



# TRUTH VS MISINFORMATION: THE COLLECTIVE PUSH BACK

**SOUTH ASIA PRESS FREEDOM REPORT 2018-2019**





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**Cover Photo:** Award-winning Bangladeshi photographer Shahidul Alam captured the solidarity and support of the world's media after his imprisonment in 2018. The 63-year-old was detained by plainclothes police at his home after making "provocative" comments in an interview to *Al Jazeera* about student demonstrations in Dhaka. The arrest drew condemnation from international rights groups as the veteran media worker languished in jail for more than 100 days. CREDIT: AFP

**Contents photo:** Nepali journalists hold a candlelight vigil in Kathmandu condemning journalist killings in Afghanistan after the deadliest attack on the country's media since the fall of the Taliban in 2001. The April 30 attack occurred just days ahead of World Press Freedom Day. CREDIT: BIKASH KARKI / AFP

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## FOREWORD

This 17th annual review of journalism in the region, *Truth vs Misinformation: The Collective Push Back* charts the challenges, triumphs and, most importantly, the solidarity of this region's brave and determined media community over the past year.

While battered by the ugly game-changing rise of fake news and the collapse of media's traditional economic model, journalists, media workers and their unions again and again, showed they were defiant, bold and determined to confront a myriad challenges.

Together, in their work and in their collectives, they continued to monitor, advocate and shine a light on the controls, intimidation and government efforts that seek to threaten or silence freedom of expression.

Regularly, they stood together to raise the voice of colleagues killed, incarcerated or under legal threat by governments or other powerful interests.

This report shows that in spite of war mongering, the damaging impacts of fake news and hate speech, and the politics of control, South Asia's media workers made it very clear that they have a decisive role to play in fighting the scourge of misinformation and supporting democracy and human rights. And most importantly they have a leading role in truth-telling.

The IFJ and its affiliates retain hope. But we must keep pushing.

**Jane Worthington**  
Director  
IFJ Asia-Pacific

Facebook owned messaging service WhatsApp on July 10 published full-page advertisements in Indian dailies in a bid to counter fake information that has sparked mob lynching attacks across the country. CREDIT: PRAKASH SINGH / AFP

## OVERVIEW

Few could debate that South Asia's media is tasked with a mighty job. In serving the public interest of a sizeable share of the global population, journalists not only contend with the bread and butter of truth-telling and the requisite challenges that it brings to their craft. But they do so in a space that is all at once a vibrant, thorny, complex and dangerous mix; where democracy and human rights navigate a path alongside enduring, intertwined and, often competing, religious, cultural, tribal, political and social histories.

Throw into that a rapidly evolving geo-political environment pressured by massive economic imbalances, powerful political and business interests, growing extremism and digital disruption and it is little wonder then that some might say that South Asia's media has been exposed to perhaps its biggest reckoning of recent history.

In 2018, South Asia was declared by the IFJ as the most deadly region in the world for media workers, which most brutally demonstrates the reality faced by far too many in the industry.

Nowhere was this more acutely felt than Afghanistan with eight journalists and four other media workers killed, another eight threatened with death and 61 recorded violations on journalists attempting to do their job.

The horrific targeted assassination of revered journalist and editor Shujaat Bukhari in Kashmir, India, in June 2018 sent shockwaves through the troubled region and beyond. Scores of journalists and even ordinary citizens turned out to mourn and shine a light on an important voice extinguished, a key voice of reason and advocate of peace in the protracted conflict.

In Bangladesh, mass political demonstrations by students over road safety saw another brave advocate of freedom of expression, photojournalist Shahidul Alam targeted. Accused of spreading false and provocative statements in an interview with *Al Jazeera*, he was jailed for more than 100 days drawing global condemnation on the Bangladeshi government. Alam was one of 21 jailed or detained media workers in the region, on charges such as violation of digital security laws, sedition and even vague criminal determinations.

Right now, Pakistani journalist Cyril Almeida is also bravely fighting treason charges in the courts for his coverage of the Pakistani state's patronage of militant groups, while being honoured internationally as a press freedom hero. Meanwhile Kashmiri journalist Aasif Sultan currently remains languishing in jail, charged under the Unlawful Activities (Prevention) Act for a story on the second anniversary of the death of a young Kashmiri militant. Many other journalists in the year were detained without charge for periods ranging from a few hours to months. All in an attempt to silence their critical voices.

The period from May 2018 to April 2019, saw the mass haemorrhaging of journalist jobs in the region, most acutely in Pakistan. Those silenced by sacking in Pakistan included 700 journalists at Jang, 243 at Century Publications, 350 at Nawa-e-Waqt, 200 at Dunya, 200 at Abb Takk TV and new media entity Bol TV has ceremoniously hired and fired at least 4000. To say this is a body blow to truth is an understatement.

The growing spectre for freedom of expression in South Asia has also been the increasing frequency of internet shutdowns and

**IN 2018, SOUTH ASIA WAS DECLARED BY THE IFJ AS THE MOST DEADLY REGION IN THE WORLD FOR MEDIA WORKERS, WHICH MOST BRUTALLY DEMONSTRATES THE REALITY FACED BY FAR TOO MANY IN THE INDUSTRY.**



Pakistani police try to stop a journalist during a rally to mark World Press Freedom Day in Islamabad on May 3, 2018. CREDIT: AAMIR QURESHI / AFP



## SOCIAL FERMENT IN BANGLADESH OCCASIONALLY DOES BREAK OUT IN MASS DEMONSTRATIONS. AFTER ONE SUCH YOUTH-LED OUTBREAK DURING THE YEAR, THE GOVERNMENT CHOSE THE TIME-HONOURED RESPONSE OF BLAMING THE MESSENGER, IMPRISONING A PHOTOJOURNALIST WITH A GLOBAL PROFILE ON CHARGES OF INCITING THE DEMONSTRATIONS.

controls on social media in the name of law and order or national security. India not only leads the region for shutdowns, but also the world, with 95 online controls documented in the period.

After a series of high explosive bombs were detonated in and around churches and high-end hotels in Colombo, Negombo and Batticaloa on April 21, Sri Lanka's government blocked all social media platforms including Facebook, Instagram, WhatsApp and Viber. The reason given was to stop rumours and propagating hate against certain communities in the country.

But too often journalists have been the target of that hate.

Journalists by the very nature of the profession have always battled misinformation, untruths and outright propaganda – including against themselves. In this war against them and truth, journalists have pushed back, defended and proven their vital role in democracy.

In the past year in South Asia, they've also proven resilient amidst the turmoil – standing up in protests, in solidarity actions and in calling governments and the powerful to account – despite a wave of misinformation and threats both online and offline.

They played a crucial role in reporting elections in the region in the year – in Bhutan, India, Bangladesh, Pakistan and, most dramatically, in the Maldives. The purging of autocratic ruler Abdullah Yameen in a landslide victory to his opponents, also brought promise of hope in securing justice for the unresolved deaths and disappearances, including those of the journalists Ahmed Rilwan and Yameen Rasheed.

### REGIONAL TRENDS

Media practice continues to encounter strong political headwinds in a region that is home to a fifth of humanity. With it, digital disruption continues to be the great incalculable impact on the directions that journalism will take.

### THE DIGITAL DISRUPTION

Early optimism that the unregulated space for information exchange through the internet and social media would be a force for good, has given way to rising concern about the destabilizing and potentially corrosive role of “fake news” and hate speech. Yet there is very little consensus on the best mode of regulation. Typically, governmental authorities seek to apply a blunt instrument which threatens legitimate exercises of free speech and brings additional jeopardy to established media practices.

The success that media and civil society had in India, in striking down some of the more stringent provisions of the Information Technology Act through invoking the writ jurisdiction of the country's Supreme Court, has been diluted in practice. Observers note that police in different parts of the country are continuing to apply the impugned section of the law, struck down by the Supreme Court, to arrest private individuals and activists.

Amid much official concern, including from India's Election Commission over the spread of fake news, there is a fresh effort to bring “intermediary liability” onto the policy agenda. Civil society has argued against the move, but there has been little

conceptual progress on the matter since it began to be debated actively. There is an ever-present risk that in a context of growing political polarization, the vacuum in policy will be actively exploited in a partisan fashion by those wielding official power.

In Bangladesh, longstanding worries in the media community over the Information and Communication Technology (ICT) Act of 2006 remained unassuaged, with several private citizens and journalists being charged under the dreaded Section 57, which creates severe criminal sanctions for those deemed as posting fake, defamatory or obscene content on any electronic platform. And while this hazard remains, the Bangladesh government added a further layer when it enacted the Digital Security Act in September 2018.

Bangladesh's media community is steadfastly convinced that the law falls foul of constitutional assurances on free speech. As with other such regulatory schemes introduced in recent years, the vice is of overly broad definitions that allow ample room for arbitrary interpretations.

In Pakistan, the Prevention of Electronic Crimes Act performs a similar function, defining offences in such a broad fashion that critical posts on social media and the internet are actively threatened.

The proposal, mooted in February 2019 to create a new regulatory body, the Pakistan Media Regulatory Authority (PMRA) is being viewed with concern. Under the proposed law all media including print, electronic, and social media would be monitored and regulated by this new body.

Sri Lanka, a decade past a brutal civil war, retains special anti-terrorism legislation that incorporates provisions for sweeping measures against media practitioners. After the Easter Sunday attacks on April 21, 2019, this will again be further justified. Though the repeal of this legislation has long been promised, the draft bill introduced to supplant it, has been unpacked and found to be possibly equally dangerous in its implications.

### LEGAL NOOSE TIGHTENS

New civil and criminal codes became operative in Nepal over the year, marking an important milestone since its transition from monarchy to republican democracy in 2008. The criminal code, in particular, is seen by Nepal's journalists to fall seriously short of the constitutional promises on freedom of speech. Some ten problematic provisions have been identified, defining offences that could be punished by up to three years imprisonment that directly impinge upon journalistic practice. Draft legislation on the IT sector imposes registration requirements on social media platforms seeking to operate in the country. Draft rules have also been introduced for public servants that prohibit critical comments on social media and restrain most forms of interaction with the media.

Transparency legislation introduced in India, Pakistan, Bangladesh and Sri Lanka remains indifferently implemented. India, the pioneer in enacting the right to information with one of the most comprehensive laws adopted in 2005, has seen a whittling down of its efficacy through the simple device of delaying appointments to key oversight bodies.



Massive street demonstrations occupied Bangladesh in 2018 and 2019 as journalists found themselves in the firing line of both police, protesters and political cadres. Bangladeshi students block a road during a major protest in Dhaka on March 20, 2019. The protests were Bangladesh's biggest anti-government protests in decades. CREDIT: MUNIR UZ ZAMAN / AFP

Afghanistan too has introduced new transparency legislation, designed according to best available templates. But in a situation of institutional weakness, it is not yet clear how effectively the new law will be operationalized.

Litigation against the press by political and business actors continues to be a way of silencing critical reporting and commentary. With judicial systems in most countries remaining ponderous and slow-moving, the process of securing discharge in these matters has turned out to be punishment in itself.

Where political conditions were unsettled, the toll on journalistic practice was heavy. After its most recent general election, Bangladesh has become effectively a single-party state. Opposition leaders have been imprisoned and the national parliament continues to function with no challenge to the government's writ.

### WOMEN RISE

Across the region, gender equity entered the public discourse with a bang. Women in the entertainment and media industry in India, Pakistan and Nepal dramatically broke the silence on sexual harassment at the workplace and added their voices to the global #MeToo movement. The media gave much-needed visibility to the spontaneous mobilization of women across several cities in Pakistan in March, demanding labour rights, workplace safety, reproductive rights and their rights as citizens. Sustaining this upheaval was the steady work of capacity building to strengthen women's leadership and effective participation in democratic processes.

### POLITICAL CHURNING

Journalists in India have found themselves increasingly targeted by bitter partisanship, notably from the ruling party at the centre, whose footprint has expanded significantly over the

past five years. With a seemingly well-organized campaign, the ruling party has also seemingly succeeded in driving a social media campaign toward its cause, placing journalists who adopt a critical attitude at great risk of abuse, too often going as far as threats of physical and sexual assault.

Social ferment in Bangladesh occasionally does break out in mass demonstrations, often triggered by seemingly minor incidents. After one such youth-led outbreak during the year, the government chose the time-honoured response of blaming the messenger, imprisoning a photojournalist with a global profile on charges of inciting the demonstrations.

In Pakistan, the arrival of a new party – believed to be more amenable to the country's powerful military establishment – brought its own pangs of transition. Social movements and civil rights campaigns are in disfavour and media professionals who speak up for them have to brave serious threats. Political actors are believed to engage in certain coercive techniques to enforce the writ of the new power-holders on media houses. The continuing shakeout in Pakistan's media industry and the massive loss of jobs resulting from an across-the-board downsizing by media houses, added to the woes of media professionals in the country.

Sri Lanka witnessed a major breach within the political alliance that toppled the regime that had fought the country's civil war through to a brutal victory in 2009. The rift between the President and Prime Minister restored the old regime to power, bringing back memories of triumphalism and majoritarian bullying. Media houses felt the pressures almost instantly, with the new Prime Minister sworn in by a presidential coup seeking to impose his writ, especially on state-owned outlets. The regime however, was unable to muster the parliamentary numbers to survive, and soon bowed out after weeks of uncertainty and turmoil.

Afghanistan's transition to a lawfully ordered democracy



## THE NEWLY-ELECTED PRESIDENT OF THE MALDIVES HAS PROMISED TO RESPECT PRESS FREEDOM AND TO REVERSE THE KIND OF INSTITUTIONAL DISARRAY THAT CHARACTERIZED HIS PREDECESSOR'S TERM.

continues to be beset by violence and strife. The postponement of national elections and the tortuous process of negotiation with the main insurgent group continue to create uncertainties. Afghanistan's media, however, continues to expand, despite constant threat of violence. Efforts have been made by media organizations and journalists' groups to raise the issue on global platforms. The government too has been making an extra noted effort to ensure better conditions. But in an unsettled situation, the challenges are unlikely to fade very soon.

The tiny Himalayan kingdom of Bhutan held its third general election in September 2018, bringing in a new party with a liberal platform. The country of less than a million people was best known for its celebration of the idyllic life and relative disregard for the symbols of material progress. But it is today having to reckon with several among the pressing problems of the mundane earthly existence. The media has a very small presence in the country and has been rapidly overtaken by the mobile phone and internet-based platforms as means of information exchange. This has also brought the attendant problem of ensuring the authenticity of news flows. In a country where the urban elite of the capital, Thimpu, is virtually a face-to-face community, this has significant implications for social cohesion. Meanwhile, journalists in Bhutan are working on building media awareness so that alternative and more credible modes of

information exchange can be established.

The Maldives in September 2018 ousted a president who ruled since 2013 in an increasingly authoritarian fashion, clamping down on independent media in the process. The newly-elected president of the Maldives has promised to respect press freedom and to reverse the kind of institutional disarray that characterized his predecessor's term. Yet memories still persist of how the Maldives's democratic transition of 2008 was set back within a few short years by a growing acrimony between the country's main political parties. The mood of hope was considerably buoyed by the victory of the Maldives Democratic Party in elections to parliament that followed early in 2019. In the South Asian region, that was perhaps the only unequivocal bright spot.

May 3, 2019

Malé traffic was interrupted by chants on April 23, 2018, as about 200 people marched across the main thoroughfare in the capital of the Maldives to mark two years since the brutal murder of blogger Yameen Rasheed. Amid renewed hope for answers, new President Ibrahim Mohamed Solih marched in solidarity with the parents of Yameen and missing journalist Ahmed Rilwan. After taking office in November, 2018, President Solih formed the Commission to investigate murders and enforced disappearance that occurred between January 1, 2012, and November 17, 2018 in the country.

CREDIT: AIMAN RASHEED / MALDIVES INDEPENDENT



## INDIA-PAKISTAN

# POLARIZATION AND PROSPECTS OF PEACE

There have never been as many media outlets and forms of media in India or Pakistan as there are today — or as much push for freedom of expression and information, and its counterpoint, various forms of censorship.

The addition of digital and web initiatives to the traditional print and broadcast media landscape, and rise of social media platforms, has added to the complexity of the picture. Today, growing numbers of social media users exercise increasing influence on all forms of media and public discourse in South Asia.

The English-language media, with its global reach, has generally upheld more progressive values, while local-language media tended to be more reactionary. However, these generalizations do not accurately reflect the entire picture now.

One reason the English language media in Pakistan has in the past been allowed a relatively free rein is its value as window dressing. Allowing a certain amount of freedom to this media shows the world how much press freedom Pakistan has.

But in recent years, the English-language media has become the site of the war of narratives particularly online, with organized efforts behind dozens of 'news and analysis' websites. About 25 dubious websites related to current affairs in Pakistan use the same font for their logos and masthead, says a journalist who runs his own independent news website. These websites list no contact

Pakistani civil society activists carry placards during a peace rally in Islamabad on February 28, 2019, after the announcement of the release of a captured Indian pilot in a "peace gesture", taking a step towards rapprochement as clashes between the nuclear-armed rivals ignited fears of a disastrous conflict. CREDIT: AMIR QURESHI / AFP

details or any credible names among their editorial staff.

The narrative peddled in these websites is echoed in hundreds if not thousands of Facebook pages and Twitter accounts, that engage also in trolling and abusing progressive journalists and analysts. In March 2019, Facebook removed hundreds of pages from India and Pakistan that exhibited "coordinated inauthentic behavior and spam". Around 200 pages that were pro-BJP (the Bharatiya Janata Party which heads the Indian government) were removed in Facebook's largest purge in India in early April 2019.

Polarization within and between various forms of media reflects the cleavages within society as well as across borders. The online chatter does not always reflect reality even as it dominates the narrative.

## MISSING FROM THE MAINSTREAM

Journalists have long been aware of the main no-go areas for mainstream media in Pakistan. These include national security and religion. Over the past years, a certain level of critical analysis had increasingly crept into mainstream as well as social media. The backlash from those who control the narrative has been severe. There are red lines which may not be crossed. These lines keep changing.

A case in point is the near total media blackout of the Pashtun Tahafuz Movement (PTM, or the Movement for the Protection of Pashtuns) that developed from protests against the extrajudicial





murder of a Pashtun youth, Naqeebullah Mehsud, in Karachi in January 2018. He and his family were among the 1.5 million Pakistanis internally displaced by military operations against militants in Pakistan's north-west since 2004.

Had it not been for social media, Naqeebullah Mehsud's death may well have been just another of the over 3,000 such targeted killings of suspected militants by security forces around the country since 2015. Rights activists have been calling for transparency and accountability around these deaths, but security forces have not allowed any independent verification, including by journalists. When Naqeebullah Mehsud's friends and followers took to social media in outrage against his murder, it became quickly obvious that the youth was an aspiring model and actor, not a militant.

The injustice sparked a movement that has drawn hundreds of thousands at peaceful demonstrations throughout the year around the country. Protestors, smartphones in many hands, are demanding an end to the racial profiling and extrajudicial killings of Pashtuns, stereotyped as 'Taliban'. The large presence of women at these demonstrations has also broken social taboos against gender segregation.

The PTM's demands for constitutional rights directly challenge Pakistan's powerful security establishment. But they have been consistently blocked from the mainstream media. In contrast, in the run up to general elections in July 2018, former cricket hero-turned politician Imran Khan, widely seen as an establishment favourite, got hours of advertisement-free coverage for his electoral rallies and speeches.

Journalists, blocked from reporting on these matters in their media outlets, took to social media to share information. Without social media, "the movement would not be possible", acknowledged PTM leaders.

The rapid rise of social media in Pakistan (with 17 percent internet penetration, growing fast) and mobile phone subscribers (over 70 percent) makes television coverage (73 percent) less crucial than before. Censorship violates the people's right to know, as a statement endorsed by over 100

Lack of transparency around security issues, selective broadcast of news, social media and the 24/7 media beast had dire consequences for peace and democracy in South Asia, particularly between India and Pakistan as war mongering escalated. Family members and villagers carry the coffin of Central Reserve Police Force (CRPF) trooper Sukhjinder Singh at Gandiwind village on February 16, 2019. CREDIT: NARINDER NANU / AFP

journalists in April 2018 stressed. "Beginning with a crackdown against select media groups and banning the broadcast of various channels, there now is enhanced pressure on all media houses to refrain from covering certain rights-based movements. Media house managements under pressure are dropping regular op-ed columns and removing online editions of published articles. One media house even asked its anchors to stop live shows. There is growing self-censorship and increasingly, discussions on "given news" rather than real news, violating the citizens' right to information," said the statement.

The case of the small but fast-growing digital platform Naya Daur (New Age) illustrated the clampdown on narratives other than the 'approved' one, and the obfuscation of whatever entity or entities are behind the censorship.

When *The Nation* dropped weekly columnist Gul Bukhari's op-ed about PTM she sent it to Naya Daur's editor, Raza Rumi who has been based in the US since escaping a murder attempt on his life in 2014. Naya Daur, which was also sharing other PTM-related material, posted Bukhari's piece on April 16, 2018. The website was subsequently blocked in Pakistan for a week (April 21-28, 2018). The Pakistan Telecom Authority as well as the country's largest internet provider, the semi-private Pakistan Telecommunication Company Limited, denied responsibility. Mobile phone users subscribing to the service provider Wateen, as well as Chinese provider Zong, could also not access the Naya Daur website.

Even after two of PTM's leaders were elected to Parliament, organized campaigns on social media and television continued to vilify the movement's leaders and supporters as "traitors" and "foreign agents" – a common tool against anyone countering the establishment narrative. Attempts to derail

**PROTESTORS, SMARTPHONES IN MANY HANDS, ARE DEMANDING AN END TO THE RACIAL PROFILING AND EXTRAJUDICIAL KILLINGS OF PASHTUNS, STEREOTYPED AS 'TALIBAN'. THE LARGE PRESENCE OF WOMEN AT THESE DEMONSTRATIONS HAS ALSO BROKEN SOCIAL TABOOS AGAINST GENDER SEGREGATION.**

PTM's demonstrations included police picking up activists and confiscating pamphlets in Lahore and Karachi. Each time, social media reactions contributed to the activists being released.

Narrative-controlling attempts are also visible at educational institutions. In April 2018, an open letter signed by nearly 300 academics listed four "separate but related instances of repression" at campuses in various cities between April 12 and April 13, 2018, termed as "part of a wider trend that stifles critical thinking and discussion on university campuses".

The result is an overall stifling of dissent and restriction of spaces for free expression.

## WAR-MONGERING POST-PULWAMA

Lack of transparency around security issues and selective broadcast of news related to such issues allows only certain narratives to reach the public. The 24/7 media beast and social media users tend to cherry pick the most sensational and outrageous comments and hype them up. This has dire consequences for peace and democracy in South Asia, particularly between India and Pakistan.

The Indian mainstream media is largely filled with war-mongering, frothing-at-the-mouth television anchors and screaming headlines based on political statements supporting a hate-filled rhetoric. This gives the impression that the entire country supports these views. Such elements are visible in the Pakistani media too, but the commentary has on the whole been far more temperate for some time now.

The violent narrative that overwhelms public discourse leaves little space for reasonable voices or any nuance or positivity. Yet many on the ground engaged in work that generates positivity continue to do that work, for example in the areas of health, education, peace-building and empowerment of marginalized communities. Their efforts rarely make the news.

The suicide attack on a military convoy in Pulwama in India-administered Kashmir in February 2019 marked a low point in media coverage of the fraught relations between India and Pakistan. Post-Pulwama, public narratives in India and Pakistan were exceedingly polarized. Newspapers, TV channels, websites and social media timelines were filled with glorifying and justifying actions of the "home team" as it were. Those attempting to question these narratives were subjected to a barrage of abuse and accusations of being 'traitor'.

The lack of transparency on both sides of the border makes it difficult to know what really happened in a conflict situation. When soldiers or civilians are injured or killed in ceasefire violations at the Line of Control in the disputed region of Kashmir, the governments and media of both Pakistan and India only report their own side's casualties. Both claim "unprovoked" firing from across the border.

## THE POSSIBILITIES OF PEACE

Trolls and those pushing fascist, violent agendas have taken to social media in an organized way. Recognizing its value, they are using it effectively to push their narratives in the public domain. Many are paid to do this. As they do so, they create space for those who agree with their views to come online and publicly say what was unacceptable before.

These paid online armies and their associate volunteers are crowding out the original promise of social media – more space for pluralism, peace, and democracy. But the original dream is also still very much alive, even if those upholding it are not as well-organized or paid.

According to Facebook data on how many users formed friendships daily across three conflict zones, 2,604,986 Facebook users from India and Pakistan connected as 'friends' on March 4, 2018. The average for India and Pakistan, going by numbers updated daily, was around 2,500,00 on pretty much any day. This indicates at least a level of curiosity if not aspirations for peace and friendship across borders, that social media platforms provide space for.

An unprecedented – perhaps globally – example of cross-border media cooperation with a specific agenda for peacebuilding that continues to be a platform for such aspirations is Aman Ki Asha (Hope for Peace). The two large media groups behind it, Jang Group of Pakistan and the Times of India (TOI), that launched it on 1 January 2010 may have lost interest in this initiative over the past few years but it continues to be a good example of reporting about a cause - journalism combined with peace activism.

