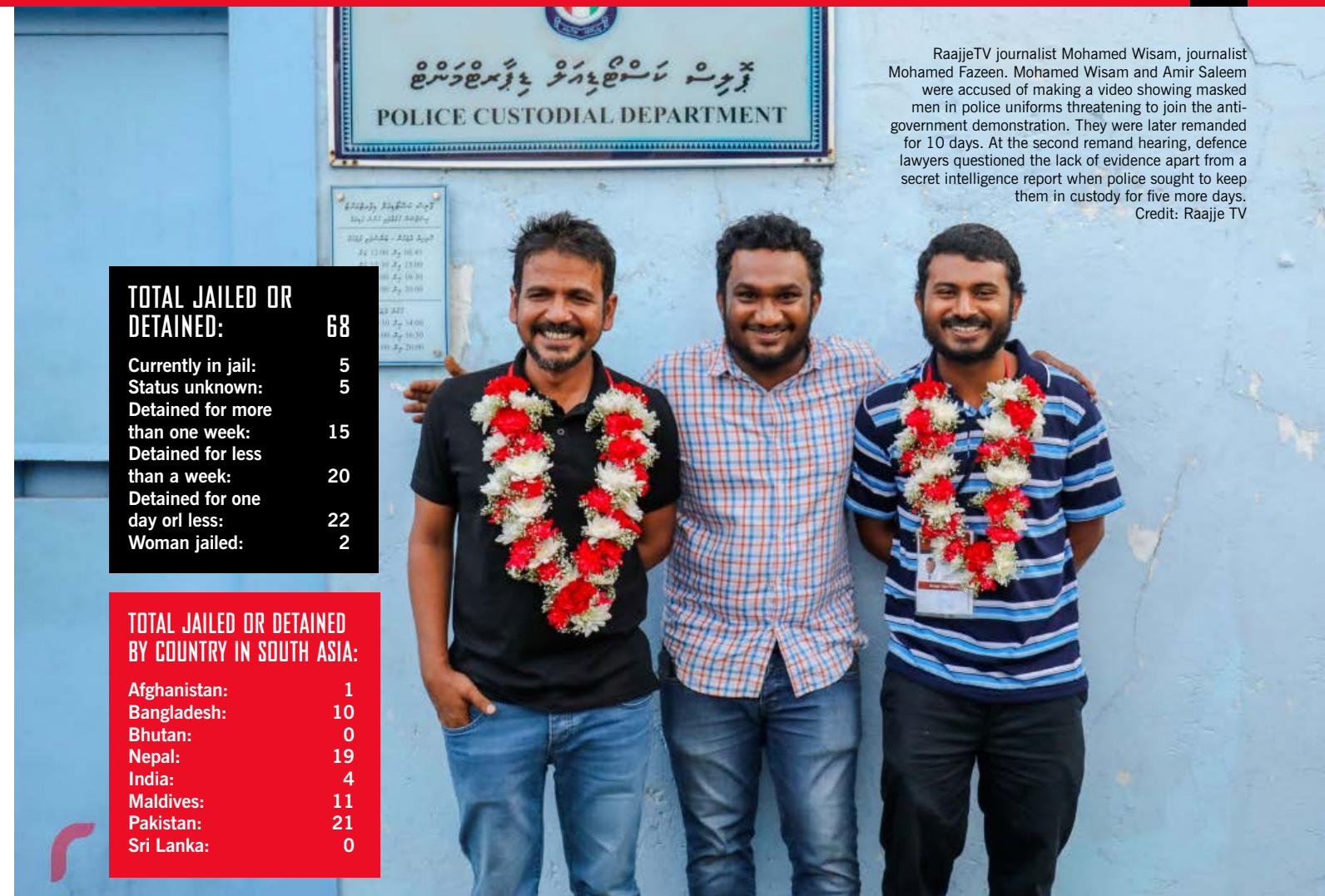
India had two journalists jailed for more than a week, both were released on bail. Kashmiri freelance photojournalists Kamran Yousuf was held for six months for alleged conspiracy and instigating stone pelting at security personnel. He was released on bail March 12, 2018. Freelancer Vinod Verma was held for two months for allegedly blackmailing a Chhattisgarh Minister with a sex video involving the minister before being released on bail on December 28, 2017

In many of the cases listed below, charges were likely fabricated with an intention to silence or punish journalists for their work. Beyond the issue of arrest and detainment, lengthy court cases also serve to send a message to other media workers to toe the line or self-censor.