For the first few years, Aman Ki Asha music and literary festivals, economic symposiums and seminars discussing strategic issues, were organized in cities around India and Pakistan. The Jang Group and TOI reported on these events in their newspapers, sometimes as full-page supplements; the Jang Group's Geo TV also broadcast reports about these events. Often other media, however, chose not to cover such events as most publications then would not name or promote any activity by their professional rivals.

In Pakistan, the Jang Group also published a weekly Aman Ki Asha page in its English and Urdu papers until 2014. The printed pages were dropped due to commercial and other pressures, but the editor continues to curate, commission, and edit material for the website from where it is shared to the Aman Ki Asha social media accounts and beyond.

The platform has, since its launch, consistently provided a space for "peacemongers" in the region. Young people often message the Facebook page with initiatives and ideas that Aman Ki Asha takes up and works with editorially. The content produced for the website and in the social media platforms helps counter the jingoism and war rhetoric played up by the mainstream media.

On April 3, 2019, when actor Bushra Ansari released 'Gawandne, Gawandne' (Punjabi for female neighbour) a music video based on a peace poem by her older sister Neelum Bashir, Neelum asked a young friend in India (who actually started and manages her other actor sister's fan page) to share it with Aman Ki Asha on Facebook. The video was also posted to its Twitter feed and shared in the AKA group by countless members. The song, performed as a duet between two neighbours separated by an insurmountable wall went viral, forcing the mainstream media to take it up.

The video's popularity in India and in Pakistan cuts through the political rhetoric against either country. This is just one indication of the people's aspirations for peace and good relations between the two countries, drowned out by the din of warmongering dominating the airwaves and social media, but still alive and kicking.





On March 8, 2019, Pakistani women's rights activists in Islamabad carry placards and shout slogans during an "Aurat March". Thousands participated in "Aurat March" or women's rallies under the banner 'hum auratein' or we women, in several cities of Pakistan to demand equality, reproductive rights, economic justice, better working conditions and climate justice. The backlash was instant, with organizers facing rape and death threats online. CREDIT: AAMIR QURESHI / AFP

## ONLINE HARASSMENT

### THE FRAUGHT DIGITAL SPACE

As many countries in South Asia struggle to stabilize their democracies, the fourth pillar - the media - appears shaky. Media systems are changing drastically amidst tumultuous economic, political and social transformation in South Asia, the most populous region in the world with close to two billion people.

Due to rising incomes coinciding with falling prices of technology, more and more South Asians are connected to the internet. Social media is having an increasing impact on news dissemination, and, in many cases, news generation as well.

When diverse sets of people begin to use technology - which is at once empowering and disempowering - the effect on legacy media is towering. The past year has seen an increase in hate speech online, journalists have been attacked, bloggers threatened and trust in legacy media is at an all-time low.

While these are global trends, South Asia has specific features.

### MAINSTREAMING 'FAKE' NEWS IN INDIA

In mid-2019, India will organize and participate in the world's biggest electoral exercise. About 875 million voters are eligible to cast their votes in the Indian general elections; more than the entire population of Europe.

In order for the people to choose their representatives wisely, free flow of factual information is a prerequisite. However, in a world driven by the internet, as media theorist Marshall McLuhan famously said, "the medium is the message".

In the 1960s, radio was the main medium for election campaigns. 1980s changed that to television. In the following decade, we saw private TV news channels mushrooming and now, India will be fighting what could be its first full-fledged "WhatsApp elections".

Arguably, social media, and more specifically, WhatsApp, "mainstreamed" fake news.

Facebook and WhatsApp have an approximate user base of 300 and 200 million users respectively. This is more than 50 percent of the total number of voters in India. Even though television has

a greater reach, the messaging cannot be controlled as easily. No wonder then that most political parties and allied organizations want to approach potential voters through social media.

In the 2014 general elections, the Bharatiya Janata Party (BJP) now in power at the centre, was credited for skilfully using the medium to its benefit. This time around not only has the opposition woken up to the advantages of WhatsApp but the company has also been making noises about creating a level playing field. WhatsApp rolled out many initiatives to curtail misinformation in India. In September 2018, it hired its first grievance officer for India, ahead of the general polls.

But little has changed.

According to data gathered by IndiaSpend, a data journalism initiative, between January 1, 2017, and July 5, 2018, 33 persons were killed in India and at least 99 injured in 69 reported cases of violence sparked by rumours of illegal cow trade, or suspicion of child-lifting circulated on social media, particularly WhatsApp.

During elections when the flurry of messages increases, there is a fear of greater violence.

Therefore, the job of the journalists has significantly changed from being news gatherers and processors to that of "fake news spotters". News websites, run by teams of journalists and technology experts, such as AltNews, Boom FactCheck and Check4Spam are attracting more and more funding and gaining in importance.

Discerning editors in newspapers and television channels are also required to filter incorrect news. But in an age when Twitter is setting news trends, not many editors do so.

Another significant outcome of the widespread prevalence of "fake news" is the chipping away of trust in mainstream media. TV news in India, funded largely by political parties or big businessmen aligned to political parties, is considered to carry a definite bias. Newspapers face a similar perception.

For instance, when India and Pakistan came to the brink of war in February 2019, a "fake news race" began on TV channels of both countries. AltNews reported that several Indian outlets had posted a video clip of a Pakistani jet from 2017, presenting it as

**THE BJP-LED CENTRAL GOVERNMENT PROPOSED TO EMPLOY A "SOCIAL MEDIA ANALYTICAL TOOL", WHICH WOULD CREATE "DIGITAL PROFILES" OF SOCIAL MEDIA USERS. IN A DOCUMENT RELEASED BY THE MINISTRY OF INFORMATION AND BROADCASTING, THE GOVERNMENT ADMITTED TO USING THE "DIGITAL PROFILES" TO "NEUTRALIZE NEGATIVE SENTIMENTS ABOUT GOVERNMENT SCHEMES"**

footage of the current air strike. The following day, Pakistani TV channels shared old footage of a crashed Indian jet from Jodhpur. They also used an old photo of an injured aerobatics air force pilot from Bangalore and claimed he had been taken hostage.

Even when the two nuclear nations came close to war, TV channels did not show any responsibility, instead further whipping up the hysteria and war-mongering. So, when people turn away from television news, they turn to social media. And platforms like WhatsApp add to "confirmation bias", or the "tendency to interpret new evidence as confirmation of one's existing beliefs or theories."

The rise in fake news is also closely linked to the harassment of journalists online.

### ABUSE OF JOURNALISTS ONLINE

In India, social media has accentuated the with-us or against-us narrative, dividing citizens into clear compartments of "patriots" and "anti-nationals". Most dissenters online are bombarded with vile messages.

Senior Executive Editor of NDTV and prime time anchor, Ravish Kumar and Abhisar Sharma, both well-known journalists with high professional credibility, also attracted the ire of the troll armies. There has been no complaint made in these cases, and no arrests made.

Ravish Kumar publicly shared screenshots of a few foul text messages out of the hundreds he receives. Several groups that call themselves "patriotic" and "nation loving" believe that Kumar's journalism is a threat to India's cultural past and its bright future. His reports on farmers distress, national security and the right to dissent have all been attacked by right-wing groups.

In February 2019, Kumar wrote about abusive text messages he was bombarded with. "Profanity in the name of patriotism

is free-flowing", he said in a piece he wrote on NDTV's website. Writing about members of such fundamentalist groups, he pointed out that "their wanton use of profanities involving the genitalia of mothers and sisters clearly reflects their infinite hatred towards women."

No doubt then that the situation is worse for women journalists.

In 2017, Gauri Lankesh was shot dead in her home, allegedly by members of fundamentalist organizations as they disagreed with her views on Hindu extremism. She had been on the receiving end of threats for months before she was murdered.

In 2018, Indian journalist Rana Ayyub's image was morphed on a pornographic video and distributed in many networks. Ayyub had tweeted against the killers of Gauri Lankesh.

By Ayyub's own admission, she changed 52 SIM cards in a year in order to avert trolling and doxing. One SIM card a week. She contends that her anti-fundamentalist views were unfairly targeted to keep her from doing her journalism.

Ayyub is known for her self-published book titled *Gujarat Files: Anatomy of a Cover Up*, on the excesses of the BJP government during the 2002 Gujarat riots, in which scores of Muslims were targeted and killed. In April 2019, a coalition of more than dozen leading news organizations called the One Free Press Coalition released a list of 10 journalists threatened for pursuing the truth across the world. Ayyub was one of them.

Ayyub is not the only woman journalist in India to be targeted. In February 2019, journalist Barkha Dutt had lodged several police complaints in Delhi saying she received lewd photos on her phone. The abuse came after she offered to help Kashmiris who were being harassed in some parts of the country in the aftermath of the suicide attack in Kashmir's Pulwama district which killed over 40 Indian army personnel. Many Kashmiris across the nation were targeted on suspicion of supporting the anti-India militancy in the valley.

On February 18, four days after the Pulwama attack, the veteran TV anchor Barkha Dutt posted a tweet that read: "Deluged with what's app (sic) messages since yesterday that are abusive and threatening. Seems an organised hate campaign against some of us.

Facebook and WhatsApp have "mainstreamed" fake news in India and journalists are increasingly the targets of abuse for being "anti-national". Journalists targeted included Abhijit Iyer-Mitra (pictured right), Ravish Kumar, Abhisar Sharma, Rana Ayyub and Barkha Dutt.







Indian journalists Abhisar Sharma and Barkha Dutt and Pakistani journalists Asma Shirazi, Rameeza Nizami, Ravish Kumar (pictured right) and Marvi Sirmed were among those targeted online.

One sender confirms my mobile number being circulated in groups. @DelhiPolice bringing this to your attention". Three days later, Dutt filed a criminal complaint (called the First Information Report or FIR under Indian criminal procedure) against partly identified persons who had been persistently trolling and harassing her. In her complaint, Dutt alleged that she appeared to be "victim of some fake news propaganda". Her number had "been shared on all social media platforms" following which she had been the recipient of grossly morphed pictures and "sexually abusive text messages".

Mid-March, four individuals were arrested on charges of stalking Dutt, physical threats and intimidation under sections of the Indian Penal Code and the Information Technology Act. Three of the four were released on bail after a hearing while one was remanded to two weeks in judicial custody.

According to Dutt's tweet, she had registered complaints against ten more phone numbers from which she received lewd messages. It is not yet clear that prosecution of the case involving Dutt will be taken to a stage where it could deter future trolls. Reacting to the arrests, Amar Devulapalli, president of the IFJ-affiliated Indian Journalists' Union, called for tracing out the "real power" behind the attacks on journalists, since the individuals arrested were most likely "just foot soldiers" of more powerful "persons and organisations".

Journalists in Pakistan face similar threats and abuse online. Women journalists in Pakistan are called 'prostitute,' 'slut,' whore,' and 'lifafa journalist,' which in Urdu refers to journalists who take bribes to serve a political or corporate agenda.

Last year, journalist Asma Shirazi faced vitriolic comments online after she interviewed Pakistan's ousted prime minister Nawaz Sharif (now in jail on charges of corruption).

Rameeza Nizami, publisher at the Nawa-e-Waqat group faced online abuse early last year, for sacking journalists from her publications. While the protests against sacking of journalists is not questioned, she should not have received vile tweets. And in June, BBC Urdu journalist Iram Abbasi faced vitriolic tweets for many weeks.

"We have observed that majority of these trolls are supporters of political parties and political leaders" says a Coalition for Women in Journalism report.

In June 2018, *Daily Times* correspondent Marvi Sirmed's house was ransacked and searched when the family was away. Her laptops and smartphones were taken away. A few months later, Facebook posts called for crowd support to kill her.

Facebook took down the posts after many complaints from across the world. However, Sirmed said that she identified one of the accounts as that belonging to a member of the students' wing of the ruling Pakistan Tehreek-i-Insaf party.

On International Women's Day this year, "Aurat March" or a

Women's March was organized by several feminist organizations in Pakistan across seven cities to raise awareness about women's issues. In an irony that is typical to South Asia, organizers and participants of the demonstration for the rights of women, were threatened with rape and acid attacks.

The organizers compiled a list of abusive messages from 22 social media accounts and complained to the Federal Investigation Agency of Pakistan. The Agency is yet to take action.

The situation in Bangladesh is as bad. Journalists and other activists are threatened with arrests and detentions for the comments they make online.

Since the internet boom in the country, dissenters have taken to blogs to articulate their dissatisfaction with the system. Since 2015 the country has been infamous for a slew of murders of bloggers by vigilante organizations and irate fundamentalists.

Enacted in 2006 and amended in 2013, the Information and Communication Technology Act of Bangladesh is discredited for making free speech on the internet a myth.

A Human Rights Watch report reads "between 2013 and April 2018, the police submitted 1,271 charge-sheets against journalists and citizens, most of them under Section 57" of the ICT Act.

Popular actress Quazi Nawshaba Ahmed and photographer Shahidul Alam were arrested under Section 57 for comments they had made online on the massive student protests for "safe roads".

The situation is no less sinister for traditional media. One of the country's largest circulated Bengali newspapers, *Prothom Alo*, has faced more than 100 criminal cases (of sedition and defamation) against its staff since 2013. A majority of these cases have been filed against the reports they published in the newspaper and their online websites.

## THE RISE OF ONLINE HATRED

The anonymity offered by the internet is well-suited to spread hate online. The rise of vile, offensive comments online has pushed governments to legislate on online hate speech.

The question is, how do online platforms and the government propose to curb hate speech?

In many cases, there is no consensus on what constitutes hate speech. In an article in 2017, Richard Allen, Facebook's Vice President for Public Policy, explained the platform's definition of hate speech as anything that directly attacks people based on their "protected characteristics" of race, ethnicity, religious affiliation, sexual orientation, national origin, gender, gender identity, disability or disease.

According to Section 79 of the IT Act in India, social media platforms and internet service providers are not held liable for hate speech online, until they are made aware of such content.



Once they are made aware of hate-filled content, they are required to take action. However, in 2019 draft rules to the IT Act were proposed, which are considered to be a body blow to online free speech in India. If the amendments are passed, online platforms would be required to deploy automated tools to ensure that information or content deemed "unlawful" by government standards doesn't appear online.

The requirement of automated tools is bad enough, but what is worse is that the Indian government has not defined what it considers "unlawful". Therefore, the chances of online platforms carrying out self-censorship in order to not rub the law the wrong way would be high.

For instance, Netflix and eight other streaming platforms voluntarily banned content that "deliberately and maliciously disrespects the national emblem or national flag," outrages "religious sentiments of any class, section, or community," "promotes or encourages terrorism and other forms of violence against the State (of India) or its institutions," as well as content that Indian courts have prohibited, including anything that depicts children engaging in sexual acts.

The government claims that the primary motivation to propose such amendments is to curb "fake news" shared on platforms such as Facebook and WhatsApp.

In Sri Lanka, religious riots between the Buddhist communities and Muslims in the central province, close to the city of Kandy, were sparked off by false WhatsApp messages of Muslim aggression.

In March 2018, anti-Muslim mobs poured out on the streets of Digana village in the Central Province, raiding shops owned by Muslims, killing two people and injuring several others in the process. The violence was triggered after Sinhalese Nationalist Groups posted videos on their Facebook accounts drumming up fear about the supposed threat posed by Muslim communities.

India has seen its share of violence due to false information being circulated online. In recent years, India saw an explosion in telecommunications - both mobile phones and the reach of the internet. Therefore, a large chunk of the people are first time mobile users.

Amnesty International India's website 'Halt the Hate' has documented more than 600 incidents of mob lynchings and hate crimes against members of marginalized groups. A majority of these are induced by false messages being circulated on platforms such as WhatsApp.

Indian commuters pass a billboard advertising Facebook's "Live What You Love" campaign in Bangalore on March 22, 2018. On March 21, India warned Facebook of "stringent" action for any attempt to influence polls by allowing data theft. CREDIT: MANJUNATH KIRAN / AFP

## ONLINE CONTROLS

As India moves towards tighter regulation and control of the digital space, the Indian government has used blatant methods to curb free speech online.

According to FreeSpeechCollective, "In 2018, 16 persons were arrested, while seven were booked and one detained, for expressing their dissent on social media platforms."

Journalist and social commentator Abhijit Mitra-Iyer was arrested for uploading videos on Facebook that allegedly denigrated the culture of the state of Odisha in eastern India.

An actress from the southern state of Tamil Nadu was arrested for speaking out against police firing that killed 13 protestors in Thoothukudi village, when they were protesting against mining by Vedanta-Sterlite company.

In addition to arrests, India tries to control internet content by starving people off the medium itself. In 2018, India had the highest number of internet shutdowns in the world. By some estimates, Indians in different parts of the country didn't have access to the internet for one third of the year.

Surveillance is not far behind. In 2018, the Information and Broadcasting Ministry proposed a "Social Media Monitoring Hub", which would take appropriate action against anti-government messages.

According to a PEN report on media freedoms, "the BJP-led central government proposed to employ a "social media analytical tool", which would create "digital profiles" of social media users. In a document released by the Ministry of Information and Broadcasting, the government admitted to using the "digital profiles" to "neutralize negative sentiments about government schemes".

The proposal, thankfully, was withdrawn after a public outcry.

Since the internet is the furthestmost human civilization has reached to theoretically achieving absolute free speech, it is bound to invite harsher responses of surveillance and repression. Since all the South Asian countries are attempting to move forward in the path of democracy, they would do well to resist the urge to limit free speech.



# INTERNET SHUTDOWNS

## THE NEW NORMAL

Internet shutdowns are becoming increasingly common in South Asia – especially in India, Pakistan and Bangladesh. Again, South Asia witnessed the highest number of internet shutdowns globally, with India earning the dubious crown for the country with the highest number of internet shutdowns.

A broad term that includes ‘any intentional disruption of the broadband or mobile internet or internet-based mobile apps, internet shutdowns usually come by order of the authorities or under threat of a non-state party, to control communication or online content or slowing down the access to general public’.

But this digital means of control also has a massive economic cost. NetBlocks, which monitors the internet blocks globally, has developed a Cost of Shutdown Tool to estimate the economic impact of an internet disruption, mobile data blackout or app restriction. According to the tool, the economic cost for total internet shutdown for 24 hours for Pakistan is equivalent to USD 65 million, for Bangladesh it is USD 63 million and a whopping USD 1 billion for India.

The blocking of internet or digital communications also impedes the work of journalists and flow of information 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.

As well as being a threat to fundamental human rights, restricting citizens’ rights to express, opine, know and access information, shutdowns or online controls are now becoming a new normal as states are increasingly use the ‘precautionary security measure’ as an excuse to implement blocking citizens’ rights. A recent example is the rapid blocking of social media platforms like Facebook, WhatsApp and Instagram immediately after the deadly bomb blasts in churches and high-end hotels in Sri Lanka on Easter Sunday, April 21, 2019, that left more than 350 people dead. Authorities said that the block was imposed to curb the spread of inflammatory messages and ‘fake’ news.

During the period under review in this report (May 2018 to April 2019), South Asia experienced at least 106 recorded shutdowns of various magnitudes. India alone shut down its internet – mostly at state or district level – as many as 96 times, while Pakistan had at least six reported instances, and Bangladesh three.

Many shutdowns are either pre-emptive or reactive measures in the face of mass or potentially violent public protests or actions.

The volatile Indian state of Jammu and Kashmir experienced 67 shutdowns. Clamping down on communications generally followed military operations in which militants or civilians were killed.

Most shutdowns last for a day or a few days, except a number which lasted up to two weeks. In Pakistan, mobile internet services have been throttled since February 2017 with 3G/4G mobile internet services frequently suspended in Kech district of Balochistan for ‘security reasons. The flow-on impact is that 900,000 residents of this area have been affected.

Pakistan did not, however, close down its internet space for its general election on July 25, 2018, despite widespread apprehensions. India too, did not shut down the internet in the early phases of the general elections that began on April 11, 2019.

Despite the 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.



A Pakistani Sunni Muslim spits fire during an Ashura procession in Karachi on September 21. The ten-day period of mourning is in remembrance of the seventh-century martyrdom of Prophet Mohammad's grandson Imam Hussein, killed in the battle of Karbala in modern-day Iraq, in 680 AD. It was also the subject of a Pakistan government shutdown of mobile internet in the country on September 19. CREDIT: RIZWAN TABASSUM / AFP

South Asia is at a critical juncture when it comes to freedom of expression online. Many countries in the region have introduced laws or regulations that criminalize expression online or legalize internet shutdowns. India, for example in 2017 introduced rules for the procedures to follow for internet shutdowns, but media reports suggest that most states block services without following the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017.

Since 2017, the IFJ and the South Asia Media Solidarity Network (SAMSAN) have flagged internet shutdowns as a major issue in the region that has a deep impact on freedom of expression. Journalist associations affiliated to IFJ and SAMSAN have monitored internet shutdowns around the region and advocated against it.

**AUTHORITIES IN SRI LANKA  
SAID THAT THE BLOCK WAS  
IMPOSED TO CURB THE  
SPREAD OF INFLAMMATORY  
MESSAGES AND 'FAKE' NEWS**



NetBlocks.org  
@netblocks

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Update: Facebook, WhatsApp, Instagram, YouTube, Viber, Snapchat and Messenger have been blocked in #SriLanka over 24 hours following yesterday's deadly attacks. VPN service Tunnelbear's website is now also restricted #EasterSundayAttacksLK #KeepItOn



[netblocks.org/reports/social](https://netblocks.org/reports/social) ...

country	hostname	platforms	status	last update	reachability	lat
Sri Lanka	SL7907-AS-AP Sri Lanka Telecom Internet, L.R.	whatsapp	DOWN	2019-04-22	0%	814 ms
Sri Lanka	DIAL-200-AS Dialog Lanka P.L.C., L.R.	whatsapp	DOWN	2019-04-22	0%	4 s
Sri Lanka	SL7907-AS-AP Sri Lanka Telecom Internet, L.R.	facebook	DOWN	2019-04-22	0%	558 ms



NO.	DATE	COUNTRY	STATE	AREA	DAYS	SERVICE IMPACTED	JUSTIFICATION	DETAILS
<div><div></div><div>INDIA</div></div>								
2018								
1	May 4	India	Uttar Pradesh	Aligarh	1	Mobile internet	Protests	Student riot in Aligarh Muslim University
2	May 5	India	Jammu & Kashmir	South Kashmir	1	Mobile internet	Killing	Killing of seven people in three encounters between militants and security forces
3	May 9	India	Uttar Pradesh	Saharanpur	1	Internet	Killing	Killing of a leader's brother
4	May 6	India	Jammu & Kashmir	Badgam	1	Mobile internet	Attack	Militant attack on police guard
5	May 12	India	Maharashtra	Aurangabad	1	Internet	Communal clashes	Violent clashes between two communities
6	May 12	India	Uttarakhand	Haridwar	1	Mobile internet	Killing	To prevent violence after the murder of a Dalit youth.
7	May 12	India	Jammu & Kashmir	Pulwama	1	Mobile internet	Killing	Killing of an armed security personnel in a gunfight with militants
8	May 19	India	Jammu & Kashmir	Jammu and Kashmir	1	Internet	Security	Visit of Prime Minister Narendra Modi to Leh of Ladakh region
9	May 23	India	Tamil Nadu	Thoothukudi	5	Mobile internet and Internet	Clashes	Violent clashes in which 11 were killed in police firing
10	May 27	India	Jammu & Kashmir	Pulwama	1	Internet	Killing	Killing of a civilian during a rally
11	June 1,	India	Meghalaya	5 districts	13	Internet	Clashes	Clash between two groups of bus drivers
12	June 2	India	Jammu & Kashmir	Srinagar and Budgam	1	Internet	Protests	Violent protests and clashes between protesters and policemen
13	June 6	India	Jammu & Kashmir	Pulwama and Kulgam	1	Internet	Security	Exhumation of bodies of the militants killed in army firing near Line of Control
14	June 8	India	Assam	Guwahati	2	Mobile internet	Killing	Two beaten to death by a mob after rumours of them being child kidnapper
15	June 8	India	Meghalaya	5 districts	5	Internet	Protest	Protest demanding removal of forest committee chairman
16	June 18	India	Meghalaya	7 districts	3	Mobile internet	Protest	Demonstrations in the Khasi Jaintia hills
17	June 18	India	Jammu & Kashmir	Kulgam and Anantnag	1	Mobile internet	Killing	Killing of a youth
18	June 22	India	Jammu & Kashmir	Anantnag, Srinagar and Pulwama	1	Internet	Killing, Security	Encounters between security forces and militants; killing of a civilian and a security force member
19	June 25	India	Jammu & Kashmir	Anantnag, Shopian and Pulwama	1	Internet	Protest	Protest organized by separatist group against civilian killings
20	June 28	India	Tripura	Tripura	3	Mobile internet	Killing	Mobs beat three people to death sparked by false rumours
21	July 7	India	Jammu & Kashmir	4 districts	1	Internet	Killing	Killing of three civilians during firing by security forces
22	July 12	India	Jammu & Kashmir	Kupwara	1	Mobile internet	Killing	Killing of a militant
23	July 14	India	Rajasthan	Rajasthan	2	Internet	Security	Constable recruitment examinations
24	July 20	India	Manipur	Manipur	5	Mobile internet / SMS	Protest	Student protest against Manipur University vice-chancellor
25	July 22	India	Jammu & Kashmir	Kulgam and Anantnag	1	Mobile internet	Killing	Killing of three militants
26	July 24	India	Maharashtra	Aurangabad	1	Internet	Killing	Murder of a policeman during Maratha quota agitation
27	July 25	India	Jammu & Kashmir	Anantnag	1	Mobile internet	Clashes	Encounters between security forces and militants
28	July 26	India	Maharashtra	Navi Mumbai	1	Mobile internet	Information Control	To prevent spreading of misinformation during strike called by Maratha group
29	July 29	India	Arunachal Pradesh	Arunachal Pradesh	1	Internet	Information Control	State civil service examinations
30	Aug 2	India	Jammu & Kashmir	Shopian and Anantnag	1	Mobile internet	Killing	Killing of a civilian and five militants by security forces
31	Aug 5	India	Rajasthan	Rajasthan	1	Mobile internet	Information Control	State public service commission examination
32	Aug 9	India	Maharashtra	Pune	1	Mobile internet	Information Control	To prevent rumours during the Maratha quota agitation
33	Aug 12	India	Jammu & Kashmir	Srinagar	1	Mobile internet	Killing	Killing of a policeman in a gunfight
34	Aug 15	India	Jammu & Kashmir	Kashmir	1	Mobile internet	Security	Independence Day celebration security arrangement