Note: Journalists are ordered by category and alphabetically by country

<b>TOTAL JAILED OR DETAINED:</b>	<b>68</b>
Currently in jail:	5
Status unknown:	5
Detained for more than one week:	15
Detained for less than a week:	20
Detained for one day or less:	22
Woman jailed:	2

<b>TOTAL JAILED OR DETAINED BY COUNTRY IN SOUTH ASIA:</b>	
Afghanistan:	1
Bangladesh:	10
Bhutan:	0
Nepal:	19
India:	4
Maldives:	11
Pakistan:	21
Sri Lanka:	0



RaajjeTV journalist Mohamed Wisam, journalist Mohamed Fazeen. Mohamed Wisam and Amir Saleem were accused of making a video showing masked men in police uniforms threatening to join the anti-government demonstration. They were later remanded for 10 days. At the second remand hearing, defence lawyers questioned the lack of evidence apart from a secret intelligence report when police sought to keep them in custody for five more days. Credit: Raajje TV

## JAILED JOURNALISTS - CURRENTLY IN JAIL

### BANGLADESH:

**1. Name:** Salah Uddin Shoaib Choudhury  
**Gender:** Male  
**Detained:** November 29, 2003 and released on bail in 2005.  
**Job:** Editor, Weekly Blitz  
**Location:** Dhaka, Bangladesh  
**Accusation:** Convicted of harming the country's interest under Section 505(A) of the Penal Code for intentionally writing distorting and damaging materials for articles written about the rise of Islamic fundamentalism in Bangladesh.  
**Sentence:** 7 years (serving since January 9, 2014)  
**Status:** Currently Jailed

### PAKISTAN:

**2. Name:** Daulat Jan Mathal  
**Gender:** Male  
**Detained:** September 20, 2016  
**Job:** Editor, Bang-e-Sahar daily  
**Location:** Pakistan  
**Accusation:** Publishing anti-state

material for content allegedly supporting autonomy for the Gilgit-Baltistan region which thereby damaged the solidarity and integrity of Pakistan.  
**Status:** Currently in jail despite a bail order issued by an Islamabad court in October 2016. The country's anti-terrorism court has revoked the right to bail.

**3. Name:** Akhlaq Jokhio  
**Gender:** Male  
**Detained:** January 9, 2017 with fellow reporter Qurban Gadehi  
**Job:** Reporter, Saathi Awaz  
**Location:** Nushero Feroze, Sindh, Pakistan  
**Sentence:** 5 years  
**Accusation:** Defamation for a story about a property developer desecrating a graveyard. The developer filed a police case and accused the journalists of seeking extortion money. He was found guilty by an anti-terrorism court.  
**Status:** Currently jailed

**4. Name:** Qurban Gadehi  
**Gender:** Male  
**Detained:** January 9, 2017 with fellow reporter Akhlaq Jokhio

**Job:** Reporter, Saathi Awaz  
**Location:** Nushero Feroze, Sindh, Pakistan  
**Sentence:** 5 years  
**Accusation:** Defamation for a story about a property developer desecrating a graveyard. The developer filed a police case and accused the journalists of seeking extortion money. He was found guilty by an anti-terrorism court.  
**Status:** Currently jailed

**5 Name:** Rafaqat Ali Jarwar  
**Gender:** Male  
**Detained:** February 15, 2018  
**Job:** Reporter, Koshish daily  
**Location:** Tando Bago, Sindh, Pakistan  
**Accusation:** Booked for alleged terrorism and robbery, allegedly for being a member of a 'gang of Indian agents'.  
**Status:** Currently jailed