NO.	DATE	COUNTRY	STATE	AREA	DAYS	SERVICE IMPACTED	JUSTIFICATION	DETAILS
35	Aug 17	India	Jammu & Kashmir	Bandipora	1	Mobile internet	Violence	Gunfight between security and militants
36	Aug 18	India	Uttarakhand	Uttarakhand	1	Mobile internet	Information Control, Killing	To prevent rumours after the rape and murder of a 12-year-old Dalit girl.
37	Aug 21	India	Gujarat	Mahisagar	1	Mobile internet	Killing	Funeral of Sajid Hanif Sheikh who died in encounter during a hostage crisis
38	Aug 23	India	Rajasthan	Tonk	1	Internet	Violence	In the wake of violence, internet was suspended along with curfew
39	Aug 24	India	Jammu & Kashmir	Anantnag	1	Mobile internet	Killing	Killing of a militant
40	Aug 27	India	Rajasthan	Udaipur	1	Mobile internet	Information Control	Three hours during the police constable recruitment exams
41	Aug 27	India	Uttar Pradesh	Saharanpur	1	Mobile internet	Clashes	Clash between two communities outside gurudwara
42	Aug 29	India	Jammu & Kashmir	Anantnag	1	Mobile internet	Killing	Killing of two militants
43	Sept 2	India	Rajasthan	Banswara and Udaipur	1	Internet	Information Control, Killing	To prevent misinformation after the murder of 65-year-old and his two sons in a property dispute.
44	Sept 5	India	Madhya Pradesh	Jabalpur	1	Mobile internet	Strikes	Strike called by 35 organizations
45	Sept 8	India	Jammu & Kashmir	Anantnag	1	Mobile internet	Killing	Killing of two militants
46	Sept 11	India	Jammu & Kashmir	Kupwara	1	Mobile internet	Killing	Killing of two militants
47	Sept 12	India	Jammu & Kashmir	Baramulla	1	Internet	Killing	Killing of two militants
48	Sept 15	India	Jammu & Kashmir	Kulgam	1	Mobile internet	Killing	Killing of five militants
49	Sept 21	India	Manipur	Manipur	5	Internet	Protests	Massive student protest against arrest of 80 students and 6 professors of Manipur University
50	Sept 27	India	Jammu & Kashmir	Srinagar, Badgam and Anantnag	2	Mobile internet	Clashes, Killings	Separate incidents of clashes and killings
51	Oct 6	India	Jammu & Kashmir	4 districts	1	Mobile internet	Security	Local body elections
52	Oct 10	India	Jammu & Kashmir	Kashmir	1	Mobile internet	Security	Local body elections
53	Oct 11	India	Jammu & Kashmir	Kupwara	4	Mobile internet	Killing	Killing of scholar-turned-militant Manan Wani in a gunfight with security forces
54	Oct 17	India	Jammu & Kashmir	Srinagar	1	Mobile internet	Killing	Killing of two militants and an aide
55	Oct 20	India	Bihar	Sitamarhi	1	Internet	Clashes	Clash during religious function
56	Oct 21	India	Jammu & Kashmir	Kulgam	1	Mobile internet	Violence	Gunfight between security and militants
57	Oct 24	India	Jammu & Kashmir	Srinagar	1	Internet	Violence	Gunfight between security and militants
58	Oct 26	India	Jammu & Kashmir	Baramulla	1	Internet	Killing	Killing of six militants; shutdown called by separatists
59	Nov 1	India	Jammu & Kashmir	Budgam	1	Mobile internet	Killing	Killing of militants
60	Nov 10	India	Jammu & Kashmir	Pulwama	1	Mobile internet	Killing	Killing of two militants
61	Nov 20	India	Jammu & Kashmir	Shopian	1	Mobile internet	Killing	Killing of four militants and a commando
62	Nov 23	India	Jammu & Kashmir	Anantnag	1	Mobile internet	Killing	Killing of six militants
63	Nov 27	India	Jammu & Kashmir	Shopian	1	Mobile internet	Killing	Killing of six militants
64	Nov 28	India	Jammu & Kashmir	Budgam	1	Mobile internet	Killing	Killing of two militants
65	Dec 3	India	Jammu & Kashmir	Shopian	1	Mobile internet	Security	Search and cordon operation of the security forces
66	Dec 13	India	Jammu & Kashmir	Baramulla	1	Mobile internet	Killing	Killing of two militants
67	Dec 15	India	Jammu & Kashmir	6 districts	1	Mobile internet	Killing	Killing of seven civilians
68	Dec 26	India	Jammu & Kashmir	Pulwama	1	Mobile internet	Security	Search and cordon operation of the security forces
2019								
69	Jan 1	India	Maharashtra	Pune	1	Mobile internet	Security	201st anniversary of the battle of Bhima-Koregoan
70	Jan 1	India	Jammu & Kashmir	Pulwama	1	Mobile internet	Security	Encounters between security forces and militants
71	Jan 8	India	Tripura	West Tripura	2	Mobile internet / SMS	Violence	Six youth injured by bullets during protest
72	Jan 9	India	Jammu & Kashmir	Pulwama	1	Mobile internet	Killing	Killing of a militant
73	Jan 12	India	Jammu & Kashmir	Kulgam	1	Mobile internet	Killing	Killing of two militants
74	Jan 21	India	Jammu & Kashmir	Badgam	1	Mobile internet	Killing	Killing of two militants
75	Jan 22	India	Jammu & Kashmir	Shopian	1	Mobile internet	Violence	Gunfight between security and militants
76	Jan 24	India	Odisha	Kendrapara	1	Internet	Violence	Violent quarrel between two groups of youth a day before.



## TOTAL INTERNET SHUTDOWNS OR ONLINE CONTROLS RECORDED

2017-18	97
2018-19	106

## INTERNET SHUTDOWNS BY COUNTRY

	INDIA	96
	PAKISTAN	6
	BANGLADESH	3
	SRI LANKA	1

A young Kashmiri villager looks at the remains of a house destroyed during a deadly gun battle between militants and Indian government forces in Tral area of Pulwama district, south of Srinagar, on March 5, 2019. Mobile and internet were shut down at least six times in the region during March as a result of the ongoing conflict. CREDIT: TAUSEEF MUSTAFA / AFP

## THE FOUR BIGGEST SHUTDOWNS

DATE	COUNTRY	STATE	AREA	DAYS
01/06/2018	India	Meghalaya	5 districts - East Khasi Hills, West Khasi Hills, South West Khasi Hills, Ri Bhoi, East Jaintia Hills and West Jaintia Hills	13
21/7/2018	Pakistan	Balochistan	Pishin, Killa Abdullah and Mastung	10
21/09/2018	India	Manipur	Manipur	5
11/10/2018	India	Jammu & Kashmir	Kupwara	4

**CLAMPING DOWN ON COMMUNICATIONS  
GENERALLY FOLLOWED MILITARY  
OPERATIONS IN WHICH MILITANTS  
OR CIVILIANS WERE KILLED.**

NO.	DATE	COUNTRY	STATE	AREA	DAYS	SERVICE IMPACTED	JUSTIFICATION	DETAILS
77	Feb 2	India	Jammu & Kashmir	Kashmir	1	Internet	Security	Visit of Prime Minister Narendra Modi
78	Feb 12	India	Rajasthan	Sawai Madhopur	1	Mobile internet	Security	To maintain law and order on the fifth day of agitation over quota in jobs and education
79	Feb 12	India	Manipur	Imphal	1	Mobile internet	Protests	Planned protest against Citizenship Amendment bill
80	Feb 13	India	Jammu & Kashmir	Pulwama	1	Mobile internet	Killing	Killing of two army personnel and a militant
81	Feb 13	India	Uttar Pradesh	Aligarh	1	Mobile internet	Protests, Violence	Altercation between some students and a TV channel over visit by a lawmaker
82	Feb 14	India	Jammu & Kashmir	5 districts	2	Mobile internet	Killing	Suicide attack killing more than 40 security personnel.
83	Feb 18	India	Jammu & Kashmir	Pulwama	1	Mobile internet	Killing	Killing of 4 army personnel
84	Feb 22	India	Jammu & Kashmir	Shopian	1	Mobile internet	Killing	Killing of two militants
85	Feb 23	India	Jammu & Kashmir	Rajouri and Poonch	1	Mobile internet	Violence	Unidentified masked men setting fire on two shops and two vehicles
86	Feb 23	India	Arunachal Pradesh	Itanagar	1	Mobile internet	Security	Tabling of contentious bill on permanent residency
87	Mar 3	India	Jammu & Kashmir	Kupwara	1	Mobile internet	Killing	Killing of a militant
88	Mar 16	India	Jammu & Kashmir	Kulgam	1	Mobile internet	Clashes	Clashes between security forces and militants
89	Mar 19	India	Jammu & Kashmir	Pulwama	1	Mobile internet	Clashes	Clashes following the custodial death of a 28-year-old
90	Mar 20	India	Jammu & Kashmir	Srinagar and Budgam	1	Mobile internet	Killing	Alleged custodial killing of a teacher
91	Mar 22	India	Jammu & Kashmir	3 districts	1	Mobile internet	Killing	Killing of six militants and a 12-year-old boy
92	Mar 28	India	Jammu & Kashmir	Shopian	1	Mobile internet	Killing	Killing of three militants
93	April 1	India	Jammu & Kashmir	Pulwama	1	Mobile internet	Killing	Killing of four militants
94	April 4	India	Jammu & Kashmir	Srinagar	1	Mobile internet	Security, Violence	Clashes between inmates at Srinagar Central Jail with the staff members
95	April 7	India	Jammu & Kashmir	Pulwama	1	Mobile internet	Information Control	Prevent rumours about an encounter between militants and security forces
96	April 9	India	Jammu & Kashmir	Chenab valley	1	Mobile	Killing, Security	Curfew following the killing of a senior leader and his bodyguard

## BANGLADESH

### 2018

1	Aug 5	Bangladesh	Dhaka	Dhaka	1	Mobile internet	Protest	Prevent mobilization of student protesters demanding road safety
2	Dec 27	Bangladesh	Bangladesh	Bangladesh	1	Mobile internet	Information Control	Testing ability to shutdown mobile internet
3	Dec 29	Bangladesh	Bangladesh	Bangladesh	1	Mobile internet	Security	Eve of the parliamentary elections

## PAKISTAN

### 2018

1	July 13	Pakistan	Punjab	Lahore	1	Mobile internet	Protest	Rally organized by supporters of former PM Nawaz Sharif
2	July 21	Pakistan	Balochistan	Pishin, Killa Abdullah and Mastung	10	Mobile internet	Security	Prevent violence and maintain security for election day of July 25
3	Sept 19	Pakistan	Pakistan	Many cities	3	Mobile internet	Protest	Ashura processions - a religious rally
4	Oct 30	Pakistan	Pakistan	17 cities	1	Mobile phone services	Protest	Chehlum of Hazrat Imam Hussain
5	Nov 2	Pakistan	Pakistan	Many cities	1	Mobile phone services	Protest	Protests against acquittal of blasphemy accused Christian woman
6	Nov 21	Pakistan	Pakistan	Major cities	1	Mobile phone services	Protest	Rallies to mark birth of Prophet Muhammad

## SRI LANKA

### 2019

1	April 22	Sri Lanka	Sri Lanka	Sri Lanka	3	Social media, VPN	Security, Information Control	Following the deadly terrorist attacks on Easter Sunday, April 22
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\* In Kech district of Balochistan in Pakistan, the 3G/4G data services shut down in February 2017 remain suspended.  
Sources: IFJ, Software Freedom Law Center (India), DEF India, Media Matters for Democracy (Pakistan), and Bytes for All Pakistan.





## GENDER MARCHING FOR EQUALITY

The past year has seen dramatic campaigns for women's rights in several countries of South Asia. International Women's Day on March 8, 2019 witnessed women in several cities of Pakistan pour onto the streets, demanding an end to honour killings, child marriage and workplace harassment among other issues.

Under the banner of 'Hum Auratein' or 'we women', spontaneous mobilization saw a range of different organizations and individuals come together to highlight a single cause. Economic, social and reproductive rights were fore-fronted and the mood of the 'Aurat March' or 'Women's March' was militant as well as celebratory. Humour and wit ruled, as confident women spoke out against deeply entrenched misogyny. The counterattack was swift, and many of the organizers were at the receiving end of online abuse, death and rape threats and threats of acid attacks.

India too saw Aurat Marches, with mobilization of women in cities across more than 20 states, and slogans such as "women march for change", "save our constitution", and "I

am a woman, hear me roar" rent the air. While social media was already abuzz, this time, even the mainstream media, took notice and gave prominent coverage to this collective uprising in several cities and small towns across the region which has brought about much-needed discussion around women's rights and sexual harassment at the workplace.

### THE #METOO WAVE

The rampant sexual harassment, gender discrimination and all-pervasive sexism in the media in South Asia has been a well-kept public secret. While regional language media houses witness more blatant forms of sexual harassment, toxic masculinity and a boys-club culture characterize English-language media houses. This despite laws specifically prohibiting sexual harassment at the workplace, in India, Nepal and Pakistan, and a coalition of organizations in Bangladesh putting forth a draft "Sexual Harassment at Workplace Prevention Act" in October 2018. Clearly, in-house

mechanisms to deal with sexual harassment are inadequate and ineffective, and social media, especially Twitter, emerged as a platform to speak out.

Women journalists in Nepal called out several highly placed men, including a former mayor of Kathmandu who had harassed them while they were interviewing him as part of their duty. The hazards of reporting in the field and the need to strengthen safety while at work emerged as a key issue.

In Pakistan, the #MeToo moment remained more or less confined to the world of entertainment and saw only a few celebrities being called out, the murmur of #MaiBhi (Urdu for MeToo) was relatively muted mainly due to the social stigma and victim blaming that prevents women from speaking out.

The Indian media however, was rocked by the revelations of sexual harassment. In October 2018, the floodgates opened and a torrent of testimonies poured into the public domain, with prominent actors, comedians, authors, editors and senior journalists in the Indian media being called out for sexual harassment and predatory behaviour. This outpouring was



**Left:** The "Aurat March" or Women's March was organized by several feminist organizations in Pakistan across seven cities to raise awareness about women's issues on International Women's Day. Organizers were threatened with rape and acid attacks. CREDIT: ARIF ALI / AFP

**Above:** Afghan reporters of Tolo News work in the newsroom at Tolo TV station in Kabul. Moments after their colleague Samim Faramarz wrapped up his live report on the latest suicide attack in Kabul, a car bomb exploded just metres away, killing him and his cameraman Ramiz Ahmadi. There are around 1696 women in media in Afghanistan. CREDIT: WAKIL KOHSAR / AFP

preceded by actors and scriptwriters in Bollywood, the Hindi film industry, sharing their stories of sexual harassment and assault that had occurred decades ago. Emboldened, women in the entertainment, advertising and media industries began speaking out. It was nothing a short of a tsunami of anguish, trauma and injustice. Social media was abuzz, and the revelations gathered momentum.

Editors and journalists of leading media houses, Times Group, *Hindustan Times*, *The Wire*, *The Hindu*, Express Group, *Business Standard* and others were named by multiple women on social media. Graphic accounts of the predatory behaviour of senior journalists were shared on Twitter and Facebook, encouraging women to come out with their own experiences, many with these same men.

One of the most prominent journalists to be outed in India was MJ Akbar, noted author and former editor of the *Asian Age*, *Deccan Chronicle*, *Telegraph*, *India Today* and the *Headlines Today*. The 68-year-old journalist-turned-politician is a member of the Rajya Sabha, the upper house of the Indian Parliament and in October 2018 was Minister of State for External Affairs, until he had to step down about ten days after he was publicly named, one after another, by 20 women journalists who accused him of inappropriate behaviour, sexual harassment and even rape, from as far back as 23 years ago.

The #MeToo handle trended on Twitter, as more and more women shared their stories and named their harassers. Amidst allegations of going on "witch hunts" "lynch mobs", adding heft to the voices of women's journalists was the Editors' Guild of India which in a statement on October 9, 2019, the Editors Guild of India "unequivocally" condemned predatory conduct and said that it was "worse when the perpetrators also happen to be enjoying senior or supervisory positions in the profession". The Guild also expressed its "gratitude and solidarity towards women journalists who have displayed the courage to bring these critical issues in public debate" and





**IN OCTOBER 2018, THE FLOODGATES OPENED AND A TORRENT OF TESTIMONIES POURED INTO THE PUBLIC DOMAIN, WITH PROMINENT ACTORS, COMEDIANS, AUTHORS, EDITORS AND SENIOR JOURNALISTS IN THE INDIAN MEDIA BEING CALLED OUT FOR SEXUAL HARASSMENT AND PREDATORY BEHAVIOUR.**

called upon media organizations to hold unbiased inquiries into all reported cases.

Some of the accused were asked to quit, inquiry committees were set up as per existing laws, and investigations launched. However, speaking out invited the inevitable backlash. Victim blaming, slut shaming and professional isolation were heaped on women who dared speak out. The majority of men named flatly denied the allegations and deployed legal means to silence the women who dared to speak out by foisting them with criminal defamation cases and civil suits. The criminal defamation suit against Priya Ramani, filed by MJ Akbar was clearly intended to intimidate and silence, but has instead had the opposite effect of rallying support around the complainant and other women who have spoken out.

## INSTITUTIONAL CHANGE

Whatever be the outcome of investigation into specific cases, the watershed moment for the Indian media in October 2018 has brought the issue of sexual harassment to the fore in unprecedented ways. Conversations on consent, sexuality and gender equity at the workplace are now taking place with more honesty and openness than ever before. Yet, a lot remains to be done. A survey of media houses by Gender at Work and the Network of Women in Media, India, released in February 2019, revealed that more than a third of women journalists had experienced sexual harassment at work. However, more than half of them did not report the incident, mainly due a lack of faith in systems of redressal.

In India, the Indian Journalists Union has asked its state unions across the country to ensure that media houses have Complaints Committees as mandated under the law to prevent sexual harassment at the workplace. It is also lobbying for the setting up of separate appellate courts/tribunals to ensure speedy justice for survivors of sexual harassment.

The situation is similar in Pakistan, where an IFJ survey in 2017 revealed that one in two female journalists in the country has experienced gender-based violence in the course of her work. When the number of women journalists is small, making their voice heard is that much more challenging.

## DOUBLE WHAMMY

Women journalists who were covering the historic opening of the Sabarimala shrine in Kerala in south India to women devotees of all ages were set upon by organized mobs, with several suffering grave injuries.

The Sabarimala shrine in southern Kerala has been a male preserve in recent years. In what was seen as a historic verdict in September 2018, the Supreme Court found that keeping out women in the reproductive age, was a discriminatory practice, inconsistent with constitutional guarantees on fundamental rights. Yet the aftermath of the decision has been stormy, with the state's ruling left coalition vowing to ensure its quick implementation while opposition parties and the right-wing have pushed back strongly.

On October 17, when the shrine opened up for the season of pilgrimage, large crowds gathered to prevent access of women



**Opposite:** Indian Bollywood actor Nana Patekar is mobbed by the media after making a statement outside his home in Mumbai on October 8, 2018. Indian actress Tanushree Dutta's public account of alleged sexual harassment by Patekar sparked an outpouring of similar #MeToo accounts across the country. CREDIT: AFP

**Above:** Journalists hold placards at a protest rally against sexual harassment in the media industry in New Delhi on October 13, 2018. India's #MeToo movement has engulfed Bollywood figures, an editor-turned politician, comedians and top journalists. CREDIT: CHANDAN KHANNA / AFP

of reproductive age were dispersed by police interventions. These regrouped as media teams arrived at the base camp for the trek up to the hill shrine, stopping every vehicle that passed to ensure that it did not carry any young woman, barred by ancient menstrual taboos from entering the shrine. A number of women journalists were pulled out of their vehicles and beaten by mobs while the police looked on. The Sabarimala protests continued over months, but given the targeted violence, many editors took a decision not to assign women to cover the story, thus depriving them of reporting on one of the most significant stories of the year. The picture of Shajila Ali Fathima, cameraperson for Kairali TV in state capital Thiruvananthapuram, tears of agony welling up in her eyes but holding her camera steady as mobs rained blows on her, went viral. On January 3, 2019, journalists staged rallies to protest against the assaults.

## PUSHING FOR CHANGE

The need for collective action is apparent, given that membership of journalist unions in the Asia-Pacific region is growing, despite the digital disruption. According to IFJ figures, women's membership in unions also continues to

grow, increasing by 20 percent since 2015 - compared to an overall growth in union membership of 7 percent. Women's leadership however, still needs a boost up. While women journalists represent 31 percent of all members in journalist unions and media associations in the Asia-Pacific, they occupy just 24 percent of positions on executive committees. The good news is that this is changing.

In Nepal, the Nepal Press Union is increasing its gender quota to 30 percent and the Federation of Nepali Journalists increased its executive, with one female vice president. In order to ensure effective leadership, the IFJ and its affiliate unions have been conducting regular training and capacity building among women journalists.

The Afghanistan Independent Journalists Association (AIJA) has 30 percent quota in executive positions for women journalists in its unions across the country, and the General Secretary is also a woman. In the recent provincial elections in Afghanistan, female journalists were elected as head of gender councils, while in some provinces one of five top leaders are women. There is a total of about 60 women journalists working as members of Kabul and Provincial executive boards.

A survey by the Center for Protection of Afghan Women Journalists (CPAWJ), AIJA's sister organization showed that there are around 1696 women in media and 764 of them are professional and semi-professional. The CPAWJ flags verbal harassment and cultural barriers as one of the major challenges for Afghan women to pursue professional journalism.

Clearly, there is a need for systemic change and a transformation of workplace culture so that women media persons can reach their full potential as professionals. The strong voices of women journalists demanding their rights, and ably amplified by the media over the past year gives hope that the media ecosystem can be transformed.



## AFGHANISTAN

## THE KILLING FIELDS

Sultan Mahmood Khairkhah, a journalist working for Zhman TV network in Khost province, died after he was attacked by unidentified armed men on March 15. He became the fourth journalist to be killed in Afghanistan in 2019, with Islamic State-Khorasan (IS-K) claiming responsibility for his murder.

Soon after this incident, a group of Afghan journalists from eastern Afghanistan gathered at Nangarhar province to express concerns over their safety and that threats against media workers were increasing.

In March, Nisar Ahmadi, another journalist working for a local TV station in Helmand was wounded in a blast caused by an improvised explosive device (IED) in Lashkargah city. In February two local journalists Shafiq Aria and Rahimullah Rahmani, were killed by unknown armed men who attacked their office in the city of Taluqan in northern Takhar province.

January also witnessed the first summary execution of a journalist in south-western Afghanistan when local radio host Jawed Noori was singled out and killed by suspected Taliban insurgents. Ironically, 27-year-old Noori, frustrated with the increasing number of civilian deaths had posted an appeal to Afghanistan's President in November: "Dear Mr President, the land of Farah has no more capacity to build cemeteries for our youth." Two months later, he became a victim himself.

According to the IFJ report *In the Shadow of Violence*, Afghanistan was the deadliest country for journalists in the world during 2018. The killings in the first quarter of 2019 show that the country continues to be extremely hazardous for journalists.

Bearing witness to the continued loss of journalists across Afghanistan, media outlets and journalists are increasingly worried about a repeat of the 2018 and 2017 levels of violence against the Afghan media community.

The deadliest targeted attack was recorded on April 30, 2018 when journalists covering a suicide attack in Police District 9 of Kabul were targeted by a suicide bomber, killing nine and wounding five. This was the first deliberate attack on journalists who were covering the aftermath of an earlier terrorist attack in the same area. This attack changed the nature of threats and risks for the journalist community in Afghanistan, signaling a new trend to target groups of journalists. The same day, two other journalists in southern Kandahar and eastern Khost province were attacked and murdered.

## DANGEROUS COUNTRY

Afghanistan's rank as the most dangerous country for journalists, includes over 120 cases of violence against journalists and media workers recorded during the year. Of the 16 journalists and media workers killed during 2018, the Taliban and IS-K have claimed responsibility for the majority of the deaths.

Beside killings, the Afghan media community faces other forms of violence including injury, physical assault, threats, intimidation, insult and abuse. In 2018 alone, 15 journalists and media workers were injured, 21 cases of physical assault were recorded, 38 reports of threats and intimidation documented and in 23 cases, journalists were insulted or mistreated. There was also a case of the abduction of a journalist.

Kabul and its surrounding provinces with 42 cases of violence topped the list, followed by western Afghanistan with 22 cases. The Southern and South-eastern provinces occupy the third



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An Afghan Taliban militant carries a rocket-propelled grenade as residents celebrate a ceasefire on the second day of Eid on the outskirts of Jalalabad on June 16, 2018. Taliban fighters and Afghan security forces hugged and took selfies with each other in restive eastern Afghanistan on June 16, as an unprecedented ceasefire in the war-torn country held for the second day of Eid. CREDIT: NOORULLAH SHIRZADA / AFP

place, with journalists facing 15 cases of violence in each.

Terrorist and insurgent groups have been behind the majority of the incidents of violence, murder and intimidation. The Islamic State-Khorasan (IS-K) and the Taliban are responsible for around 50 cases of violence against journalists. Another 44 cases of violence were perpetrated by individuals working with the government. Others, including local warlords, strongmen and unidentified actors were responsible for the rest of the cases of violence against journalists and the media community.

Afghan women journalists, already vulnerable, were also affected adversely. Of the total number of cases of violence recorded, 11 were perpetrated against women journalists.

The increase in violence and bloodshed against journalists has raised concerns among Afghan and international journalists alike. It has affected the work environment, the level of access of journalists to hostile situations and war zones and created uncertainty about the future of professional journalism.

## PATCHY ACCESS TO INFORMATION

Access to information remains one of the markers of a free press and vibrant democracy. This principle has long been neglected as Afghanistan attempts to establish a strong media and civil society.

After years of effort for the right of access to information, in 2014 an access to information law was enacted for the first time. Although now in place, lack of access to information continues to be a major obstacle not only for Afghan citizens but also the media community.

In March 2018, a revised version of the law was endorsed by President Ashraf Ghani through a legislative decree. The newly-amended law is seen by many experts as meeting international standards of the Right to Information (RTI) and was rated among the top laws for access to information in the Global Right to Information Rating by Canada's Centre for Law and Democracy.

The provision for legal protection for whistleblowers, obliging all government institutions and authorities to abide by the right to access to information and establishing an independent access to information Oversight Commission, as well as other provisions, were among the elements lauded in the rating.

Afghan expert bodies on freedom of speech and RTI, have said the amended access to information law now guarantees the right of every Afghan citizen to access information and removes some of the barriers that were major challenges in the past.

While it is expected that a new law will make it easier for the media community to access information, particularly in terms of investigations, many reports emerged in 2018 about censorship and lack of access to information from government organizations and entities in Kabul and the provinces. A number of challenges still exist including: a lack of a culture of access to information from government authorities; a lack of political and legal support to the Oversight Commission on the access



The scene in Kabul following the deathly suicide blast that killed nine Afghan media workers in late April 2018. Afghanistan was the deadliest country for journalists in the world, according to the IFJ's report, *In The Shadow of Violence*, released in January 2019. CREDIT: AIJA

**ACCORDING TO THE IFJ REPORT  
IN THE SHADOW OF VIOLENCE,  
AFGHANISTAN WAS THE DEADLIEST  
COUNTRY FOR JOURNALISTS  
IN THE WORLD DURING 2018.**



to information law and, in many cases, lack of thorough implementation of the law.

On May 22, 2018, reporters from the southern Ghazni province complained to local authorities about the challenge of accessing information. This issue also surfaced in northeastern Badakhshan province, with complaints by several reporters about RTI access. In the same month, reporters in Daikundi province also criticized the process. Impediments to the right to access information were also documented in Herat, Kandahar, Uruzgan, Balkh and Kabul.

Besides the complaints about the lack of access to information, 23 complaints were reportedly referred to the right to access to information Oversight Commission in 2018 alone. Based on the findings of the Afghan Journalists Safety Committee (AJSC), the majority of cases were regarding the failure of government officials to provide access to information to investigative reporters, or lack of access to information about key projects and contracts. Despite the legal framework in place, there is clearly still a long way to go for absolute openness in access to information in Afghanistan in order to meet the target of the Sustainable Development Goals.

## RESTIVE COUNTRYSIDE

While the country's capital, Kabul, has offered a more open environment for Afghan journalists, the provinces and remote rural areas of the country remain a challenge for the media community. This is particularly so, considering the fact that instability is increasing by the day and that the Taliban now control many areas of rural Afghanistan.

A survey by Pajhwok News Agency in January 2019 in Nangarhar, Kunar and Laghman provinces found that the most challenging issue for media was a lack of access to information. Journalists reported frequent failure to receive timely access to information and that information received was too often inaccurate.

In other instances, journalists in rural areas are facing threats or other impacts of the hostile environment which makes it

hard for them to report freely and safely. In Herat, which is considered a fairly stable province in western Afghanistan, the director of a local TV station reported in May 2018 that he was threatened with murder due to non-payment of taxes to the Taliban. In Ghazni province, Ahmad Farid Omar, the owner and director of a local TV station openly revealed that the Taliban was constantly threatening to extract a fixed amount of taxation on an annual basis.

In other provinces some journalists shared stories of how government officials mistreat them and ban their access to key government officials and gatherings. In Kandahar, around 12 reporters and photographers of different media outlets revealed that they were not permitted to cover the Afghan president's visit to the province in June 2018.

## CHALLENGING IMPUNITY

Afghanistan has seen some progress in denting impunity of killers of journalists. However, questions remain about the process of meting out justice and whether or not the processes were fair and transparent.

On April 16, 2019, two persons accused of killing journalist Abdul Manan Arghand were sentenced to death in a closed-door trial. Arghand, a reporter with privately-owned Kabul News was shot to death on April 25, 2018 by unidentified gunmen while on his way to work. The identity of the two convicted perpetrators still remains unknown, though it is believed that they are associated with the Taliban. The Afghan Independent Journalists Association AIJA (AIJA) remains unsatisfied that the two sentenced to death are really connected to the killing of Arghand. The process of conviction was not transparent, and information, evidence, documents and recordings were not shared with the AIJA technical team which is a member of the inspection and monitoring team in the Ministry of Interior. Further, since AIJA and other media organizations were kept away from police, attorneys, investigations and court procedures, the lack of transparency does not bode well for the fair pursuit of justice.

Afghan presenter Zarmina Mohammadi of Tolo News takes part in a live broadcast on September 11, 2018. Moments after Afghan journalist Samim Faramarz wrapped up his live report on the latest suicide attack in Kabul, a car bomb exploded just metres away, killing him and his cameraman Ramiz Ahmadi. Colleagues at Tolo News choked back tears as they reported the deaths live on air. CREDIT: WAKIL KOHSAR / AFP



**AFGHAN WOMEN JOURNALISTS, ALREADY VULNERABLE, WERE ALSO  
AFFECTED ADVERSELY. OF THE TOTAL NUMBER OF CASES OF VIOLENCE  
RECORDED, 11 WERE PERPETRATED AGAINST WOMEN JOURNALISTS.**

Likewise, there are doubts about the real perpetrators of the killing of journalist Ahmad Shah. On January 3, 2019, a special anti-terrorism tribunal handed out a death sentence to one of the accused and imprisonment of 30 years and six years respectively to two of the other accused. Ahmad Shah, reporter with BBC's Pashto service was killed in Khost on April 30, 2018. The motive of the killing was unclear, and the identity of the accused was not made public. The family of Ahmad Shah was not fully satisfied that the real killers had been brought to book. The case is pending in the appeals court.

In an unprecedented initiative in January 2018, local media advocacy and support organization Nai announced that it had taken 190 cases of violence against journalists to the International Criminal Court (ICC). These included 48 cases of murder, 74 cases of injury, 15 cases of abduction and 75 cases of threats which had taken place since 2002.

Along with this initiative, the Afghan government has established the Joint Committee on Safety and Security of Journalists (JCSSJ), comprising government organizations, journalists and media representatives to address the cases of violence against journalists in Afghanistan. Meetings of the JCSSJ with the participation of the international community including the UN, the EU and representatives of embassies in Kabul are being held regularly since April 2018. In August 2018, representatives of the committee stated that, of 170 cases under investigation, 16 cases were referred to the National Directorate of Security (NDS) for further investigation. The spokesperson of the Attorney General's Office said of the 16 referred cases, six cases were addressed and another ten were under investigation. Meanwhile, the Ministry of Interior's Anti-Crimes Director General, Mohammad Farid Afzali, said that 69 suspects had been arrested in relation to 33 cases of violence against journalists.

If the Government of Afghanistan is demonstrating some level of accountability towards the Afghan media sector and the journalist community, this has been mainly due to the high level of activism and advocacy built up internationally and nationally. Media activism is a priority for influential organizations actively working to protect the media community, defend the values of freedom of speech and expression and raise a voice against threats faced by the media community.

## SHAKY GROWTH

The hazards for the media in Afghanistan notwithstanding, in 2018 the sector added more jobs for journalists across the country. A reported 57 new media outlets were established, though 34 media outlets were also closed down in 2018. Among the newly-launched media outlets were 13 TV channels, 13 radio stations, 25 print media outlets and six online media outlets.

While the establishment of new media during a challenging year is evidence of the deep commitment within Afghanistan for freedom of expression and an independent media, the sustainability of the sector remains a concern. Many media outlets in Afghanistan face issues of viability and journalists are continually at risk of losing their jobs.

The big picture of the media sector in Afghanistan and journalists in particular, is that both face multi-faceted and multi-layered challenges ranging from terrorism, instability and insecurity, to shrinking and unstable media outlets and an overall lack of commitment by the government to support the right to access information. Despite this, a vibrant media community in Afghanistan continues to carry out the duty of informing the public, albeit at great personal risk.



## BANGLADESH

PROTEST AND  
PUSHBACK

In an unprecedented show of solidarity, on October 15, 2018, editors of all the major dailies in Bangladesh formed a human chain in front of the National Press Club in Dhaka. They took to the streets demanding amendments to a new law, the Digital Security Act 2018, which was passed by the parliament on September 19, 2018.

The rare show of unity was triggered by grave apprehensions about a law that has wide-ranging power to gag the media and arbitrarily penalize media workers. These concerns exist along with the real fear of attacks on the lives, dignity and property of media persons.

Impunity for perpetrators of crimes against journalists and slow police investigations into these cases ultimately amount to denial of justice. Moreover, exiling of the immediate past chief justice Surendra Kumar Sinha, the organized filing of hundreds of cases against prominent journalists and politicians from different corners of the country, as well as the mysterious disappearance and reappearance of some people have triggered real fears.

Self-censorship is growing in Bangladesh's media as a result of the endemic violence against journalists and media houses, coupled with the widespread impunity enjoyed by the perpetrators of these crimes.

## UNREASONABLE RESTRICTIONS

The constitution of Bangladesh provides for freedom of expression, subject to “reasonable restrictions imposed by law”. The country has a vibrant media incorporating more than 1,000 daily newspapers, 45 private satellite television channels and three State-owned TV channels and thousands of online news websites. Yet activists say that people cannot exercise their constitutional right to free expression as the so-called “reasonable restrictions” are most often imposed unreasonably. A number of laws are invoked to restrict journalists’ activities as well as people’s right to know and express opinions.

Defamation remains a criminal offense in Bangladesh. Sedition laws can be applied broadly, and penalties range from fines to life in prison or even the death penalty if the accused is found to have undermined the constitution. One case in point is that of *Daily Star* editor, Mahfuz Anam, who is facing 62 defamation and 17 sedition lawsuits, most filed in 2016 after he admitted to publishing unsubstantiated information about Prime Minister Sheikh Hasina, supplied to him by the military intelligence service in 2007 and 2008. While he was not arrested, Anam had to crisscross the country to appear for court hearings in 50 of Bangladesh’s 64 judicial districts.

In 2006, Bangladesh enacted the Information and Communication Technology Act (ICT Act) intended to provide a safe virtual space. But instead of protecting citizens, the Act has succeeded in undermining digital security and restraining free speech. Many citizens, including journalists, have been sued and arrested under Section 57 of the ICT Act for expressing their opinions or sharing information on the internet.

The Right to Information (RTI) Act introduced in 2009 has given people wider scope to access information, amid the existing secrecy legislation. However, ongoing challenges remain for its implementation including low response rates to requests for information, and a need to increase awareness of the existence of



A man walks past a wall with images of Bangladeshi founding father Sheikh Mujibur Rahman (L) and Prime Minister Sheikh Hasina Wazed (R) in December 2018. Ahead of the country's general election on December 30, government blocked Facebook, Skype and other social media and censored some news sites purportedly to fight fake news and misinformation. CREDIT: REHMAN ASAD / AFP

the law among the general public, not to mention the authorities.

On September 19, 2018, Bangladesh's parliament passed the much-debated Digital Security Bill, drawing sharp reactions from journalists and rights activists who said it was passed without addressing their key concerns.

While the Act doesn't expressly replace the existing provisions of the ICT Act, especially Section 57, it has instead strengthened this controversial section and created a situation of overlapping laws.

The Editors' Council analysis of the digital security law concluded that it was unconstitutional and stifled freedom of the press. In its assessment, the Council also said the law was “policing media operations, censoring content and controlling media freedom and freedom of speech” and that it gave “unlimited power to the police to enter premises; search offices; carry out body searches; seize computers and networks, servers,

**THE YEAR WAS CRUCIAL FOR BOTH POLITICS AND JOURNALISM IN BANGLADESH, WITH THE GENERAL ELECTION HELD ON DECEMBER 30, 2018, FOLLOWING THE CONVICTION AND ARREST OF THE COUNTRY'S MAIN OPPOSITION LEADER KHALEDA ZIA IN TWO CORRUPTION CASES.**

and everything related to the digital platforms.

Under the ICT Act, the police can arrest anybody on suspicion without warrant and without approval of any other authorities.

The Editors' Council has criticized that the vague language of the act could be “misinterpreted and used against the media” and said it had created an “atmosphere of fear and intimidation, which has made journalism and especially investigative journalism virtually impossible” and caused “panic among all users of the digital space”.

Critics, both domestic and international, say the law is inconsistent with constitutional rights to freedom of speech and expression as per Article 39 and undermines democracy and human rights, which are among the fundamental principles of state policy.

Bangladesh's commitment under the Sustainable Development

Goal 16.10, that obliges the government to promote free flow of information, has also come under the scanner after the enactment of the Digital Security Act. Today in Bangladesh, a person may be subject to two-year jail for publishing defamatory content in a newspaper but will get a 14-year jail term for the same thing posted on a website. This discrepancy points to the fact that the government is trying more seriously to tame digital media because the depth, breadth and influence of the digital media are proving to be greater than that of the print media.

## AGITATIONS AND PROTESTS

The year was crucial for both politics and journalism in Bangladesh, with the general election held on December 30, 2018, following the conviction and arrest of the country's main





opposition leader Khaleda Zia in two corruption cases.

Two massive street demonstrations occupied the country – one in April demanding the reform of the quota system in government jobs and the other in late July and early August for better road safety. The government quelled both movements by force, as well as by giving assurances of fulfilment of the demands of the agitators, most of whom were students.

Protests began on July 29, 2018, after the death of two students in Dhaka as a speeding bus ran over them. The massive student protests spiralled into violence after attacks on protesting students in Dhaka, allegedly by the activists of ruling Awami League's student wing Chatra League, were backed by Bangladesh law enforcement agencies.

On August 5, the Bangladesh Telecommunication Regulatory Commission (BTRC) ordered telecommunications providers to limit mobile internet access to 2G connections for 24-hours to restrict the ability of students to mobilize or spread growing fury online. Pamphlets, propaganda, stories and images – some factual and some manipulated – of the attacks on students flooded social media, prompting renewed outrage.

Following government claims that the violence surrounding the student protests was being fuelled by provocative and “fake” content shared over social media platforms, police arrested renowned photographer Shahidul Alam, actress Quazi Nawshaba Ahmed and scores of students for social media posts that allegedly incited the agitators. Six cases were filed against hundreds of unnamed people under the ICT Act and many students were arrested for posts on Facebook. Actress Nawshaba was released on bail on August 21, but Shahidul Alam remained behind bars for more than three months, as the government contested his case and appealed to the courts to deny him bail. Shahidul was ultimately released on November 20 after securing bail from the Supreme Court.

The road safety movement became a dangerous beat for

Bangladeshi students protest in Dhaka on August 5, 2018, following the deaths of two college students in a road accident. Prime Minister Sheikh Hasina urged students to go home even as police fired tear gas shells during the eighth day of unprecedented protests over road safety which paralysed parts of Dhaka. CREDIT: MUNIR UZ ZAMAN / AFP

journalists to report on. While covering the developments, at least 23 journalists were assaulted, some brutally beaten up and their equipment vandalized by “unidentified” attackers in the capital.

Correspondents of different dailies and online portals came under attack while they were carrying out their duty in Jahangirnagar University in Dhaka and Chittagong University during the quota reform movement in April.

## ELECTION CONTROLS

Three days before the general elections on December 30, the government blocked Facebook and other social media platforms. A day before the election, it also suspended 4G and 3G mobile data services. The government also blocked Skype and censored some news sites purportedly to fight fake news and misinformation.

The BTRC ordered the shutdown of 3G and 4G internet services on December 29 and, although the mobile internet was restored for a few hours in the evening of polling day, it was later shut down again until further notice. Services were also cut off on December 27 for 10 hours.

But the restriction and limitations on the internet could not stop the spread of rumour and gossip based on unreliable information circulated via mobile phones, which are ubiquitous in every corner of Bangladesh. There was panic in many places and families in villages were alerting students over the phone

## TWO MASSIVE STREET DEMONSTRATIONS OCCUPIED THE COUNTRY – ONE IN APRIL DEMANDING THE REFORM OF THE QUOTA SYSTEM IN GOVERNMENT JOBS AND THE OTHER IN LATE JULY AND EARLY AUGUST FOR BETTER ROAD SAFETY.

about possible trouble and urging them not to take risks by participating in protests. The ruling Awami League emerged as a landslide winner in the general election for its third consecutive term in power amidst Opposition allegations of rigged polls.

On polling day, at least 18 people were killed and more than 200 injured in clashes. At least seven journalists were assaulted in Dhaka and Chattogram, while a number of journalists covering the polls faced obstructions from both activists of political parties and law enforcers.

Private television station Jamuna TV claimed that it was arbitrarily taken off the air by cable operators on the eve of the election.

Prior to the election, on December 24, a group of reporters who were covering the elections campaign were attacked by masked men with hockey sticks and batons. The assailants injured around ten journalists, mainly from *Jugantor* daily and Jamuna TV in a hotel in Nawabgonj, 40km from Dhaka. The attackers also smashed hotel windows and vandalized more than a dozen vehicles belonging to private owners as well as media outlets.

## THE SWORD OF ‘DIGITAL SECURITY’

The post-election era began badly for the media. Police on January 1, 2019, picked up *Dhaka Tribune's* Khulna correspondent Hedait Hossain Mollah in front of the Khulna Press Club. Hedait and Khulna correspondent of *Daily Manabzamin*, Rashidul Islam then became the first journalists to be accused of violations under the Digital Security Act. Assistant Returning Officer and Upazila Nirbahi Office (UNO or executive magistrate) of Batiaghata sub-district of Khulna filed the case against on the charge of reporting ‘wrong’ information regarding the election results.

Hedait was put on remand the next day and released on January 3. The District and Sessions Judge's Court granted him bail after video footage was presented before the court that substantiated the authenticity of Hedait's report. The High Court on January 21 granted anticipatory bail to Rashidul Islam, the other accused.

Abu Zafar, the Keraniganj correspondent of *Daily Jugantor* and also general secretary of Keraniganj Press Club, was the second journalist to be arrested under the law on February 19. He is one of five journalists accused in a case filed by a local ruling party leader, Md Polash, with Dohar police station. The other accused are Nawabganj correspondent Azharul Islam, Ashulia correspondent Mehedi Hasan Mithu, Dhamrai correspondent Shamim Khan and Gopalganj correspondent SM Humayun Kabir.

The Bangladesh government earlier claimed that the country's new digital law would be used as a shield to protect the innocent and a sword to target bad elements. Promises were made at different times that the law would not be used against journalists or to control the voices of the people. But the growing list of charges has proven the contrary.

*Al Jazeera's* website in Bangladesh has remained blocked since it ran a report titled ‘Bangladesh top security adviser accused of abductions’ on March 20, 2019. So too, the website of the *Daily Star* was blocked for more than 18 hours on June 1 following an order from the telecommunications authority in Bangladesh over the publishing of news headlined ‘Murder It Was’ relating to the

alleged killing of Teknaf municipal councillor Akramul Haque.

On December 10, BTRC unblocked 58 websites including some news portals after access to them was restricted on “national security” grounds ahead of the general election on December 30.

## MURDER AND IMPUNITY

Suborna Nodi, 32, the Pabna correspondent for Ananda TV and a journalist for the *Daily Jagroto Bangla* newspaper, was hacked to death at the door of her home on August 28. Nodi's murder was apparently an outcome of a family feud according to the victim's family members and investigators. A murder case was filed against Nodi's ex-husband and six others, all of whom have been arrested. The case is still under investigation.

Shahjahan Bachchu, acting editor of weekly *Amader Bikrampur*, preceded Suborna Nodi to become the victim of a horrific killing in Munshiganj district on June 11, 2018. Bachchu was better known for his free-thinking views and daily critiques against religion on Facebook, rather than for his role as an editor of a weekly. The 55-year old poet and proprietor a publishing house, Bishaka Prokashoni, was talking to villagers at a pharmacy near his village of Kakaldi when at least four motor-cycle borne youth wearing hoods arrived and exploded a bomb outside the pharmacy to create panic. The assailants dragged Bachchu outside the shop, shot him point blank in the chest and fled. He died on the spot.

At least 22 journalists have been killed in Bangladesh since 1996. But very few cases of crimes against journalists have been resolved. Among the list of unsolved cases yet to see progress is the killing of journalist couple Sagar-Runi. Meherun Runi, senior reporter of private TV channel ATN Bangla, and her husband Sagar Sarowar, news editor of Maasranga TV, were murdered on February 11, 2012.

Immediately after the murders, then-home minister Sahara Khatun said the killers would be arrested within 48 hours. Police officials also claimed to have made “significant progress” in the investigation at the time. The elite branch of the police, the Rapid Action Battalion (RAB), which has been probing the case for almost seven years after the detective branch of police failed, has also not made any progress in identifying the perpetrators. Submission of the probe report has been deferred at least 57 times.

While the pace of investigation and rate of concluded investigations have slightly improved in recent years, lengthy investigations that fail to reach the trial stage remain a critical concern.

Of the journalists killed in Bangladesh, judgements have been delivered in just two cases: in June 2013, after eight years, nine people were convicted of the November 2005 murder of journalist Goutam Das, and, in November 2016, eight people were convicted of the murder of journalist Manik Chandra Saha, killed 12 years earlier.

Although the string of murders of bloggers, publishers and other freethinkers by suspected Islamic militants in recent years appears to have reduced due to nationwide drives by law enforcement agencies, victims' families remain frustrated with the slow progress in the murder cases.

Since the Shahbagh protests in 2013 to demand the trial of





**THE RARE SHOW OF UNITY WAS TRIGGERED BY GRAVE APPREHENSIONS ABOUT A LAW THAT HAS WIDE-RANGING POWER TO GAG THE MEDIA AND ARBITRARILY PENALIZE MEDIA WORKERS.**

war criminals, at least ten “free thinkers” have been killed by militants across the country after being tagged as “atheists”. Shahjahan Bachchu was the latest victim in the spate of killings.

Most cases are stuck at the investigation level, with a court delivering a verdict in just one case, while another is under trial. Of the ten cases, eight were filed with different police stations in Dhaka. Investigations are yet to be completed in four of the eight pending cases. Four years after the killing of writer-blogger Avijit Roy, police submitted the charge-sheet to the court naming six people as the accused in the case, including a sacked army major Syed Ziaul Haque, who remains at large. Among the accused are members of banned militant outfit Ansar al-Islam.

The opportunity to get some answers through the legal justice system have been lost forever, with some of the accused in the blogger killings found dead after so called “cross fires” or “gun battles” with law enforcers.