## STATUS UNKNOWN

**BANGLADESH:**  
**6. Name:** Ahmed Razu  
**Gender:** Male  
**Detained:** May 1, 2017  
**Job:** Executive Editor,

natunsomoy.com  
**Location:** Dhaka, Bangladesh  
**Accusation:** Arrested following complaints to the police by private business enterprise the Walton Group, which accused him of tarnishing the company's image by deliberately publishing 'fabricated' news. The website published a number of news articles which criticised the after-sales service of the business, particularly regarding its phones and motorcycles. Razu was formerly a journalist with a Walton Group-owned newspaper.  
**Status:** Case ongoing

**7. Name:** Asaduzzaman Noor (aka Asad Noor)  
**Gender:** Male  
**Detained:** December 26, 2017  
**Job:** Blogger  
**Location:** Dhaka, Bangladesh  
**Accusation:** The head of an Islamic seminary had initiated criminal action against Noor, accusing him of creating content on social media that "hurt religious feeling by mocking Prophet Mohammed" and making negative comments toward Islam.

**Status:** He was charged with defamation of religion under the ICT Act on January 11, 2018

### NEPAL:

**8. Name:** Hari Bishnu Oli,  
**Gender:** Male  
**Detained:** May 2, 2017  
**Job:** Editor, Sikhchya Sanjal weekly  
**Location:** Rukum, Nepal  
**Accusation:** arrested in Rukum district ahead of the local elections.  
**Status:** Unknown  
**9. Name:** Gopal GC  
**Gender:** Male  
**Detained:** May 4, 2017  
**Job:** Journalist, Nabadristi Online  
**Location:** Parbat, Nepal  
**Accusation:** Arrested in Parbat district ahead of local elections  
**Status:** Unknown

**10. Name:** Tilak Adhikari  
**Gender:** Male  
**Detained:** May 10, 2017  
**Job:** Editor, Janata Jindabad weekly  
**Location:** Makwanpur, Nepal  
**Accusation:** Arrested at his residence in Makwanpur district ahead of the local elections  
**Status:** Unknown

## JOURNALISTS JAILED FOR MORE THAN ONE WEEK RELEASED ON BAIL

### BANGLADESH:

**11. Name:** Abdus Salam  
**Gender:** Male  
**Detained:** January 6, 2015  
**Job:** Owner, Ekushey TV  
**Location:** Dhaka, Bangladesh  
**Accusation:** The country's anti-corruption commission arrested and filed the case, accusing Salam and two others for purchasing, preserving and laundering foreign currencies jointly. It was alleged he exchanged - 30,000 and laundered the foreign currency.  
**Sentence:** Case ongoing  
**Status:** Released on bail on May 24, 2017

### INDIA:

**12. Name:** Kamran Yousuf  
**Gender:** Male  
**Detained:** September 4, 2017  
**Job:** Freelance photojournalist  
**Location:** Kashmir, India  
**Accusation:** Conspiracy and instigating stone pelting at

security personnel  
**Status:** Released on bail March 12, 2018

**13. Name:** Vinod Verma  
**Gender:** Male  
**Detained:** October 27, 2017  
**Job:** Freelancer (formerly BBC)  
**Location:** National Capital Territory of Delhi (NCT), India  
**Accusation:** Allegedly blackmailing a Chhattisgarh Minister with a sex video involving the minister.  
**Status:** Released on bail on December 28, 2017

### MALDIVES:

**14. Name:** Mohamed Wisam  
**Gender:** Male  
**Detained:** March 16, 2018 with colleague Amir Saleem  
**Job:** Journalist / media staff, Raajje TV  
**Location:** Male, Maldives  
**Accusation:** Staging and uploading a 'fake' video of masked policemen speaking against the government and supporting the opposition.  
**Status:** Released on bail on March 27, 2018

**15. Name:** Amir Saleem  
**Gender:** Male  
**Detained:** March 16, 2018 with colleague Mohamed Wisam  
**Job:** Journalist / media staff, Raajje TV  
**Location:** Male, Maldives  
**Accusation:** Staging and uploading a 'fake' video of masked policemen speaking against the government and supporting the opposition.  
**Status:** Released on bail on March 27, 2018