## GRIM PICTURE

Freedom of the press remains imperilled as violence against journalists continues to spike in the country, according to a report of local rights group Ain O Shalish Kendro (ASK), released on January 10, 2019.

“As many as 207 journalists have been harassed from January 1 to December 31, a steep climb from 122 in 2017 and 117 in 2016,” the organization said. At least 61 journalists were assaulted by members of the ruling party or its wing organizations and 42 journalists were victims of bomb attacks.

Another 18 journalists were harassed by law enforcement agencies, with 11 others receiving threats from purported ruling party members, government officials, and anonymous callers.

Moreover, publication of 15 news reports led to lawsuits being filed. Nine journalists were assaulted by government officials.

Three journalists were killed and at least one went missing.

## MEDIA BOOM

In 1972, Bangladesh had about a dozen daily newspapers. Since then, the number of dailies rose to 1,078 while the number of newspapers (including 1,947 weeklies, fortnightlies and monthlies) stood at 3025, according to information placed in parliament on January 14, 2016.

**Above left:** Associated Press (AP) photographer A. M. Ahad leaves hospital after being beaten by ruling party cadres during a student demonstration on August 5, 2018. CREDIT: AFP

**Above:** *Amar Desh* acting editor, Mahmudur Rahman, was attacked at the Kushtia court, allegedly by Bangladesh Chhatra League activists. Mahmudur was in Kushtia to secure bail in a defamation case that accused him of making false statements about Prime Minister Sheikh Hasina, and her niece, Tulip Siddiq. CREDIT: BMSF

**Opposite:** Bangladeshi journalists hold a protest against the newly-passed digital security law in central Dhaka on September 24, 2018. Bangladesh's parliament passed the contentious law despite protests by journalists and rights groups who say the law poses a serious threat to freedom of the press and freedom of expression. CREDIT: MUNIR UZ ZAMAN / AFP

The country has 45 private satellite television channels and three State-owned TV channels, 31 private FM radio stations and 18 community radios, several State-run radio and thousands of online news websites. In total, they employ approximately 6,000 journalists in Dhaka and 15,000 journalists in the districts and sub-districts.

The country's government has now restrained Bangladeshi companies from placing advertisements on Indian television channels, popular in Bangladesh for drama serials and reality shows. The move comes in response to demands by Bangladeshi private television channel owners to stop the flow of advertisement out of the country.

Likewise, more than 90 percent of cinema halls in Bangladesh have closed as a result of a shrinking film industry. But the import of Indian films continues to be strongly restricted due to pressure by local producers, actors and artists.

Popular online newspaper *bdnews24.com* in a report on August 9, 2017, revealed how some newspapers which have no presence in the market are shown in government data to have circulation of lakhs of copies per day. Little-known and completely unheard-of print publications are said to sell tens of thousands of copies in Bangladesh, if the Department of Film and Publication, the agency that distributes government advertisements, were to be believed.

While there is no official data about the total volume of advertisements in Bangladesh, the country's total advertising market is estimated at around USD 2.40 billion (BDT 20 billion) a year. Some 70 percent of that is assumed to be government advertisements.

The number of media-listed papers that enjoy government advertising is 434 publications. There are also innumerable irregular magazines of different organizations which are also getting a share.

It is clear that newspapers or digital news media are not a lucrative business in Bangladesh. But it is an undeniable fact that the country is plagued by corruption and irregularities. The volume of black money is much bigger than the formal economy in Bangladesh; and the media industry is not exempt.

Some owners show their media outlets as money guzzling enterprises in their balance sheets, with media enterprises acting as a shield for other profit-making businesses. Secondly, it is also easy to become a proprietor-cum-editor of a newspaper or online news outlet. Some run a media house without obeying rules. Others pay high salaries to employees, or pay less, or even decide to not pay them at all. There is no accountability.

Those that get advertisements from the government by bribing officials can show circulation figures of up to 100,000, yet only 500 copies at best without having a single employee.

Ownership wields power. It can push propaganda, influence politics, threaten the corrupt or appease the wealthy, all to get something in return.

Amid all this, there are only half a dozen newspapers in Bangladesh which are left making a profit after paying a proper salary to their employees. These are good quality newspapers, upholding journalistic ethics.

More than two dozen dailies are operating under a ‘low cost, no loss’ policy. Huge salary discrimination persists in radio and television channels, some of which survive on subsidies. Almost all the channels are news based, except four which prioritize entertainment and sport over news.

From March 4, 2019, government imposed a new tax on advertisements by Facebook, Google, YouTube and other global giants in response to demands by media owners in Bangladesh. However, the order is yet to be reviewed independently, as the imposition of taxes may fall upon local online publications as well.

## BUILDING PROFESSIONAL JOURNALISM

Across Bangladesh there are only about 600 professional journalists who solely or largely depend on journalism for their income. Others take on the ‘journalist’ identity to get facilities in society and from the State.

There are about 15,000 journalists working in the rural areas, most of whom are not paid by their employers. Barring a few, most are involved in dual professions. Many are involved in business, while others are teachers. In addition to sending news reports, local correspondents of dailies have to collect advertisements from local sources, mostly from government offices. In return, they get a percentage of revenue from the advertisements they collect. Some of them might be involved in rent-seeking to survive.

Bangladeshi journalists are fighting for the implementation of the Ninth Wage Board and demanding an increase in salary. Small victories however have boosted the morale of working journalists. Journalists and media workers of some media outlets in Dhaka, backed by the Dhaka Union of Journalists (DUJ) staged sit-in demonstrations in December 2018 and were able to get their demand for salaries, arrears and dues met.

Politicians, bureaucrats and power-wielders may be blamed for fears over all-encompassing and effective digital vigilance by the society. But fake news and false propaganda are larger problems for the media itself. It not only harms society but also questions the credibility of the industry.

The existence of thousands of non-journalistic media platforms has emerged as one of the most critical problems for Bangladesh's media. But media investment must be made accountable through favourable policies, rather than being tamed by harsh laws. Just as important to this is that good journalism in Bangladesh cannot be sustained without ensuring proper payment and conducive working conditions for professional journalists.



## BHUTAN

MINUSCULE MEDIA,  
CRITICAL CHALLENGES

Bhutan held its third democratic elections in 2018 and a new party promising to support a vibrant Bhutanese media was elected to form the country's third ever government.

The centre-left Druk Nyamrup Tshogpa (DNT) won 30 of the 47 seats in Bhutan's National Assembly in the September-October election, taken to victory by its leader, 50-year-old urology surgeon Lotay Tshering, on a platform of "nation building".

The tiny country of 800,000 people, wedged between China and India, is widely known for its Gross National Happiness index, but is today facing more serious battles with inequality, high foreign debt to neighbouring India, as well as youth employment, rural poverty and criminal gangs.

2018 also saw the Election Commission of Bhutan tighten regulations for both traditional and social media even as Bhutanese media, especially private entities, continue to be plagued by financial and professional issues.

Bhutanese newsrooms are getting younger due to older and more experienced journalists quitting their jobs for professional and financial reasons. Although Bhutan practices a liberal licensing policy for media, quantity-wise, newspaper houses have dwindled from a high of 12 in 2010 to just seven newspapers today. The main reason for the shutdown was and continues to be financial sustainability. *Druk Neytshuel* a Dzongkha language newspaper folded up in 2018 due to financial reasons. Dzongkha papers have a niche readership and face more severe financial challenges than English newspapers.

Most newspapers are concentrated in small urban centres and the highest circulation does not even add up to 10,000 daily; *Kuensel*, the most widely circulated newspaper estimates a daily circulation of 8000. Since sales are negligible, media houses still rely mainly on government advertisements to survive.

Self-censorship continues to be an issue with Bhutanese journalists. The fear of repercussions inhibits most practising journalists. Bhutan, with a total population of just over 800,000 people, suffers from a 'small society syndrome' as everyone knows everyone else so most Bhutanese including journalists fear social ostracization and being isolated in a close-knit community.

Unfortunately, media literacy is fairly low in Bhutan. The Journalists Association of Bhutan (JAB) launched media literacy and advocacy in 2017, and it was revealed that some participants had never seen a newspaper.

The use of social media is growing exponentially with the increase in mobile phone users. *Kuensel* reported in July 2018 that Bhutan has close to 100 percent cellular subscription. Almost 33 percent of the population uses Facebook while a growing number uses chat apps like WeChat.

The issue of fake news confronts Bhutan too. Much needs to be done to educate Bhutanese about fact-checking and verification. Over the last few years, social media has been the go-to for "breaking news." There is even a Facebook group by the same name with more than 75,000 members. The group sees amateurish citizen journalism that often results in insensitive sharing of graphic accident images and other inappropriate material.

Bhutanese voters cast their ballots in Thimphu on October 18, 2018. The country, famed for its Gross National Happiness index, held its third democratic election since the end of absolute monarchy in 2008. The new government faces serious battles with inequality, high foreign debt, rural poverty and criminal gangs. CREDIT: DIPTENDU DUTTA / AFP



2018 ALSO SAW THE ELECTION COMMISSION OF BHUTAN TIGHTEN REGULATIONS FOR BOTH TRADITIONAL AND SOCIAL MEDIA EVEN AS BHUTANESE MEDIA, ESPECIALLY PRIVATE ENTITIES, CONTINUE TO BE PLAGUED BY FINANCIAL AND PROFESSIONAL ISSUES.

*Kuensel* reported in October 2018 that social media-related complaints topped the number of complaints to the Election Commission of Bhutan.

## TIGHT REINS

The government of the day, Druk Nyamrup Tshopga (DNT) has not attempted to control Bhutanese media so far, but the new Prime Minister Dr. Lotay Tshering did make a comment about Bhutanese journalists not asking "good" questions at his government's first "Meet the Press" event in December 2018. Journalists meet ministers of the government once a month – a legacy of the first democratically elected government – at "Meet the Press."

The DNT went on to institute a "Friday Meet / Meet the PM" session where journalists meet a selection of cabinet ministers once a week. Some journalists feel this is another version of a press release. This may have begun with good



The Bhutan Broadcasting Service (BBS) appealed to the High Court against a fine for reporting on the banned film 'Hema Hema: Sing Me a Song While I Wait'. CREDIT: SCREENSHOT

intent on the part of the government, but it is a disconcerting expectation that the intended message from the government be relayed to the people as is. The Prime Minister stated that the main aim of the session would be to "inform the nation on government policy and decisions."

February 2019 also saw a district court reduce BICMA (Bhutan InfoComm and Media Authority)'s highest penalty imposed on a media organization from Nu. 224,625 (USD 3,208) to Nu. 45,000 (USD 643). The Bhutan Broadcasting Service (BBS) was slapped with the fine in December 2016 for reporting on a banned film *Hema Hema: Sing Me a Song While I Wait*. BBS has appealed to the High Court and the case is being reviewed.

A new media council for Bhutan was established in August 2018 by the government with two members of the media (one includes the JAB President and the other the President of the Media Association of Bhutan comprising media proprietors); the Executive Director of the Bhutan Media Foundation; the Chief Communication Officer of BICMA and the Chief Information





and Media Officer of the Department of Information and Media. However, the country's first media council has not met even once since its institution. A Secretariat is supposed to be created for the Media Council, but this is currently still in the works. Only civil servants will be part of the Secretariat. Although there has been criticism about this being largely government-dominated, many journalists feel it will enjoy greater independence than the BICMA due to journalists being part of the council.

## ATTACKS AND HARASSMENT

The lower house (National Assembly) elections took place in the latter half of 2018, with the new government being elected in October 2018. The election period was, as usual, rife with reports of anti-campaigning and mudslinging. Unlike other times, the Election Commission of Bhutan (ECB) appointed a media arbitrator responsible for ensuring media coverage and advertising according to Election Commission rules.

There were several interventions by the media arbitrator of the ECB of which the harshest was the suspension of a managing editor of a private newspaper for a month for running the profile of a political candidate although ECB had verbally asked them not to. The chief editor of the paper however did ask the ECB to state the specific provision of the Elections Rules and Regulations of the Kingdom of Bhutan 2018 they may have violated, but there was no clarity on ECB's end.

There were less severe instances of intervention with the functioning of national broadcaster, Bhutan Broadcasting Service (BBS) and national newspaper, *Kuensel*. According to the JAB, the role and powers of the office of the media arbitrator

**Above:** With a total population of just over 800,000 people, Bhutan suffers from a 'small society syndrome' and most Bhutanese, including journalists, fear social ostracization and being isolated in the close-knit community. Journalists in the field. CREDIT: JOURNALISTS ASSOCIATION BHUTAN

**Opposite:** Doctor-turned-politician Lotay Tshering, leader of the Druk Phuensum Tshogpa (DPT) the new ruling party and incoming prime minister of Bhutan, talks with the media after establishing a lead in the country's third ever election which was held on October 18, 2018. CREDIT: DIPTENDU DUTTA / AFP

need clarity and the pressure on a media house to take action against an erring journalist may constitute overriding the roles of the BICMA.

There was one defamation suit filed against a journalist of *Kuensel* in 2018. The media house did not seek to protect its journalist saying that the suit arose from a Facebook post she had made. The journalist had made a post about child abuse after verification, but the stepmother of the child sued her for libel. JAB had a discussion with its board members to discuss intervention, but did not take any action, as the journalist had not appealed to JAB for help. The journalist ended up paying a fine in lieu of a three-month prison sentence.

A former anchor with BBS who contested the elections shared at a public forum that he was harassed and bullied by the management into resigning. He had shared this while campaigning. This was filmed and widely circulated on social media.

## BUILDING CAPACITY

JAB has been active in media support and development despite minimal funding in 2018. There were several months last year when the organization did not have the funds to conduct as



**PRIME MINISTER LOTAY TSHERING 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.**

many activities as it wanted, but new avenues of engagement were explored. One example was a series of "Monthly Dialogues" with JAB moderating about 14 panels on education, sexual harassment, etc. The participants included ministers, policy-makers, and people related to the topics being discussed.

JAB also organized a gender safety and equality training supported by the IFJ and the Norsk Journalistlag (NJ). Other activities were supported by the United Nations Democracy Fund (UNDEF) including a journalism code of conduct seminar, training in literary journalism, longform narrative and storytelling, and workshops on media literacy in rural parts of Bhutan. The media literacy workshop saw more than 260 community participants involved in the activity.

A rural reporting grant, supported by UNDEF, has also been disbursed., while JAB's *Occasional Journal: Bhutan Press Mirror, Vol. II* has also been published.

JAB's annual journalism awards will be held on May 3, 2019, coinciding with World Press Freedom Day, to recognize contributions by individual journalists, including freelancers.

## LOOKING AHEAD

In order to prevent political interference at BBS, it is vital that it become a public service broadcaster. There have been government-level discussions but nothing has materialized as yet.

Media literacy campaigns need to be amplified to counter propaganda, fake news, and sensationalism.

A lot has to be done to boost the morale of journalists which is at an all-time low. Anecdotal evidence reveals that many experienced journalists quit their jobs after becoming disillusioned with their management and demotivated at work. Journalists may not have been sent into exile as stated in the World Press Freedom Index 2018, published by Reporters Sans Frontières, a country-ranking that was greeted by intense debate in Bhutan. However, many Bhutanese journalists resigned due to lack of motivation and the feeling that they could not practice "real journalism" in their media houses.

Bhutanese media houses also see very few women in leadership positions. Only *Kuensel* has a female chief editor. She is the only one till date to assume this role. There are several media houses where female journalists are more qualified and deserving, but aren't even considered. It will be a priority for JAB to enhance gender equity in media houses.

JAB intends to create a community of journalists that supports and motivates each member over the next few years. A legal support system will also be created for journalists to protect freedom of expression.

There appears to be no viable solution at present to address the financial woes of Bhutan's private media, which remain unsustainable and unviable.



## THE POLLING PROCESS IN THE WORLD'S LARGEST DEMOCRACY TOOK PLACE WITH A BACKDROP OF SERIOUS ALLEGATIONS OF BIAS IN THE INDIAN MEDIA.

### INDIA

## DIVERSITY ON THE BRINK

**P**olitics is always first on the order of business of the Indian press, the calendar in a complex, federal polity being packed with electoral contests at some level or the other.

Five keenly contested elections to state legislative assemblies in the latter half of 2018 were a prelude to the seven-stage poll by which India will elect its 17th Lok Sabha, or lower house of parliament, by May 23, 2019. But the polling process in the world's largest democracy took place against a backdrop of serious allegations of bias in the Indian media and the growing problem of fake news. Until recently, the main challenge that election oversight bodies faced was identified as 'paid news', or candidates obtaining favourable media coverage in exchange for cash. But fake news and online abuse, propelled by social media, have been game-changers.

### FACTS, FICTION AND PROPAGANDA

In notifying the country's polling schedule, the Election Commission of India (ECI) made special mention of the menace of fake news and hate speech. Social media campaigns, which could previously evade ECI scrutiny, must now be disclosed by every candidate. The ECI has also put in place an app that enables any private individual to record a complaint where an

offence over social media is detected.

Responding to an urgent call from the ECI on March 19, social media platforms and internet services instituted a claimed stringent audit of content. According to its public affairs head for South Asia, Facebook appointed seven fact-checkers specifically tasked with monitoring election related content in India. However, the process is for Facebook to refer specific stories which are flagged by users to the fact-checking process.

The three-page code drafted by social media platforms and internet services gives a commitment to keep a channel open to the ECI on all matters of priority, submit featured political advertising to certification by an empowered body, and ensure the transparency of promotional material using relevant "disclosure technology". Participants to the code have pleaded for recognition of their special status as neither "authors nor publishers". The Ministry of Electronics and Information Technology (MeitY) initiated public consultations on "intermediary liability". Section 79 of India's Information Technology Act (ITA) already specifies that an "intermediary" – a telecom service or social media platform – could be held liable for content. Exemptions are granted where it does not "initiate the transmission, select the receiver of the transmission, (or) select or modify the information contained in the transmission".

TV news in particular was found lending its voice to feverish public frenzy after a terror strike in Puvama district in the state of Jammu and Kashmir. India and Pakistan's troubled ties risked taking a dangerous new turn on February 15 as New Delhi accused Islamabad of harbouring militants behind one of the deadliest attacks in three decades of bloodshed in India-administered Kashmir. CREDIT: ARUN SANKAR / AFP

But intermediaries are also obliged to respond when notified about content that could potentially lead to unlawful conduct. The MeitY's proposal now imposes a "due diligence" responsibility for offences that are defined by a broad list of circumstances that have no mention in Article 19. Any violation of terms of use could lead to termination of services. They can also be compelled by "lawful order" to provide information to any designated "government agency".

Telecom companies and social media platforms have attacked the proposals as excessive and inherently prone to abuse. Civil society groups have decried the violation of the spirit of the Supreme Court ruling in the Shreya Singhal matter striking down the over-broad Section 66 of the IT Act.

Government intervention in regulatory bodies came in for sharp criticism in the period too.

Journalists' bodies strongly resisted attempts by the government to control autonomous institutions such as the Press Council of India by reconstituting them with hand-picked members.

The Indian Journalists Union (IJU) also criticized the manner in which the Central Press Accreditation Committee (CPAC), which grants accreditation to representatives of various news media organizations, was reconstituted. The reconstitution of the body without the representatives of organizations of

working journalists, editors and owners of the news media in clear violation of stipulated guidelines was termed as "veiled censorship". The IJU also protested against the decision of the Ministry of Information & Broadcasting to appoint a committee consisting largely of government officials and a few organizations to recommend a regulatory framework for online media.

### HYPER-NATIONALISM REIGNS

Nationalism was a key issue for the period under review. In particular, TV news was found lending its voice to feverish public frenzy after a terror strike in Pulwama district in the state of Jammu and Kashmir on February 14.

Neighbouring Pakistan was reflexively blamed and within days, a raid carried out by Indian Air Force combat jets deep within the territory of the neighbouring state, became the occasion for perfervid celebrations on the TV news channels. Pakistan retaliated within a day. Though full details remain unclear, India lost a helicopter on home ground, while one fighter jet was shot down over hostile territory. A combat pilot was taken captive by Pakistan, though this did not seem to dampen the mood of triumphalism on Indian news channels.

There was little hint of sobriety or restraint when Pakistan announced within a day of his capture, that the Indian combat pilot would be returned home. The unrelenting media hysteria seemingly gave Pakistan pause. It finally delayed the release of the pilot, till after he was recorded reading out a prepared script, praising the professionalism of the Pakistan army and sharply attacking the Indian media for adding "unnecessary fire and chilli to its words". Contrary to the Geneva Conventions norm, that captured enemy combatants will not be put on unseemly and humiliating public display, the recording was broadcast over Pakistan national TV and eagerly picked up by the Indian media, which had no other source for documenting those moments prior to the pilot's release.

In November 2018, a survey by the BBC World Service revealed that "nationalism" was a major driver of fake news. It found that "facts were less important to some than the emotional desire to bolster national identity" and "suggested that right-wing networks (were) much more organised than on the left, pushing nationalistic fake stories further".

The disturbing pattern of online trolling, including physical threats against journalists seen to be critical of the government's approaches on security and other policy issues continued, often in severely aggravated form.

Though a pattern going back many years, especially where female journalists are involved, the aftermath of the Pulwama terror attack saw a particularly nasty surge of threats against independent media practitioners. This period also saw a spike in unverified information circulated on social media being amplified in mainstream media, testing the credibility of the mainstream media and putting at risk the back-bone of the media industry – journalists and media staff.

### RISKING LIFE AND LIMB

The precarious situation for India's journalists remains a key concern for journalists and the organizations that represent them. The cold-blooded murder of editor-in-chief of daily *Rising*



An Indian citizen of Masaladanga enclave shows his ink-marked finger after casting his vote at a polling station in Cooch Behar district on April 11, 2019, during the first phase of general election in West Bengal. India's mammoth six-week general election kicked off April 11, with polling stations in the country's northeast among the first to open. CREDIT: DIPTENDU DUTTA / AFP



## IN NOTIFYING THE COUNTRY'S POLLING SCHEDULE, THE ELECTION COMMISSION OF INDIA (ECI) MADE SPECIAL MENTION OF THE MENACE OF FAKE NEWS AND HATE SPEECH.

*Kashmir*, Shujaat Bukhari, rattled Kashmir's media community and drew massive outrage, nationally and globally. Around 7pm on June 14, the 50-year-old journalist exited his office in Srinagar's Press Enclave, which houses the majority of newspaper offices including *Rising Kashmir*. Three gunmen showered bullets on his vehicle, leaving him dead. Two police personnel guarding him were also killed in the brutal attack.

Police held militant group Lashkar-e-Toiba responsible for the murder, and released a list of four suspects including Pakistan-based Sajad Gul, Naveed Jatt, Azad Ahmed Malik, Muzafar Ahmad Bhat as the killers. While Jatt and Malik were killed last year, Bhat is still at large. In the face of police 'claim' of solving the case, the Kashmir Editors Guild questioned the unwarranted delay in filing the charge-sheet in the murder case.

Bukhari, a peacenik and a regular at Track 2 conferences pushing for dialogue to reduce tensions between India and Pakistan, was the 19th journalist to fall to bullets in the Kashmir Valley since the insurgency began. Of the 18 journalists felled since 1989 in the Kashmir Valley, six were shot dead by security forces, five each by militants and unknown gunmen and two in blasts.

Bukhari's assassination was followed by the customary accusations from all sides of the Kashmir issue. Like much else that happens in the region, there is very little of clarity that emerges from the fog of the long-running insurgency.

On September 1, 2018, following a nationwide protest call by IFJ affiliate the Indian Journalists Union (IJU), thousands of journalists held rallies and protests denouncing attacks on freedom of the press and expression. The collective action drew attention to the increasing curbs on the freedom of press through covert and overt measures by governments, and alleged misuse of government powers to beat newspapers and channels perceived to be critical of their actions.

The action was to fight against what is described as 'undemocratic attacks' on independent media and the safety and security of journalists in India. It reiterated the need for strong laws to stave off the menacing growth of attacks and killings of journalists in the country. It said more than 120 journalists had been killed in the country over 25 years, with 95 percent of cases "still languishing in the labyrinths of pending court cases". Such attacks and the growing atmosphere of fear amongst working journalists were not only impacting the profession but also the public's right to information. While journalists in cities face immense challenges, the situation of journalists in small towns and villages is even more precarious.

### HAZARDOUS HINTERLAND

A single day in October highlighted the dangerous reality of journalists reporting in the field. On October 30, video journalist Achyutananda Sahu was killed while covering preparations for upcoming state elections in Chhattisgarh. Sahu was part of a media team from government-run Doordarshan television, embedded with local police. He was killed during crossfire when the group came under attack from a Maoist militant group. The other two Doordarshan media workers with Sahu were uninjured in the attack.

The same day, Chandan Tiwari, reporter for Aaj News in Chatra district of Jharkhand was found unconscious in the jungle after having previously lodged two police complaints over threats he had received. Tiwari later died in hospital. Jharkhand witnessed another journalist's death in early December when the body of Amit Topno, 35, a tribal journalist who had been covering a movement over tribal land rights, was found on the road near state capital Ranchi.

Three journalists covering the up-coming elections were



On September 1, 2018, following a nationwide protest call by the Indian Journalists Union (IJU), thousands of journalists held rallies and protests denouncing attacks on freedom of the press and expression. CREDIT: IJU

detained in October by the Chhattisgarh Police for eight hours in Narayanpur in Bastar district without any specific charges and released only after their phones were checked and memory cards copied. Following a pattern of ever-rising attacks on journalists by both the state and non-state actors, the IJU and the National Union of Journalists India (NUJ I) have been demanding enactment of a safety law from the Central Government. The Maharashtra government already has one in place.

Besides the long arm of the state, natural calamities also took a toll. Two journalists in Kerala died while covering the massive floods that swept across the state in July. Bipin Babu and K.K. Saji were part of a five-member team assigned by a leading daily Mathrubhumi to cover floods that were sweeping through the central district of Kottayam. Three members of the team were rescued when their boat capsized, but Babu and Saji perished in the accident.

Reporters in rural Kashmir say they are more vulnerable to being questioned and harassed. On March 25, 2019, two policemen in civilian clothes arrived in the neighbourhood of *Greater Kashmir* Bureau Chief in south Kashmir, Khalid Gul. They carried with them a summons against him for a report on an attack on a local politician two days earlier, and Gul said a statement was forcibly recorded from him at the police station.

He said police officials in the districts will not accept his calls and describes it as harassment for his reporting. The situation in southern Kashmir, comprising three districts, is especially grim with frequent gunfights and attacks.

"Either I have to greet them every morning and not report anything, then nobody will have a problem with me," said Owais Farooqi, who is a reporter with *Kashmir Reader* based in Bandipora in north Kashmir. Besides threats and insecurity, he says the biggest challenge for journalist is to send a story when the internet is suspended. "We have to travel to other districts to file stories or just do it by sending SMS. We travel for kilometres either by foot or if the situation is suitable then by the vehicles in search of internet," he said.

### BESIEGED VALLEY

Like the north-east, the insurgency prone region of Kashmir continues to pose enormous challenges for journalists. The Himalayan region of the state of Jammu and Kashmir (J&K), the main bone of contention between India and Pakistan, has been reeling under a full-blown armed insurgency since 1989.

Since the killing of the Lassa Koul, director of the Doordarshan station in Srinagar in 1990 by suspected militants, at least 21 journalists in Kashmir have been killed due to their work, according to IFJ statistics, making the region the deadliest in the country in terms of journalist killings alone. In the same time, the national total of killings for India was just over a 120.

Armed conflict as well as civilian unrest pose severe challenges for local journalists targeted by all sides of the conflict. The killing and intimidation continued in Kashmir in 2018 and is the key reason the IFJ continues to give focus to the media situation there.

While the journalist community was still in mourning following Shujaat Bukhari's assassination, a young journalist was jailed under draconian security legislation. In a night raid on August 27, 2018, Jammu and Kashmir police arrested the assistant editor at *Kashmir Narrator*, Aasif Sultan, from his home in Srinagar's Batamaloo neighbourhood. Sultan was illegally held in police lock-up for four days until being formally arrested on August 31. The announcement followed after Kashmir-based journalists associations questioned his illegal detention.

Police charged the 30-year-old for "harbouring militants" and giving support to a "proscribed" militant organization. Sultan was charged under the Unlawful Activities (Prevention) Act, an anti-terror law which has come under sharp criticism for curtailing freedom of expression. Local and international media organizations have repeatedly urged the state government to withdraw charges or release him on bail.

To date, Sultan continues to languish behind bars some eight months on. It is believed that Sultan was under watch by the police since he featured a story in July on the second anniversary of the death of the young Kashmiri militant Burhan Wani, a killing that sparked off months of strife on the streets.





Relatives and friends of slain editor-in-chief of the Srinagar-based newspaper *Rising Kashmir* Shujaat Bukhari mourn during his funeral procession at Kreeri on June 15, 2018. Thousands of mourners gathered for the funeral of the veteran journalist shot dead by unidentified gunmen on a motorbike outside his office in Srinagar. CREDIT: TAUSEEF MUSTAFA / AFP

Sustained surveillance by state agencies, especially the police, to monitor the activities of media workers is well underway in the Valley. Social media platforms are on the State's radar with content being closely monitored. Among those monitoring is also a loose collective of trolls in cahoots with state institutions resort to name-calling, smear campaigns and sometimes threats against journalists who question and report facts contrary to the State line. Intentionally, these actions are aimed at criminalizing journalists by default and restricting their access to officials.

Photojournalists frequently bear the brunt of armed forces and mobs. Four photojournalists were injured after security forces fired pellets on them on October 30, 2018, while covering an anti-militancy operation in south Kashmir's Shopian. Waseem Andrabi of *Hindustan Times*, Nasir ul Haq of *Rising Kashmir*, Junaid Gulzar of *Kashmir Essence* and Mir Burhan of ANI were hit in the eyes, head, and face but thankfully did not lose their vision.

Pellets are lethal lead metal balls regularly deployed against protesters in the Valley. The pump-action gun which disperses high velocity pellets across a wide expanse, were introduced in a significant way into the Jammu and Kashmir police force's enforcement repertoire following mass demonstrations in 2010. This followed widespread public outrage over the use of live and lethal ammunition to enforce crowd control, which caused massive loss of life through that cycle of unrest. The pellet gun was introduced on the understanding that it deters, but does not kill. Yet, the injuries it inflicts have proven lethal on occasion and often cause lasting physical damage, including potentially, permanent loss of eyesight.

The weapon, which Amnesty International wants banned, is responsible for the blinding, killing and traumatizing of civilians in Jammu and Kashmir. Two journalists Zuhaib Maqbool and Mir Javid were each blinded in one eye after being hit by pellets in 2016. But there is no end to the trauma for them, as expensive medical treatment continues.

With journalists working amid State, separatist and militant parties, any perceived slant or oversight in reporting, even if unintentional, can be extremely dangerous.

On October 17, about a dozen journalists were beaten while covering a gunfight between security forces and militants in Srinagar's Fateh Kadal neighbourhood. While police physically assaulted the journalists, allegedly in front of other senior officers, and the incident was recorded on camera, no action followed.

Separatists frequently issue subtle threats to media outlets and workers for not carrying their press statements and one young reporter was pressured to reveal a source by a separatist group, which also threatened to publicly blacklist and ostracize the journalist until the issue was resolved with separatist leader. The source was not revealed, but it sheds light on the issue of pressure from non-state actors and a lack of state accountability on media threats.

In May 2018, Zakir Rashid Bhat alias Zakir Musa (who claims to head Al-Qaeda affiliated Ansar Ghazwat-ul-Hind), threatened journalists with dire consequences if they continued taking photos of women participating in funerals of militants.

In recent years, vulnerability has grown manifold with journalists in the Valley regularly falling prey to violent mobs. The public aversion to media in the troubled region is little helped by news channels seen as lapping up a nationalist and pro-government stand on the Kashmir issue. In private conversations, journalists narrate sordid accounts of being harassed, attacked and threatened both on the ground and social media.

### RESTRICTIONS AND CONTROL

There is little doubt that the ongoing developments and conflict in the Kashmir Valley have made the region a significant place for news outlets across the globe. But like with other zones of conflict in the country, there remains "restricted" access for foreign journalists working for news organizations outside of India.

In 2018, the Government of India's Ministry of External Affairs revived a dormant rule and sent an official dispatch to foreign news bureaus in New Delhi on May 22, asking them to get permission/clearance before travelling to Jammu and Kashmir. This fettered access to foreign journalists and restricted them

from reporting. Among them, *The Washington Post's* outgoing India bureau chief, Annie Gowen, was not granted a permit last year by the Indian government. Another foreign journalist, Joanna Slater from *Washington Post's* India Bureau highlighted that the permit granted to Kashmir for her story in March limited her to Srinagar and included a condition that she not meet with people engaged in "anti-national activities".

On January 26, India's Republic Day, the state police's security wing stopped seven journalists from reporting the event in Srinagar, prompting other journalists to boycott coverage. Though the state government later called for a meeting with official representatives of the journalists associations and assured them of no hindrance in the future, no action was taken against the officers responsible. The journalists, including seniors who work for international news agencies include Tauseef Mustafa (AFP), Mehraj-u-din (APTV), Yusuf Jameel (*Asian Age*), Habib Naqash (*Greater Kashmir*), Danish Ismail (Reuters), Umar Mehraj (APTV) and Aman Farooq (*Kashmir Uzma*).

When curfew or restrictions are imposed, curbs are also imposed on the movement of journalists. Senior journalist Farzana Mumtaz reported that uniformed personnel stopped her during curfew/restrictions last year in the city, despite proving her identity. She later had to call a top police officer for intervention in order to get approval to move around and do her job.

Reporters and photojournalists are restricted from covering events in other non-formal ways. On October 11, 2018, media workers were stopped from covering the funeral of a militant leader Manan Wani in Kupwara, who was formerly a doctoral candidate at Aligarh Muslim University before signing up with the Hizbul Mujahideen. Almost a dozen journalists were stopped by policemen on the road and not allowed to proceed. Similarly, journalists are often stopped by youth who ask them to show their social media timelines or stories before allowing to proceed.

Journalists active online in the Kashmir Valley are closely monitored by police and intelligence wings. After sharing photos or information, journalists have been asked to describe the

"motive" behind their posts, especially those of killings of civilians during protests and are sometimes asked to take down posts.

WhatsApp groups are also closely monitored and documented. "The surveillance is so acute that a reporter immediately gets the screenshots of what he or she has posted on social media from police and intelligence officials," a journalist noted.

### STARVING INDEPENDENT MEDIA

Valley news outlets remain in economic dire straits due to recurrent shutdowns and ongoing conflict. Without a vibrant corporate sector due to the political uncertainty in the region, the denial of advertisements is aimed at serving a blow to leading newspapers at the forefront of reporting the conflict. *Kashmir Reader* had previously been banned for three months from October to December 2016 with no official reason given. But the *Reader* was a leading voice in reporting the conflict, giving extensive reportage of protests and civilian killings in the aftermath of the killing of Hizbul Mujahideen commander Burhan Wani on July 8, 2016.

In the weeks following the Pulwama suicide attack, there was a crackdown on the press by restricting advertising revenue. Though there was no official order, state government advertisements were stopped to three leading newspapers, *Greater Kashmir*, *Kashmir Reader* and *Kashmir Uzma*. In an unprecedented move, major newspapers published empty front pages on March 10, 2019 to protest the denial of advertisements.

Advertisements from the Directorate of Advertising & Visual Publicity (DAVP), the nodal agency to undertake multi-media advertising and publicity for various ministries and departments of the Government of India had been stopped back in 2010 on grounds that the Kashmiri press was partisan. It is worth noting that in a similar case of suspension of advertising by the state government to *Rajasthan Patrika*, the Supreme Court in September 2016 ordered that advertising be restored, as withholding it amounted to curtailing the freedom of the press.

## THE PELLET GUN WAS INTRODUCED ON THE UNDERSTANDING THAT IT DETERS, BUT DOES NOT KILL. YET, THE INJURIES IT INFLICTS HAVE PROVEN LETHAL ON OCCASION

Clashes erupt as the National Investigation Agency launched a raid at the Kashmiri separatist leader Mohammad Yasin Malik's residence in Srinagar's Maisuma area on February 26, 2019. CREDIT: HABIB NAQASH / AFP





**IN THEIR EVASION OF THE ISSUES RAISED IN THE COBRAPOST REVELATIONS, THE MAINSTREAM MEDIA MAY HAVE BEEN GUILTY OF OVERLOOKING THE SINGLE GROUND RULE OF RESPONSIBLE JOURNALISM: THAT OF “COMPELLING, OVERRIDING PUBLIC INTEREST”.**

## DEADLY ECONOMIC PRESSURE

By the government’s own admission, less than ten percent of newspapers in the country have fully implemented the Wage Board recommended wages to the working journalists and other newspaper employees.

IJU president, Amar Devulapalli, said the biggest danger to independent journalism in India comes not only from physical attacks, but also non-payment of statutory wages to working journalists. But upholding good standards in the profession was simply not possible under threat to personal safety and on an empty stomach, he added.

Instead, rather than implementing the recommended wages, all major newspapers have “opted out” for contract employment. Rural journalists remain the worst affected of all with no newspaper paying statutory wages. This media is also known to practice the worst type of ‘hire and fire’ policies.

According to a survey conducted by the Telangana State Union of Working Journalists (TUWJ), one of IJU’s affiliates, in 2018, nearly 220 journalists had died due to work-induced health complications between July 2014 and August 2018. The average age of deceased journalists was 46 years old, 75 died due to heart attack, 10 of brain haemorrhage, 20 of liver and kidney-related diseases, 21 were killed in road accidents and five committed suicide.

The TUWJ maintained that working conditions for journalists were creating an environment that is unworkable. It also claimed that 90 percent of journalists in the state were unpaid, as no newspaper in Telangana had implemented the wage board to its full time journalists. Stringers are also working in precarious situations, making up 80 percent of the journalist work force in Telangana.

In a memorandum to the Telangana state governor ESL Narasimhan, the union said: “The newspapers and news channels are putting tremendous pressure on the reporters to secure advertisements and increase their circulation. They do not have weekly offs or other holidays. Almost all of them are on 24 hour duty without rest or respite. Constant tension, irregular or scant wages is taking a toll on the health of journalists leading to premature death.”

The largest news agency in India, Press Trust of India (PTI), headquartered in New Delhi sacked 297 employees on September 29, 2018. Its Administrative Officer MR Mishra issued a blunt notice that read: “The following employees whose names appear in the list displayed with this notice have been retrenched from the employment of the PTI with immediate effect.”



Cobrapost’s undercover ‘Operation 136’ investigating corruption in the India media, was released in April-May 2018. The exposé was largely ignored by mainstream media. CREDIT: SCREENSHOT

The names of 297 employees mainly in non-editorial positions were sacked with management claiming the posts had been made redundant. IJU and NUJI strongly condemned the massive retrenchment of permanent employees in the country’s largest news wire agency. All but 52 of the non-editorial staff at PTI remained. On October 1, the PTI employees union and other journalists organizations held a day-long sit-in in front of PTI centres across the country, including the headquarters on Parliament Street in Delhi, protesting the “illegal” mass retrenchment.

On November 27, the Delhi High Court passed an order halting the mass retrenchments. The order, passed on the petition filed by the Federation of PTI Employees Union said that the ‘arbitrary policy of the management didn’t follow the rules of retrenchment’. However, a month later, a double bench of the High Court put this stay in abeyance, a rude shock for the employees who were suddenly out of job.

The Federation aims to take on the fight, but it may turn out to be a long battle. A similar battle was that by the 272 employees of the *Hindustan Times* (HT), who were fired on one single day back in 2004. After 14 long years, in December 2018, a Delhi court finally ordered HT pay over Rs 14 crore to 147 employees as back wages. Sadly, over 20 employees had died in the interim.

There is little doubt that conventional media continues to be challenged by developments in technology and changes in financial parameters. India remains, according to a recent estimate, the only country where advertising spending in print media continues to increase. But growth in 2018 was weak, a mere 4.4 percent. And despite the expected windfall from campaign advertising, the forecast for 2019 is a modest 5 percent.

Advertising expenditure in television grew 19 percent in 2018 and the current year is expected to be lower, but a nonetheless buoyant increase of 18 percent. The most rapid growth, an estimated 26 percent, has been registered by digital media, with an even higher forecast of 33 percent for 2019. The share of digital advertising in the total is expected to touch 22 percent, still behind TV and print, though rapidly catching up with the latter.

It is yet unclear how this shift in advertising budgets is influencing the content of older news media. Print and TV news have engaged in various strategic manoeuvres to staunch the haemorrhage of advertising to digital platforms. Podcasts are one among the new services gaining traction.

Whether these commercial strategies also constitute



inducement for the older media to emulate the “echo chamber” effects of the new, is a matter that seems to cause some worry for seasoned journalists and observers of the media.

## STINGING QUESTIONS

In May 2018, Cobrapost, a website that specialises in the ethically borderline practice of “sting” journalism, released a number of video recordings that showed top executives of the Indian media industry showing an unseemly eagerness to take up the advocacy of a political agenda for assured financial rewards.

Operation 136 was, in most part, ignored in mainstream media reporting and editorial introspection. Pratap Bhanu Mehta, a columnist who enjoys a certain autonomy, found no reason for similar restraint. Cobrapost, he raged, had laid bare, “the thorough contempt Indian media has for the Indian citizen”. Citizens were treated as “infantilised fools”, willing to suspend disbelief given the “thinnest veneer, the smallest gesture” or pretence of covering the news. Instead media owners only acknowledged some measure of accountability to “those who allocate capital or use political power”.

A foreign correspondent wrote a few days later about a “potential scandal” that struck at a “key pillar of Indian democracy” and yet was “barely being reported in the Indian media”. And even if the methods used by Cobrapost warranted a degree of “healthy scepticism”, the questions raised were deeply troubling.

In their evasion of the issues raised in the Cobrapost revelations, the mainstream media may have been guilty of overlooking the single ground rule of responsible journalism: that of “compelling, overriding public interest”.

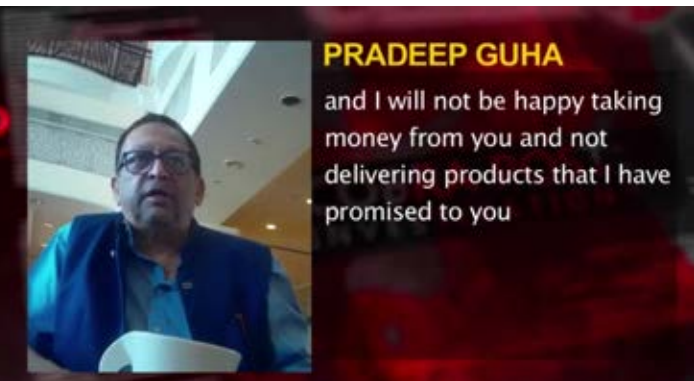
## COURTING TROUBLE

In late March, 2019, a court in Yamunanagar district in the state of Haryana, granted bail to Apoorvanand and Harish Khare, a columnist and former editor of the widely read daily newspaper *The Tribune*. The charges were “offending religious sentiments” and “causing disharmony between communities”.

At the same time, a court in Kerala, issued notice to TV news anchor Arnab Goswami on charges of insulting the people of the state by referring to them as “shameless” for accepting aid offered by overseas donors after devastating floods swept the state in August 2018.

Goswami’s travails may seem to be on the same scale as the legal harassment suffered by *The Tribune*. Yet it drew very mixed responses, in part because of some journalistic standards that others find deeply worrying. Once conferred the title of the man who wrecked TV news, Goswami has been credited with creating a template for primetime broadcasts dominated by acrimony and a truculent intolerance of alternative views.

Just a few weeks before, a magistrate’s court in Delhi had



directed that that an FIR be filed against Goswami and Republic TV news channel which he heads. This followed a complaint by Shashi Tharoor, a Member of Parliament of the opposition Congress, that Goswami and his channel had possibly hacked into his email account and stolen confidential documents about an investigation into the mysterious death of his wife. Goswami’s keen interest in pinning culpability on Tharoor has been widely read as stemming from the Republic TV promoter, businessman and politician Rajeew Chandrashekhar’s keenness to challenge him in the seat he holds.

Chandrashekhar has held a seat in India’s upper house of parliament, the Rajya Sabha, since 2006, first as an independent member and since 2018, representing the ruling Bharatiya Janata Party (BJP) and has tangled with the press in the past, securing an injunction against a number of websites in 2018 for their reporting on a possible conflict of interest between defence procurement matters and his investments in several companies that actively bid for defence contracts. In March this year, a Bengaluru city court vacated all such injunctions against the news portal *The Wire*.

Tejasvi Surya, a candidate contesting on the BJP ticket from the southern city of Bengaluru, secured an injunction against any “defamatory” reporting on no fewer than 49 news outlets and websites. The city court order applied to most newspapers published in English and the local Kannada language, both national and local TV news channels, YouTube, Google, Yahoo and Facebook, and even WhatsApp. In a welcome move, the High Court of Karnataka on April 13 lifted the gag order.

Auqib Javed Hakim, a reporter at *Kashmir Observer*, was summoned by federal counter-terror agency, the National Investigation Agency (NIA) to New Delhi. He was questioned for three consecutive days about his interview with separatist leader, Aasiya Andrabi. While he was let go after questioning, his phone was seized by NIA officials and hasn’t been returned to date.

“I am suffering a lot since my all contacts were in the phone,” says Auqib. Repeated reminders to return his phone have been sent to the authorities but in vain. Journalists’ associations in Kashmir reacted sharply, condemning the “intimidation and harassment”.

A young photojournalist from Pulwama in south Kashmir, Kamran Yousuf was early arrested by the NIA in September 2017. It is widely believed the arrest was for photos and videos taken by the photographer showing stone throwing protests, massive funeral gatherings of militants which went viral on social media.

The 21-year-old spent six months behind bars in Delhi and was released on bail on March 14, 2018. He was charged with stone pelting and other “subversive activities” but the NIA could not produce evidence of “any single photo/video showing that the applicant/accused was indulging in stone pelting activities at any site”.

Though released on bail after a Delhi court found that the



Congress party workers wear masks of Indian Prime Minister Narendra Modi (L) and business tycoon Anil Ambani, as they pose in front of a model of a Rafale fighter jet during a protest against the Rafale fighter jet deal, in Mumbai on September 27, 2018. CREDIT: INDRANIL MUKHERJEE / AFP



NIA had no evidence, the charges against Yousuf were not dropped. He was not formally charged until the Press Council of India (PCI) took cognizance of his matter and summoned the NIA for a hearing. In the intervening time, the NIA filed formal charges against Yousuf in a specially designated court, effectively removing the matter from jurisdiction of the PCI, which is not empowered to inquire into matters under criminal investigation.

## LITIGATION OVERLOAD

The thicket of litigation that has sprung up over particular stories is a feature of an increasingly testy and contentious relationship between the Indian media and political and business actors linked to governmental authority. In October 2018, Anil Ambani's Reliance Group filed a Rs 7,000 crore (about USD 100 million) defamation suit against founder editor of *The Citizen*, Seema Mustafa, for its reportage on the Rafale defence deal.

By one count, the corporate leader Anil Ambani, once ranked among India's richest men, has filed 28 defamation suits in a single court in the western Indian city of Ahmedabad. Of those, 20 are against media outlets and practitioners. A tally by one of the newspapers sued for defamation, puts total damages claimed in all Ambani's suits at INR 650 billion (USD 9.4 billion).

Litigants normally are liable to pay court fees in proportion to the monies claimed. Ahmedabad though has a different set of rules, levying a court fee of a mere INR 75,000 (USD 1,080), irrespective of the damages claimed. It is thus a forum of convenience for political and business actors to carry out their campaign of legal harassment of the press.

Many of the Ambani suits were filed to silence media reporting on a high-level defence deal for the acquisition of Rafale fighter jets for the Indian Air Force from France's Dassault Aviation. Ambani is believed to have floated a firm, which was within a fortnight awarded a significant share of the contract value of the fighter aircraft deal. After a series of investigative reports by *The Hindu*, India's Supreme Court took up a petition demanding a new criminal investigation, after having dismissed it earlier.

At the hearing, the Attorney-General of India, K.K. Venugopal informed the Supreme Court that all the documents suggesting

malfeasance in the deal had been obtained through illegal means. The Government, he asserted, would not be obliged to answer questions arising from stolen documents. Media platforms publishing the documents connected with the Rafale deal could be prosecuted under the Official Secrets Act (OSA), he warned.

N. Ram, former editor of *The Hindu* and now chairman of the proprietary company, dismissed any suggestion of impropriety. He said the documents were obtained from "confidential sources" which would remain protected. Finally, it was an unintended outcome of the Attorney-General's submissions, that they testified to the authenticity of the published documents.

At a subsequent hearing, one Supreme Court judge observed that the OSA had been to all practical purposes, superseded by the "revolution in governance" ushered in by the passage in 2005 of India's Right to Information Act (RTI). Hearings will continue, though the Supreme Court is unlikely determine while the electoral process is on.

On April 10, the three-member bench of the Supreme Court ruled unanimously, that the documents would be considered as part of the court's deliberations on the petition. The bench in two separate but concurring judgments endorsed the right of the press in general, to publish sensitive documents of the kind unearthed by *The Hindu* in relation to the Rafale deal.

The occasional triumph aside, the year brought legal travails aplenty for journalists and newspapers without the national profile and financial resources of *The Hindu*.

In March 2019, the High Court in the north-eastern state of Meghalaya found editor Patricia Mukhim and publisher Shobha Chaudhuri of *Shillong Times* guilty of contempt. They were fined INR 200,000 (USD 2,900) each, for the alleged offence of publishing two articles that questioned decisions of the High Court in matters involving the remuneration and post-retirement benefits enjoyed by judges. Though both had responded to a summons from the High Court in December and submitted an apology in February, the judge who happened to be on the verge of retirement, found these insufficient as acts of contrition. Mukhim and Chaudhuri were given a week to pay their fines, failing which they faced six months of imprisonment and a ban on their newspaper. Following a crowd-sourcing initiative,

## MANY OF THE AMBANI SUITS WERE FILED TO SILENCE MEDIA REPORTING ON A HIGH-LEVEL DEFENCE DEAL FOR THE ACQUISITION OF RAFALE FIGHTER JETS FOR THE INDIAN AIR FORCE FROM FRANCE'S DASSAULT AVIATION.

the matter went up in appeal before the Supreme Court, which stayed the conviction.