### NEPAL:

**16. Name:** Pustaman Gharti Magar  
**Gender:** Male  
**Detained:** May 8, 2017  
**Job:** Jaljala Post and Magarat monthly  
**Location:** Rolpa, Nepal  
**Accusation:** Booked under Some Public (Crime and Punishment) Act 1970  
**Status:** Released on bail after 56 days in detention  
**17. Name:** Chakka Bahadur Malla  
**Gender:** Male



**Detained:** July 19, 2017

**Job:** Correspondent, Image Channel TV

**Location:** Bajura, Nepal

**Accusation:** Attempted rape

**Status:** Released on bail after a week; cleared of all charges on April 1, 2018, by the District Court due to lack of evidence. Political motivation is suspected as charges were laid on Chakka Bahadur Malla after police arrested four municipal officials as he registered a complaint against them for attacking him on July 14.

18. **Name:** Padam Prasad Pokharel

**Detained:** November 11, 2017

**Job:** Pyuthan Vision monthly

**Location:** Pyuthan, Nepal

**Accusation:** Booked under

Some Public (Crime and

Punishment) Act 1970

**Status:** Released on bail after 29 days in detention

19. **Name:** Jayeshwor Acharya  
**Gender:** Male

**Detained:** November 13, 2017

**Job:** Pyuthan Vision monthly

**Location:** Pyuthan, Nepal

**Accusation:** Booked under

Some Public (Crime and

Punishment) Act 1970

**Status:** Released on bail after 28 days in detention

20. **Name:** Jitendra Maharjan  
**Gender:** Male

**Detained:** November 13, 2017

**Job:** Reporter, Nihigu Jwajalapa

**Location:** Kathmandu, Nepal

**Accusation:** Booked under

Some Public (Crime and

Punishment) Act 1970

**Status:** Released on bail after three weeks in detention.

21. **Name:** Kali Bahadur Mahatara

**Gender:** Male

**Detained:** November 15, 2017

**Job:** Janaprabhat weekly

**Location:** Kaliko, Nepal

**Accusation:** Booked under

Some Public (Crime and

Punishment) Act 1970

**Status:** Released on bail after 24 days in detention

22. **Name:** Khem Thapaliya

**Gender:** Male

**Detained:** November 17, 2017

**Job:** Jaljala monthly

**Location:** Kathmandu, Nepal

**Accusation:** Booked under

Some Public (Crime and

Punishment) Act 1970

**Status:** Released on bail after 22 days in detention

23. **Name:** Dipesh Shahi

**Gender:** Male

**Detained:** November 19, 2017

**Job:** Reporter, Madhyanha daily

**Location:** Kathmandu, Nepal

**Accusation:** Booked under

Some Public (Crime and

Punishment) Act 1970

**Status:** Released on bail after 22 days in detention

24. **Name:** Jagdish Nath Yogi

**Gender:** Male

**Detained:** November 20, 2017

**Job:** Janaprabhat weekly

**Location:** Kalikot, Nepal

**Accusation:** Booked under

Some Public (Crime and

Punishment) Act 1970

**Status:** Released on bail after 24 days in detention

25. **Name:** Prakash Dumre

**Gender:** Male

**Detained:** November 21, 2017

**Job:** Reporter, Garjan Post

weekly

**Location:** Butwal, Rupendehi, Nepal

**Accusation:** Possession of illegal weapon and extortion

**Status:** Released on bail after 28 days in detention

#### PAKISTAN:

26. **Name:** Hafiz Husnain Raza

**Gender:** Male

**Detained:** April 25, 2016

**Job:** Reporter, Nawa-i-Waqt

daily

**Location:** Okara, Punjab,

Pakistan

**Accusation:** Disturbing public

peace and tranquillity and

instigating people to terrorism

for reporting seen to be

favouring local farmers in a land

dispute with the military.

**Status:** Released on bail in

September 12, 2017; Police

re-arrested on other additional

cases; released on bail in March

10, 2018.