In November 2018, Manipur journalist Kishorechandra Wangkhem was taken into custody for posting four videos and comments on his Facebook page, criticizing the state government led by the BJP and describing the Manipur chief minister as a "puppet" of Prime Minister Narendra Modi's federal government. The journalist also went on to criticize the adoption of practices from the northern plains of India into Manipur's public rituals.

Police reported that the videos "bring or attempt to bring into hatred or contempt, or excites or attempts to excite disaffection towards the government" and held him for six days. Wangkhem was granted bail on the ground that his language though intemperate, may have been an impulsive reaction. The local police however went on to frame charges under the National Security Act, which effectively eliminates all possibilities of bail for a year. Defending its decision to jail the journalist, the Manipur government claimed that the 39-year-old was arrested to "prevent him from acting in any matter pre-judicial to the security of the state and maintenance of public order".

Wangkhem's family went on to challenge the detention in Manipur's High Court with political opponents and human rights advocates saying that it was an attempt to silence dissent.

On April 8, the Manipur High Court quashed all charges against Wangkhem and ordered his immediate release. There is a demand that reparations be rendered the wronged journalist for loss of reputation and damage to health, though the chances of securing this seems unlikely in the current climate.

Orders for the arrest of Abhijit Iyer-Mitra, a national security commentator, were issued in September 2018 by police in Odisha in eastern India, after a Twitter post which allegedly ridiculed the iconography of some of the state's most revered temples and ascribed it to a "conspiracy of the Muslims". Iyer-Mitra was granted bail but went on to cast slurs against the elected legislators of Odisha.

A month after the initial arrest warrant was issued, Iyer-Mitra was taken in to custody from his home in Delhi by Odisha police, on the additional charges of breach of legislative privilege.

Legislative privilege is an ill-defined provision and like contempt of court, invoked with extreme caprice to curb the public right to free speech. Iyer-Mitra spent 43 days imprisoned in what seemed collateral punishment for his friendship with an influential politician from Odisha, then going through a rift with the chief minister. He finally walked free after all charges were dropped. His incarceration was also a time of the failure of solidarity among media professionals. As in the case of TV news anchor Arnab Goswami, this was another instance when political partisanship overwhelmed principle, occasioning rather more feeble protests than warranted over the arbitrary application of a law to punish a media practitioner.

In the central Indian state of Chhattisgarh, long in the grip of a Maoist insurgency, editor Kamal Shukla of *Bhoomkaal* magazine was charged under the draconian law of sedition for sharing a cartoon on social media with a few comments of his own. In July 2018, the Chhattisgarh High Court granted him anticipatory bail, which gives him immunity from arrest. In issuing its order, the High Court cited well-established case law, often ignored, on essential conditions that must be met before sedition law is invoked.

## GROWING MONOPOLIES, LAX REGULATION

Soon after India's election schedule was announced in March, 2019, cable TV and DTH operators began telecasting a channel bearing the name NaMo TV, an obvious acronym of Prime Minister Narendra Modi's name. In April, news websites reported the channel had been broadcasting for well over a week with no broadcast licence or the statutory security clearances.

What NaMo TV offered, as reported by *Scroll*, was "an unending stream of Narendra Modi's speeches and other pro-BJP material". Under persistent questioning, the head of the BJP Information Technology cell explained that NaMo TV was a feature of a campaign app they had launched. It was, as various commentators noted, not classifiable as news, but had not been certified as advertisement. At time of publication, the ECI was reported to be urgently studying if the matter of NaMo TV merited its intervention and possible stricture.

Over a year when regulatory matters issues were addressed in most part by a policy of wilful neglect, ownership issues and in particular, the crucial priorities of checking concentration and ensuring plurality, remained another area of default. After partially disclosed investments that allowed it an influential, perhaps even decisive, voice in various media content firms, Reliance Industries Ltd (RIL), India's biggest corporate conglomerate, extended its influence by securing controlling interests in two major carriage-ways for satellite-cable TV transmission.

Operating through one of its many investment arms, RIL in November also acquired a controlling interest in a new journalism start-up called the New Emerging World of Journalism, catering to India's growing market for mobile news consumption.

The Reuters Institute for the Study of Journalism (RISJ) at Oxford University, released a report in March that describes India as a "platform-dominated market", where those that seeks direct access to traditional news outlets is a small and diminishing minority.

More than most other markets, the cell phone is king in India. No fewer than 68 percent of respondents in the RISJ study identified "smart" phones as their main source for accessing news; and no fewer than 31 percent had no source other than the mobile phone.

Data volumes transacted over the mobile phone network have multiplied several times since 2015 when RIL's telecom division, Jio, entered the market with an offering of data plans that were virtually free. As with RIL's stealth take-over of the media content space, this capture of the carriage function leverages the enormous financial clout that the industrial conglomerate has from its presence in energy, petrochemicals and infrastructure.

Jio's free offerings moreover, threaten the future of India's other telecom operators, increasingly stressed by debt and the pressures of coping in a market where service costs are already rock-bottom. And as with the RIL takeover of content, its intrusions into carriage have been facilitated enormously by indulgent policy, which treats the corporation as virtually an extension of the government. Diversity and pluralism in the Indian media, already under pressure, took significant steps towards the brink through the year under review.





## THE MALDIVES A GOLDEN YELLOW DAWN

It was a dramatic year for the Maldives. In the space of 12 months the country endured a cycle of political crises under the autocratic rule of long-running President Abdullah Yameen, only to emerge at year's end with a new president, a new governing party and new hope for democracy.

Prompted by a rising tide of social discontent and a showdown with the judiciary earlier in the year, the Yameen government which ruled the country with blunt force from 2012, tried at all costs to keep political power in check in the tiny troubled island nation. But the cracks were showing.

Following a government imposed 'state of emergency' declared earlier in the year in February, Yameen's usual suspects – political opponents, independent media and activists – remained firmly in the firing line for the 45-day crisis and beyond.

Hefty fines were dealt out to media, especially those affiliated with the opposition. Journalists continued to be detained and threatened. Meanwhile, international observers watched on cautiously at the roll out of events through the year.

As the election neared, so too escalated fears of a larger political crisis embroiling overseas business interests, as well as the

prospect of western-led political sanctions if all hell broke loose.

Despite the political uncertainty and upheavals, the country's planned presidential election took place on September 23 without any major incidents of violence. In a shock outcome, Yameen was roundly defeated by the opposition candidate, Ibrahim Mohamed Solih whose Maldivian Democratic Party (MDP)-led Joint Opposition (JO) formed government. He took oath on November 17, 2018.

It was lauded internationally as a win for democracy and the rule of law. Almost immediately reforms were announced, including new investigations of suspected missing and killed cases, and the repeal of the country's controversial Anti-Defamation and Freedom of Expression Act.

Five months on, Solih and his alliance secured a landslide two-thirds majority in the 87-member assembly at the country's national elections on April 6. The country's former president Mohammed Nasheed, who had returned from exile after Solih's win in November, was there by his side and vowed for sweeping reforms and an end to government corruption.

Amid a sea of yellow, the colour of the party, he declared the Maldives was headed for a "golden yellow dawn".

## DEMOCRACY DERAILED

The contradiction of the Maldives domestic chaos to its outward public persona cannot be underplayed. This is why this current political reckoning is so critical for this tiny chain of islands southwest of India.

Its international image is that of an idyllic luxury tourist destination; popular with honeymooners, cashed-up celebrities, dubious business tycoons and Instagram influencers. Comprised of 1192 islands and 26 coral atolls, an estimated 1.4 million tourist visitors were lured to its white sandy shores and romantic resorts in 2018 alone.

But the Maldives has also witnessed an increasing tide of its own, as climate change and political refugees continued to flee the country. Among them, journalists and political opponents, including the country's only democratically-elected president Mohammed Nasheed, who fled to the UK in early 2018.

In its 2018 report, *Crushing Dissent in the Maldives*, Human Rights Watch documented how the Yameen government continued to use "decrees and broad, vaguely worded laws to silence dissent and intimidate, arbitrarily arrest, and imprison critics". That echoed findings of the IFJ's own situation report just

Maldivians living in Sri Lanka wait to cast their votes at a polling station for the country's parliamentary election at the Embassy of the Maldives in Colombo. The Maldives on April 6, 2019 held its first parliamentary election since former strongman leader Abdulla Yameen was forced to stand down in 2018. CREDIT: LAKRUWAN WANNIARACHCHI / AFP

**AS THE ELECTION NEARED, SO TOO ESCALATED FEARS OF A LARGER POLITICAL CRISIS EMBROILING OVERSEAS BUSINESS INTERESTS, AS WELL AS THE PROSPECT OF WESTERN-LED POLITICAL SANCTIONS IF ALL HELL BROKE LOOSE.**

two years earlier which documented waves of restrictions and attempts to muzzle the media dating back to 2012. This included hefty defamation cases to intimidate journalists with the prospect of jail and their media outlets with bankruptcy.

## HALF-PARADISE, HALF-HELL

After 30 years of control under former President Maumoon Abdul Gayoom, the Maldives 2008 constitution was intended to protect "the right to freedom of the press, and other means of communication including the right to espouse, disseminate and publish news, information, views and ideas". But it was a case of democracy derailed under Yameen rule.

Legislation was manipulated and butchered to critical and devastating effect, to jail opposition activists and politicians. Meanwhile the country's new anti-defamation laws were frequently wielded against the media and social media activists.

Restrictions on assembly continued to prevent peaceful rallies and protests and the formation of unions, including that of journalists and media workers. Too many feared the repercussions.

In 2018, journalists suffered at the hands of the State and its cadres. The re-criminalization of defamation was facilitated and enabled by the Maldives Broadcasting Commission (MBC), which operated with a fairly clear mandate of legal haranguing and harassment of media workers.

For those that chose not to take the safer path of self-censorship in the fractious and volatile space for freedom of expression, the daily reality was brutal. Few could blame journalists for toning down reporting in the tiny media ecosystem that largely operates in the epicentre of the capital, Malé, home to just 142,000 people.

Media outlets seen as being aligned to the opposition were key targets of the 2018 attacks.

## CONTROLS AND LEGAL INTIMIDATION

In a long-running pattern of harassment Raajje TV endured another year of physical and legal threat due to its content.

On August 8, the MBC fined Raajje TV USD 130,000 for live broadcasting a politician's speech from an opposition demonstration after it was deemed defamatory to the President Yameen and a threat to national security. Raajje was given 30 days to pay the fine or risk losing its broadcast license. This was the fourth time the station was fined for its content since 2016.

In a statement, Raajje TV said the MBC report was filled with fabrications and was "a calculated and well-coordinated attack to obstruct efforts to make President Yameen's government accountable" ahead of the presidential elections.



## THE MBC FINED RAAJJE TV USD 130,000 FOR LIVE BROADCASTING A POLITICIAN'S SPEECH FROM AN OPPOSITION DEMONSTRATION AFTER IT WAS DEEMED DEFAMATORY TO THE PRESIDENT YAMEEN AND A THREAT TO NATIONAL SECURITY

On August 15, a Civil Court rejected RaajjeTV's appeal to suspend the payment of the fine. Less than a month on, President Yameen sought to take action against the station over the press conference footage. Held the previous December by the opposition MDP, speakers had alleged the president's involvement in illegal oil trade with North Korea. On September 10, with no alternative, Raajje had little option but to settle the fine. That added to previous fine tallies served to RaajjeTV totalling over USD 240,000 in five separate incidents.

As well as controls on journalists internally, tensions increased as the election neared with international media.

On August 30, the Immigration Department issued a press release stating that the elections would be open to monitor by foreign media, but warning foreign journalists of "punitive measures" if they did not seek appropriate visas. On September 12, the joint opposition issued a statement expressing concerns over reports that several international journalists had applications for visas to cover the presidential elections rejected.

Police violence against journalists increased sharply during the first half of 2018 but, not surprisingly, was heavily reduced by the year's end.

### GROWING ISLAMIC RADICALISM

The rise of dangerous radicalism among the ranks of the country's 340,000 Sunni Muslims has with little doubt been one of the most deadly elements for media operating in the country.

Religious extremists and criminal gangs (many enjoying political protection under Yameen's rule) assaulted and murdered dissenters with impunity, including journalists. The key targets were those critiquing government on social media, seen to be publishing material deemed as offensive to Islam, promoting the rights of lesbian, gay, bisexual, and transgender people or supporting non-state aligned causes.

On May 1, the IFJ reported on cadres of a political party offering up to USD 9,000 to a local gang to stab Raajje TV's CEO, Hussain Fiyaz Moosa.

The station said in a statement that it was one of the "lowest, scariest, most dangerous and un-Islamic acts carried out by anyone to undermine the station". Raajje TV did not name the political party, the politicians or the gang involved due to fears of an escalation of threat.

Ironically, as incoming tourist hordes continued to flow into the Maldives in 2018 despite diplomatic warnings, there was an outward flux of would-be Islamic combatants. An *ICSR report on Women and Minors of Islamic State* published in July 2018, said that around 200 Maldivians, including 12 women and five minors, were fighting in Syria and Iraq. This made the Maldives the world's second largest number of foreign fighters 'per capita', after Tunisia, it said.

So seemingly entrenched was religious extremism that even the country's judiciary system came under question when terror suspects were freed on apparently trivial grounds.

In October 2018, the Ministry of Foreign Affairs controversially



The shock winner of the Maldives' leadership vote, Ibrahim Mohamed Solih was declared president-elect on September 29, with election authorities saying they received death threats to delay the final announcement of strongman Abdulla Yameen's decisive loss. CREDIT: AHMED SHURAU / AFP



Former Maldives president Mohamed Nasheed addresses a press conference in Colombo on September 21, 2018. "Mathematically, it is not possible for Yameen to win because all opposition parties are united against him," he told reporters. Credit: LAKRUWAN WANNIARACHCHI / AFP

issued a press release expressing solidarity for the Kingdom of Saudi Arabia over the disappearance of Saudi journalist Jamal Khashoggi.

But change seems to be afoot – certainly at least in political dialogue. On February 26, 2019, while urging its citizens not to advocate religious extremism, the country's new president asserted that "ideologies that support radical Islam could upset the peace and security of the nation."

### FIGHTING FOR JUSTICE

Unperturbed, the fight for justice for journalist attacks continued, led by the family, friends and colleagues of abducted journalist Ahmed Rilwan and murdered blogger Yameen Rasheed.

Police are yet to find Ahmed Rilwan Abdulla, a journalist who disappeared in August 2014, who was known for his pointed critiques on radical Islam and the government. They have also so far failed to identify his abductors despite a long-running and determined campaign by his family and friends.

On August 2, the Maldives criminal court acquitted two men of terrorism, over the alleged abduction of Rilwan. The judge called the investigating police and prosecution negligent and careless, and said they had failed to conduct a thorough investigation.

During the hearing, Judge Adam Arif noted that, though the prosecution's witnesses had testified to seeing a man being forced into a red car near Rilwan's home in the suburb of Hulhu, Malé, neither had they claimed the man was Rilwan nor had they spoken of Aalif Rauf and Mohamed Nooradheen's involvement.

At a campaign rally on August 7, former President Yameen, who had repeatedly refused to meet with the journalist's family over the years, bluntly declared that the journalist was dead. The president's remarks stirred uproar in the public, since no investigative authority had yet declared his death.

In strong rebuke at the statement, incidentally made on the eve of the anniversary of his disappearance, protesters marched in the streets of the capital city Malé on August 8 to mark the four years since his abduction.

On November 5, the Maldives Police Service (MPS) announced its decision to review the case of murdered blogger Yameen Rasheed, and abduction of journalist Ahmed Rilwan. Soon after taking office, Solih also announced a commission to investigate murders and enforced disappearance that occurred between

January 1, 2012, and November 17, 2018 in the country.

On March 18, 2019, Husnu Al Suood, President of the Commission on Investigation of Murder and Enforced Disappearances, announced that four high-profile cases assigned to the Commission for investigation were successfully completed.

In a discussion with CPJ, Husnu Al Suood did not reveal the name of the group involved but accused the previous Government of being aware of the group as early as 2011, but failing to go after them for political reasons, CPJ said.

The Commission is currently probing a total of 24 such cases, including the four high-profile cases of the murder of Ungooaarur Parliamentarian and religious scholar, Dr Afrasheem Ali on October 1, 2012; the abduction of Ahmed Rilwan, on August 8, 2014; the murder of, Yameen Rasheed, on April 23, 2017; and the murder attempt on blogger and human rights activist, Ismail Hilath Rasheed, on June 4, 2012.

All were known as vocal advocates on social issues, human rights, and religion. And all had popular online followings. Suood said the attacks were masterminded by one group and were motivated by religious, militant elements, with gang involvement.

In the case of Yameen Rasheed, who was brutally stabbed to death more than 36 times in the stairwell of his apartment building, seven suspects were arrested and stood trial, though this was initially held in secret. While the trial has been opened up, attendance is limited and there has been little progress.

In Rasheed's case, authorities were also accused of negligence, though the civil court threw out a case filed by the family in 2017.

One of the biggest challenges ahead and a test of the new government will be the media's long running fight to secure justice for crimes against these journalists and others.

### A BLUEPRINT FOR MEDIA REFORM

There is no doubt that the Maldives media industry has suffered the dire consequences of this period. Great efforts are now needed to rebuild not only media houses, but the representative organizations and advocates that were decimated in this period.

Every year, more and more outlets closed as a result of economic losses or political intervention of revocation of licenses. Many others have scaled down operations as a means of survival.





Citizens of the Maldives filled the streets to celebrate the election result. CREDIT: RAAJJE MOHAMED SHARUHAAN

**THE MALDIVES HAS ALSO WITNESSED AN INCREASING TIDE OF ITS OWN, AS CLIMATE CHANGE AND POLITICAL REFUGEES CONTINUED TO FLEE THE COUNTRY. AMONG THEM, JOURNALISTS AND POLITICAL OPPONENTS . . .**

Individually, journalists have lost their livelihoods or left the profession after one too many death threats by text or the occasional machete thrown at the workplace, as happened in 2014 at Minivan News (now Maldives Independent).

After former president Mohammed Nasheed was deemed ineligible to run in the September election because of his prior prison sentence, his colleague Solih stood for a platform to restore democratic freedoms. True to his word, within two months, on November 13, the Anti-Defamation and Freedom of Expression Act was repealed.

And if the wheels of justice are slowly beginning to turn again for democracy, there is more to be done.

In early 2019, former president Yameen was imprisoned over a graft scandal involving the country's tourism board. He denied the accusations and was released on bail in late March just days before the parliamentary elections.

Beside repealing the criminal defamation law, again, there is also a concrete need among journalists to have their access to information law strengthened. Somehow the Maldives' leaders need to figure out a way to beat the country's deeply-entrenched bent for secrecy. Some reforms in the RTI commission itself may be beneficial.

Reservations also remain on the way in which the Maldives will deal with blasphemy laws, which can still too easily be used against journalists who may take up issues linked to Islam. As a country that has touted itself as 100% Muslim, Solih is still known as a man who stands with the 'people of faith' line.

The Male-centric media ecosystem is also deeply entrenched, much like the country's political parties. Journalists in the Maldives need to be supported to overcome this if they are to strengthen independence into the future.

This calls for initiatives that can help build the media landscape and a professional media community that is not reliant on political parties.

## RENEWED HOPE

In the evening of Tuesday, April 23, the *Maldives Independent* reported that the hectic traffic of Malé was interrupted by "defiant chants" as about 200 people marched across the capital.

Together they marked two years since the brutal murder of Yameen Rasheed, a blogger and human rights defender who fought relentlessly to seek answers for his abducted friend Ahmed Rilwan.

While previous marches saw family members arrested, pepper sprayed and sacked from their jobs, the tone this year was different. Amid renewed hope for answers, President Ibrahim Mohamed Solih marched in solidarity with the families and parents of Yameen and Rilwan. Yameen's father and Rilwan's mother addressed the president directly with appeals for justice. Others spoke about hate speech, tolerance and pluralism.

For media, it may well be the turning point in a bleak chapter of repression and control. Yet it is also a story of bravery and survival by the country's small army of journalists who have had to eyeball their enemies on a day to day basis.

A senior journalist from Villa TV, Ali Sulaiman summed it up: "The fact we were able to march peacefully today and (the) president marched with us, renews hope that we can get justice. I hope that the people who carried out this attack on Maldivian journalism would be brought to justice. We may not get Rilwan back, we may not get Yameen back, but we can make sure it does not happen to anyone else."

## THE END OF FEAR

It began with name-calling and harassment, with politicians and religious hardliners at rallies and on social media singling out journalists, news outlets and bloggers for their critical coverage. Then came the death threats and attacks - stabbings, near-fatal beatings, abductions - and finally, amid growing impunity for these crimes - a disappearance and a killing.

Over the past decade, journalists and dissident writers in the Maldives have gone to great lengths to report and write about the Indian Ocean country's slide to authoritarianism and the growing threat to free speech from criminal gangs and conservative Islamist groups. Several were arrested, put on trial, and beaten, and others forced into exile. A journalist was disappeared and a blogger murdered. Ahmed Rilwan Abdulla, a reporter with the *Maldives Independent*, was abducted in 2014 and has not been seen since, while Yameen Rasheed, who ran the *Daily Panic*, a satirical blog, was killed in a brutal knife attack in 2017.

"The fear was pervasive," says Moosa Latheef, a veteran journalist. "I've worked as a journalist for more than 30 years, and never before have I felt that kind of insecurity."

But that could change now.

In November 2018, Ibrahim Mohamed Solih defeated then-President Abdulla Yameen in a contentious election, ending the autocratic leader's five-year rule. Yameen, who assumed power in 2013, a year after the country's first democratically elected president was removed in a coup d'état, presided over a wide-ranging crackdown on dissent and press freedoms.

Yameen's tenure saw an increase in threats and assaults against journalists and their offices, often by members of criminal gangs in the capital, Male. But the police failed to investigate most of the incidents. And even in the few instances where prosecutors filed charges - such as in the near-fatal beating of Raajje TV's Asward Ibrahim Waheed in 2012 and the torching of the station's headquarters the following year - judges are yet to hand down sentences.

Moreover, Yameen's party passed a new law criminalising defamation and used it to exact nearly USD 250,000 in fines from the popular opposition-aligned Raajje Television, mostly on allegations of slandering the former president. The country's oldest newspaper, *Haveeru*, was shut down following a murky court battle over ownership, while the CNM news website was taken offline amid government pressure over reports levelling corruption allegations against Yameen's wife.

## WINDS OF CHANGE

Solih, the Maldives' new president, has vowed to reinstate freedoms, promising to "ensure Maldives is a modern democracy with extensive press freedoms".

The first step to reinstate both democracy and press freedom, Maldivian journalists say, is ensuring accountability for past crimes.

The signs are positive. Solih has set up a presidential commission to investigate the disappearance and the murder. But much more needs to be done, says Ismail Naseer, a former editor at *Haveeru*.

"There have been numerous attempts to silence journalists, through physical assaults, as well as legal threats," he says, alleging political influence behind the stalling of investigations



**AHMED RILWAN ABDULLA, A REPORTER WITH *THE MALDIVES INDEPENDENT*, WAS ABDUCTED IN 2014 AND HAS NOT BEEN SEEN SINCE, WHILE YAMEEN RASHEED, WHO RAN *THE DAILY PANIC*, A SATIRICAL BLOG, WAS KILLED IN A BRUTAL KNIFE ATTACK IN 2017.**

in attacks on the press. "We need a public inquiry to find out who was behind it all, especially to establish which government officials were involved."

The second step Solih's government must take is ensuring the independence of the state broadcaster Public Service Media (PSM) as well as media regulatory bodies.

During Yameen's tenure, supporters of the ruling party, including some who were part of his re-election bid, were appointed to PSM and the Maldives Broadcasting Commission. The state broadcaster became a mouthpiece for the government, while the commission, tasked by law to issue broadcasting licenses and uphold journalists' conduct, began implementing the draconian defamation law and punishing radio and television stations that criticized the former president or reported on government corruption. Raajje TV's journalists had to walk door to door to raise funds to pay off immense fines.

That law has since been repealed, but Hussain Fiyaz Moosa, the station's former chief executive officer, says all the members of the Commission "must be sacked and the parliament must hold them to account for shielding the former president by preventing reporting on government corruption".

Government offices must begin to comply with requests for information under the existing Right To Information Act, he says. "We also need protections for whistle-blowers," he adds.

The third measure must come from the local media community.

At the height of media repression in the Maldives, journalists did not have a union or a professional body to advocate on their behalf, a move that stymied collective action.