## JOURNALISTS DETAINED FOR LESS THAN ONE WEEK

27. Ahmadullah Sarkand,

Afghanistan, October 25, 2017

28. Bismullah Watandust.

Afghanistan, October 25, 2017

29. Golam Mostafa Rafiq,

Bangladesh, June 12, 2017

30. Abdul Latif Morol,

Bangladesh, August 1, 2017

31. Anisur Rahman, Bangladesh,

November 1, 2017

32. Md Layes Mondol,

Bangladesh, November 21,

2017

33. Md Sabid, Bangladesh,

November 21, 2017

34. G Balakrishnan (Bala), India,

November 5, 2017

35. Paul Comiti, India,

December 10, 2017

36. Mohamed Fazeen, Maldives,

March 16, 2018

37. Thakur Prasad Timilsina,

Nepal, May 10, 2017

38. Khem Bhandari, Nepal, June

17, 2017

39. Ganesh Bhatt, Nepal, June

17, 2017

40. Sangarshashil Lamjel, Nepal,

February 20, 2018

41. Jamuna Shrestha, Nepal,

February 20 (female)

42. Mina Tamsuwa, Nepal,

February 20, 2018 (female)

43. Zafar Ullah Achakzai,

Pakistan, June 30, 2017

44. Shah Nawaz Tarakzai,

Pakistan, October 15, 2017

45. Islam Gul, Pakistan, October

15, 2017

46. Dr Sheikh Wali, Pakisan,

July 11, 2017

The Some Public (Crime and Punishment) Act 1970 is the law most commonly used by police in Nepal to detain journalists because of its vagueness and wide scope. Its scope includes breaking public peace, trespass, undue behaviour in a public place and obstruction among its list of punishable offences. It also allows police to arrest anyone without warrant, giving them a further seven days to file a case.

Nepali journalists arrested in 2017-18 were largely targeted because of alleged connections with the Maoist faction which boycotted the polls and threatened to disrupt the election. In the scope of pre-emptive security action around Nepal's 2017 elections, many journalists were swept up in rounds of police arrests.

## JOURNALISTS DETAINED 24 HOURS OR LESS:

(By name, country and date of detention)

47. Afsan Chowdhury,

Bangladesh, June 7, 2017

48. Mohamed Wisam, Maldives,

June 26,

49. Murshid Abdul Hakeem,

Maldives, June 26, 2017

50. Ahmed Mamdhoo,

Maldives, June 26, 2017

51. Adam Janah, Maldives, June

26, 2017

52. Ahmed Riffath, Maldives,

June 26, 2017

53. Mohamed Shanoon,

Maldives, June 26, 2017

54. Abdullah Yamin, Maldives,

June 26, 2017

55. Hussain Hassan, Maldives,

February 16, 2018

56. Ali Nasir, Maldives, February

16, 2018

57. Jabbar Umrani, Pakistan,

August 5, 2017

58. Ashraf Nankanvi, Pakistan,

September 17, 2017

59. Mohammad Mohsin,

Pakistan, September 17, 2017

60. Shabbir Seham, Pakistan,

October 7, 2017

61. Hamid Mir, Pakistan,

November 5, 2017

62. Khalil Afridi, Pakistan,

November 24, 2017

63. Farhad Shinwari, Pakistan,

November 24, 2017

64. Mehrab Shah Afridi,

Pakistan, November 24, 2017

65. Umar Shinwari, Pakistan,

November 24, 2017

66. Imran Khattak, Pakistan,

November 24, 2017

67. Shabbir Usmani, Pakistan,

December 19, 2017

68. Fawad Hasan, Pakistan,

January 5, 2018



Above: An Indian protester holds a placard saying "Hindutva Followers, Beware" during a 'Not in my name' silent protest at Jantar Mantar in New Delhi on June 28, 2017, following a spate of anti-Muslim killings. A mob stabbed a Muslim teenager Junaid Khan, 15, who was travelling from New Delhi on June 24 with three of his brothers when a fight erupted over seats. The incident was one of several attacks by Hindu vigilantes in India, where there have been a spate of assaults against Muslims and low-caste Dalits. Credit: Chandan Khanna/AFP

Below: Bangladeshi secular activists hold placards and a banner during a protest against the "The Digital Security Act 2018" in Dhaka on February 2, 2018. The Digital Security Act 2018 approved by the cabinet this week would mean a journalist could be convicted of espionage for entering a government office and gathering information secretly using an electronic device, an offence that would carry a 14-year jail sentence. Credit: Rehman Asad/AFP





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