The Maldives Journalists Association, set up in 2008 as a media workers' union, was rendered inactive because of infighting among journalists. "It's very important that we have a professional body not just to advocate for our rights, but also develop the media here," says Fiyaz.

"The signs are encouraging, but there is a lot to do to. I am hopeful," he adds.



## NEPAL

## THE LEGAL STRANGLEHOLD

Nepal witnessed a stable government under the premiership of KP Sharma Oli, though the same cannot be said for freedom of the press. The government, buoyed by the two-third majority in the parliament, has largely ignored freedom of the press and unnecessarily criticized the media and journalists to tarnish the public image of the media. Alongside that, it has also introduced laws or drafts of laws that could eventually degrade the state of press freedom in the country.

Prime Minister KP Sharma Oli heads a government led by the Nepal Communist Party (NCP) a party formed after unification of the erstwhile Communist Party of Nepal (United Marxist Leninist) and the Communist Party of Nepal (Maoist-Centre). The party has a comfortable majority in the parliament, and thereby controls the law-making process at a crucial juncture when the country needs a slew of new laws and regulations. Given the often opaque and non-consultative process that is followed to draft legislation, the new laws or drafts include provisions contrary to global standards of press freedom, freedom of the expression and freedom of the internet.

The federal structure means that the provincial governments are responsible for making provincial laws, and most of the drafts relating to the media put forth in provincial assemblies have restrictive provisions. The provinces and local bodies are entrusted with some responsibilities regarding regulation of local media, which they seem to have interpreted as the right to control the media.

For journalists, the year was a continuum of threats and violence. Since May 4, 2018, the Federation of Nepali Journalists (FNJ) recorded 58 instances of press freedom violations, the majority of them being attacks, threats, misconduct and arrests. These occurred at a time when impunity for crimes against journalists is a long-standing issue.

## FEAR OF RESTRICTIONS

Nepal's new Criminal Codes Act 2017 and Civil Codes Act 2017 became law on August 17, 2018, replacing 15 laws including 55-year-old civil and criminal laws. The new laws aim to amend and consolidate all existing criminal laws and civil laws into one document. Some provisions in the Criminal Codes Act 2017 have been criticized for restricting freedom of expression and press freedom.

IFJ affiliates FNJ and the Nepal Press Union (NPU), as well as other media stakeholders, expressed concern and demanded amendments to some of the provisions. The FNJ ran a protest campaign, including street protests and demonstrations and succeeded in forming a task force to review the laws. However, the report of the taskforce was ambiguous and did not bring any further action on the laws.

The provisions of the laws relating to privacy and defamation contradict 'complete press freedom' and other rights of the citizens guaranteed by the Constitution of Nepal. The major concerns over the Criminal Codes Act 2017 are over the ambiguity in provisions that leaves enough scope of misuse.

The provisions that were highlighted as problematic are



Nepali policemen and activists of the Tarun Dal, the youth wing of Nepali Congress Party, clash during a demonstration against the government in Kathmandu on July 21, 2018. CREDIT: PRAKASH MATHEMA / AFP

**ON JULY 21, 2018, FIVE JOURNALISTS WERE ATTACKED BY POLICE OFFICERS WHILE THEY WERE COVERING CLASHES BETWEEN THE POLICE AND DEMONSTRATORS NEAR THE PARLIAMENT IN KATHMANDU.**

Sections 293 to 308, relating to privacy and defamation. If proven guilty, the accused faces up to three years of imprisonment.

- Section 293 prohibits listening to or recording conversations between two or more people without consent or authority. Violations are punishable by up to two years' imprisonment and/or a fine of Rs. 20,000 (USD 200). Journalists say this provision will kill investigative journalism.
- Section 294 prohibits publicizing private information of others found during professional works without consent or authority. Violations are punishable by up to one year in prison and/or Rs. 10,000 (USD 100) fine.
- Section 295 prohibits taking photographs without consent, and violations are punishable by up to two years in prison. Section 296 prohibits giving away, selling or publication of photos for commercial purpose without the consent of the subject in the photographs.
- Section 298 prohibits receiving or sending unauthorized information or messages through an electronic medium and publishing them.

- Section 305 prohibits slander; Section 306 prohibits libel, including satire. Section 307 states that slander and libel are punishable by up to two years in prison, and slander and libel through electronic or mass media are punishable by an additional year.

Govinda Acharya, the FNJ president, said: "More than 80 journalists faced criminal cases and harassment due to one provision in the Electronic Transaction Act for their news. The new Act has dozens of such provisions that criminalizes written or spoken expression, and journalists face imprisonment up to three years for merely writing news. This is against international standards and principles of press freedom; as well as the Constitution of Nepal."

Badri Sigdel, the NPU president, said: "The NPU condemns the Act with provisions that restrict journalists to report, write and take photographs. Such restrictions are against democratic norms and values; and point towards authoritarianism. The NPU demands immediate amendment of the unacceptable provisions of the law."

FNJ's former president Dharmendra Jha says: "The Act,

if implemented as it is, will affect journalism as some of the new provisions in the Act are restrictive to freedom of expression and press freedom."

Another former president Shiva Gaunle says: "There is a problem with the provisions on privacy and defamation. Despite being good overall, the problem is that the Act does not differentiate between the private and public life of people. Journalists should have the right to report and write about the public life of people."

FNJ Secretary Ram Prasad Dahal says: "Nepali journalists will be working with a sword hanging over their head. The FNJ is very concerned and we will struggle for the rights of journalists to ensure people's rights to information is fulfilled."

Bikash Karki, the chairman of the Photojournalists' Club, Nepal says: "The provisions related to consent on photography can be misused to harass photojournalists and media. The threat of misuse of the provisions will not allow photojournalists to work in the way in which we have worked in the past."





Nepali Prime Minister KP Sharma Oli, whose government holds a two-third majority, has introduced laws or drafts of laws that could eventually degrade the state of press freedom in Nepal. Oli observes the royal crown of Nepal's former monarchs on October 15, 2018, as it is put up for display in the Narayanhiti Museum for the first time since Nepal abolished the monarchy in 2008. CREDIT: PRAKASH MATHEMA / AFP

## WRATH ON SOCIAL MEDIA

A new Information and Technology (IT) Bill that was tabled in the parliament on February 20, 2019, provided a peek into the government's willingness to control freedom of expression. The draft states that all social networking sites need to be registered in Nepal to be able to operate otherwise the government could potentially block them. The draft also states that an 'improper' post – such as defamation or violating the country's sovereignty – on social media is an offence carrying a punishment of up to five years in jail and a fine of Rs.1.5 million (USD 10,000).

The government has reiterated that such provisions are necessary to ensure taxation on advertising on social networks, and to protect data exploitation. However, there is widespread concern as it seems to be an attempt by the government to justify control over the websites. The catch is that if the social media platforms are registered in Nepal, they will be liable to follow the laws of the land, and the IT Bill's Clause 94 states that a government department will be able to order them to remove content for six types of violations, mostly associated with defamation and privacy.

Earlier on February 11, the government tabled the Federal Civil Service Bill with provisions restricting civil servants from criticizing the government on media and social media. It also restricts them from providing information to the media. Clause 75 of the bill states: "No civil employee shall, on his/her real or pseudo name or anonymity, publish any feature article, provide any news to the press, broadcast a speech through radio or television etc, make any public speech or publish any statement via broadcast or social media in such a manner as to be contrary to the policies of the Government of Nepal or to undermine mutual relationship between the Government of Nepal and the people or the relationship with any foreign country."

The bill was the continuation of a directive issued by the Ministry of Education, Science and Technology. The directive issued on October 2018 bars all staff and teachers from criticizing the government and political parties or posting comments or liking posts or sharing posts to that effect on social media. The Social Media and Mobile Phone Use Directive 2018 applies to civil servants under the Ministry and its subordinated departments, school and university teachers both from private and public institutions.

Freedom of expression on the internet is clearly a big issue for the government as PM Oli in multiple instances had asked his cadres to unite to defend the government on social media. The result of this was seen when a popular folk singer, Pashupati Sharma, released a new song that made satirical references to political leaders with words roughly translating to 'loot whatever you can, since that's allowed only in Nepal'. The youth wing of the ruling party issued a statement against the song and the singer was forced to pull it down from YouTube.

Student leaders from the ruling party harassed and threatened journalists of online news portal hamrakura.com over a news report about a Member of Parliament (MP) and the chairperson of the students union on June 2018. Seven people led by a central committee member of the All Nepal National Free Students' Union (ANNFSU), entered the media office on the evening and demanded the removal of the news related to MP and ANNFSU chairperson Nabina Lama.

Ironically, this came at a time when the government was asking all government offices to harness the power of the social media. In August 2018, the Prime Minister's Office released the Procedure on Use of Social Networking Sites by Government Agencies to strengthen communication between the authorities and people, share information about

**MINISTER BASKOTA AND PM OLI, AS WELL AS OTHERS IN THE GOVERNMENT, HAVE REPEATEDLY CLAIMED THAT THE GOVERNMENT HAS NO INTENTION TO MUZZLE THE PRESS FREEDOM OR FREEDOM OF EXPRESSION. BUT EVERY TIME THESE STATEMENTS WERE MADE, THEY HAVE CRITICIZED 'EVIL' PRACTICES OF JOURNALISM.**

government activities and address public grievances.

Another bill of concern is the Bill on Management of Advertisement Regulation 2018 which was also tabled in parliament. Some provisions of the bill are ambiguous and can curtail freedom of expression. For instance, clause 5 of the bill prohibits the promotion and encouragement of a product and service prone to obscenity without properly defining what constitutes obscenity. The clause also contains provisions on defamation and contempt of court and other clauses criminalize false advertising.

## RESTRICTIVE PROVINCIAL BILLS

Media laws are being drafted in provinces across the country, but all of the drafts are restrictive to press freedom. Some bills have provisions to criminalize media offences including provisions for jailing journalists, some others have provisions contradicting the constitutional guarantee of free press.

Sensing the urgency to advocate for press freedom, the FNJ constituted a high-level mission that travelled across the country to meet with provincial governments, advising them not to contravene press freedom. Media policy watchdogs such as the Center for Media Research – Nepal's Media Policy Hub and Freedom Forum Nepal stated that the common trend is to put in some kind of provisions to control the media. Such bills include Integrated Communication Bill by Province 2, Media Bill of Province 3, Gandaki Province's Mass Communication Policy, and Province 5's Broadcasting Bill.

## CRITICISM OF THE PRIVATE PRESS

On November 11, 2019, the government started withholding the decisions of the meetings of the Council of Ministers after some of its decisions were met with public outrage and were challenged in the Supreme Court. The government spokesperson and Minister for Communication and Information Technology Gokul Prasad Baskota on November 11 told the media that "the decisions will be known in due

time" and didn't read out the decisions, thereby breaking a long-standing tradition of addressing the media.

*The Himalayan Times* daily in its editorial titled 'why so secretive' said: "Keeping the Cabinet decisions secret [is] clear indication that the government is moving towards tightening the noose on the media."

Minister Baskota since then started having a weekly press conference at his office and he has used the platform not only to disclose selected decisions of the Council of Ministers but also to lambast private media issuing threats to them and preaching journalism. For example, on November 30, 2018, he warned media owners and journalists to think about their investment and their jobs while writing news stories that are unfavourable to the government. He said media should not forget that the government is the main source of news as well as advertising revenue.

It is worth noting that Baskota is the minister accused of directing the State-owned Nepal Television (NTV) to stop a long-running talk show by journalist Raju Thapa after Thapa asked him tough questions in June, 2018. The programme which had been on air for the past 12 years was abruptly cancelled after Minister Baskota's interview where he was quizzed about his property. Thapa alleged that the programme was cancelled at the direct intervention of the minister, which the latter denied.

Minister Baskota and PM Oli, as well as others in the government, have repeatedly claimed that the government has no intention to muzzle the press freedom or freedom of expression. But every time these statements were made, they have criticized 'evil' practices of journalism. For example, PM Oli, during a panel discussion in a session on "Shaping the Future of Democracy" at the 49th meeting of the World Economic Forum in Davos, said he had a 'normal' relationship with the press as in any democracy and claimed that the Nepali press was completely free. However, he also added that people wanted to see a responsible press and said: "In the name of press freedom, if somebody gives false news and hurts others and damages another's family life, prestige and business, then it is not good."



Minister for Communication and Information Technology, Minister Baskota, was accused of directing Nepal Television (NTV) to stop a long-running talk show after host Raju Thapa asked tough questions of the minister in June 2018. CREDIT: SCREENSHOT



Indian Prime Minister Narendra Modi arrives at Kathmandu airport on May 11, 2018 for a two-day visit aiming to reset strained relations between India and its small northern neighbour. Nepal journalists from private media were not allowed to cover the Indian PM's visit to Mustang or the program in the office of the president in Kathmandu. CREDIT: ASHOK DULAL / AFP



## VIOLENCE ON JOURNALISTS

The FNJ's press freedom violation database recorded 58 instances since May 4, 2018. A murder and a disappearance of journalist took place, but both incidents were not related to their work.

Radio journalist Manohar Dhakal, 42, was found lying dead by the roadside in Makwanpur district on January 9. Four people were arrested in connection with the murder, two of whom have plead guilty of murdering Dhakal when he questioned their presence in the secluded area near the forest while they were smoking marijuana.

Another radio journalist Tej Bahadur (Teju) Khadka went missing on August 25, 2018 while returning from a remote pilgrimage site in Bajura district. Teams mobilized by the army, FNJ and local journalist groups failed to locate him and his whereabouts remains unknown.

According to the FNJ database, at least 22 journalists were subjected to misconduct or harassment, 21 journalists were attacked, and 14 others threatened for their work. Five media houses suffered seizure of their assets.

Nepali journalists across the country faced attacks and threats, especially during demonstrations. On July 21, 2018 five journalists were attacked by police officers while they were covering clashes between the police and demonstrators near the parliament in Kathmandu. On July 18, 2018 LB Devkota of *Kantipur* daily and Prakash Upadhyay of AP1 TV sustained minor injuries after an attack by the police while they were covering the clashes between police and demonstrators in Jumla, Karnali. On July 22, 2018 journalist Bidur Katuwal, the joint secretary of FNJ Udayapur district, was threatened by Baldev Chaudhary, the mayor of Triyuga Municipality, Devi Kumar Chaudhary, the vice-mayor, and Provincial Assembly member Sunita Chaudhary over a report. Similarly, journalists Chhabilal Tiwari and Om Prakash Gayal were attacked in Parbat on August 9, 2018; and Radheshyam

Biswokarma, Salman Khan and Deepak Ghimire were attacked while reporting in Rupandehi on August 5, 2018. A dozen cadres of ruling NCP attacked journalist Lokendra Khanal of *Nagarik* daily in Rukum district in west Nepal on November 9, 2018 over news reports.

Several journalists were arrested during the period under review, mostly under the Clause 47 of the Electronic Transaction Act 2008.

## MISUSE OF CYBER-CRIME LAW

This clause that criminalizes anything published on the internet is increasingly being used to harass journalists.

Examples of such misuse include the arrest of Raju Basnet, the editor of a weekly newspaper and an online portal. The editor-



Journalist Dinesh Giri was attacked by three people over a news report in June in eastern Nepal. CREDIT: NEPAL PRESS UNION

## NEPALI JOURNALISTS FROM THE PRIVATE MEDIA WERE NOT ALLOWED TO COVER THE VISIT OF INDIAN PM NARENDRA MODI TO MUSTANG IN MAY 2018 OR THE PROGRAM IN THE OFFICE OF THE PRESIDENT IN KATHMANDU, ALTHOUGH INDIAN AND OTHER INTERNATIONAL PRESS WERE ALLOWED TO COVER THESE EVENTS.

in-chief of *Khojtalash* weekly was arrested on September 10, 2018 from his home at Godavari Municipality, Lalitpur, in the Kathmandu Valley under a court order reportedly over a news report about pressure being exerted by lawmakers to illegally sell government-owned factory land. The story in question was originally published in another weekly, *Drishti*, on September 4. Khojtalash.com republished the story under a different headline on September 6. Basnet, who was released after four days, said: "I believe I was detained due to my political beliefs, I strongly believe in democratic ideology. Because they did not take action against the weekly which originally published the news, the complaint was just to harass me. The police did not allow me to talk to the media even after the court asked for my release."

Another case is that of Gopal Chand, the editor of an online news portal postpati.com, who was arrested on November 27, 2018 by the Central Intelligence Bureau (CIB) of Nepal Police after portal published a news report that a local resident of Chitwan district attempted to attack former Prime Minister Pushpa Kamal Dahal 'Prachanda', also co-chairman of the ruling NCP. Police accused Chand of spreading false information.

Journalists were also barred from reporting news of programmes organized by the government on various occasions. Nepali journalists from the private media were not allowed to cover the visit of Indian PM Narendra Modi to Mustang in May 2018 or the program in the office of the president in Kathmandu, although Indian and other international press were allowed to cover these events. In November, journalists were also barred from covering the meeting of parliamentary committees during crucial discussions.

One more instance of harassment occurred on April 15, when Arjun Giri, editor of the weekly Tandav and tandavnews.com, was arrested in Pokhara, on charges of publishing news about alleged fraud committed by a businessman, Bipendra Batas. The latter sought registration information from the Press Council of Nepal (PCN) which officially wrote to him saying that the news portal was not listed as media. Batas then approached the Central Investigation Bureau of the Nepal Police, which got a court order to arrest Giri. After his arrest, it turned out that the PCN had provided incorrect information and that Giri should not be prosecuted under the law. Giri was released on the first day under FNJ's protection but was kept handcuffed in custody for two more days until the Kathmandu District Court on April 18 ordered his release on ordinary bail. Some believe that Batas achieved his objective of harassing Giri, by subjecting him to three days in police custody.

## CONTINUING IMPUNITY

Impunity and self-censorship are two 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 went to prosecution.

Trishna Acharya, the daughter of murdered journalist Dev D Kaudinya told the Freedom Forum: "The transitional justice mechanisms established for justice to the conflict victims have done nothing. Mere distribution of money does not ensure justice. We want to know why our father was killed

and who did it. I just want to ask the Commissions - either just kill the victim families or don't delay justice and further victimize. My father died once but we are dying every day to know the truth."

## THE MINIMUM WAGE FIASCO

The level of threat and harassment of journalists and the impunity to perpetrators, has led to a situation where journalists, especially those outside Kathmandu, find it increasingly difficult to report on critical issues. In Kathmandu, the biggest media market, corporate interests could be seen playing a role in shaping content.

One such incident concerns the minimum wage of journalists. In September 2018, the government approved 25 percent increase in the minimum wage of the journalists as recommended by the Minimum Wage Fixation Committee. Nepal Media Society (NMS), the association of media owners, called the decision unilateral and refused to implement it, while the government remained adamant in implementing the new wage. A Supreme Court ordered the government to halt implementing the new wage in a widely criticized interim order.

In a circular dated February 1, 2019, the Department of Information and Broadcasting, which issues press accreditation enabling journalists to enter government buildings, made it mandatory for journalists to produce their bank statements to avail the facility and asked media houses to submit a copy of the payroll of all journalists. The biggest newspaper *Kantipur* reported it as a press freedom violation whereas NMS, in a widely carried press statement, said: "Orders and directives that are aimed at controlling the press should be rescinded immediately to avoid any situation of anarchy and conflict in the country." The IFJ-affiliate FNJ has repeatedly urged media houses to implement the new wage.

## MORE CHALLENGES AHEAD

The year to come will define the state of press freedom in Nepal. Whereas Nepal's constitution is explicit in mentioning press freedom and other related freedoms, the government has not whole-heartedly accepted these and is trying to exert control over people's opinions, especially dissenting ones. They believe tough regulations are required to control criticism, and they seem to be paving the way for such control by enacting a plethora of laws. The end of the political transition and the establishment of a stable government were thought to be stepping stones towards strengthening press freedom in Nepal, but on the contrary, press freedom appears to have weakened. FNJ President Govinda Acharya said in a press statement on March 29, 2019: "Though the number of press freedom violations has decreased, the trend remains the same. Self-censorship and impunity still reign. The issues of working journalists remain as they were." Alongside, the parliament and provincial assemblies are now looking to enacting laws that aim to control the media. The year ahead will not be easy for independent media, nor for media policy advocacy in the country.



## PAKISTAN

TIGHTENING CONTROL  
AND ECONOMIC  
COLLAPSE

The past year saw the Pakistani media dealing with long-standing threats arising from the ‘war on terror’ and armed militants, but also encountering a new war against economic insecurity, undeclared censorship, intimidation, media blackouts, harassment and coercive laws.

The current phase the media is passing through has been dubbed by many senior journalists as ‘the worst’, ‘unprecedented’ and not experienced even in earlier dictatorial military regimes.

In July, with the advent of the new government of the Pakistan Tehreek-e-Insaf (PTI) headed by Prime Minister Imran Khan, a fresh phase of bullying and intimidation was unleashed.

The new government imposed a ban on releasing payments of billions of rupees to broadcast and print media owners. The billing for advertisement pertained to the outgoing government of Pakistan headed by the Muslim League, the key opponent of the PTI.

The non-payment of dues, which is believed to be an arm-twisting tactic of the government, led to severe financial crisis in the media industry. Media owners then carried out a ruthless retrenchment drive of journalists and non-journalist staff on the pretext of ‘losses’ which ever remain doubtful as financial accounts of the media owners are never made public and thus not auditable.

The November 8 raid on Karachi Press Club (KPC) by intelligence officials was an unprecedented act in the history of the club that was known as the ‘fortress of democracy’ where uniformed and armed personnel are not allowed to enter. Journalists present were roughed up when they resisted the plainclothes raiding team that was carrying electronic gadgets, purportedly tracking devices. In the following days, a member of the club, Nasrullah Chaudhry was picked up from his residence. Extensive protest rallies were organized against the illegal detention of Chaudhry. Subsequently, Chaudhry was produced in a court of law on charges of financing a terrorist outfit. Chaudhry was released on bail and the case is pending in court.

The only good news came in April when the Wage Board Commission announced interim relief for journalists and media workers, the first financial relief after 17 long years. Significantly, the Commission attached the condition for media organizations’ payment of interim relief with the release of advertisement to complying organizations.

## MASS LAY-OFFS

Under recurrent spells of expulsions and closure of newspapers and TV channels, major and minor media houses carried out ‘restructuring’ due to the so called ‘financial crisis’.

Pakistan’s flagship media company – the Jang Group – over a period of time laid off over 700 journalist and non-journalist staff including at Geo TV, the largest news channel in Pakistan. In mid-December, the group also closed down its evening newspapers including *Daily Awam*, *Daily News*, *Inqilab* and *Awaz*. The group also shelved its Faisalabad and Peshawar

editions of the *Daily Jang*. The management cut down salaries by 10 to 20 percent.

The Nawa-e-Waqt group shut down its television channel Waqt TV, laying off all the staff working at different stations; some 350 employees were rendered jobless. Likewise, the group cut down the newspaper staff by about 150 employees and over a dozen employees faced forced/early retirement. They were not paid their financial dues and had to knock the doors of the courts where matters are progressing at a snail’s pace.

The *Century Publications*, one of the largest media houses in the country, fired 243 employees from its different newspapers and TV channels and slashed salaries up to 15 percent. It shut down 10 of its editions and pooled together all editions at its Lahore and Karachi offices.

Dunya TV, another large news channels fired about 200 employees and trimmed the salaries of the surviving staff from

10 to 20 percent. Dunya TV management also decided to cut down salaries by 10 to 20 percent before it fired some 200 employees all across the country. It also closed down bureaus in many cities and towns in the Sindh and Punjab provinces.

*Dawn*, the largest, the oldest and most prestigious English daily under Herald Publications, made a drastic cut of 40 percent in salaries, lowering the morale of several of the most professional and committed journalists, who have played a vanguard role in the evolution of a liberal and independent press in Pakistan. The organization also fired some 35 employees, which it hired through ‘third party contract’, a problematic phenomenon for the journalist community.

Dawn News, the television channel, laid off more than a dozen employees. G-TV, a newly established television channel, fired about 25 employees but the management claimed that their contracts were terminated before the probation period on

the basis of their performance.

Abb Takk TV laid off more than 200 of its employees and carried a pay cut of 20 percent.

Hum TV, another relatively new mainstream news channel fired some 30 of its staff and slashed the salaries from 10 to 40 percent. NewsOne TV channel has been also not paying salaries for four to five months.

*National Courier*, an English daily was also shut down and over a dozen of its employees were striving to get their financial dues from the management.

Bol TV, which arrived with a bang in 2015 and went on to claim it was the top news channel in the country, proved to be the proverbial nightmare of the Pakistan media industry. Since its launch four years ago, some 4000 to 5000 employees were cyclically hired and fired. Millions of rupees were pending in dues of the thousands of employees. A paltry payment was



A Pakistani policeman stands guard near the Samjhauta Express train travelling to India on February 25, 2019. Tensions rose in the days following a suicide attack in Kashmir that killed more than 40 Indian paramilitary troops and was claimed by Islamist group Jaish-e-Mohammed (JeM), based in Pakistan. Meanwhile, the current phase faced by Pakistan’s media has been described as worse than earlier dictatorial regimes. CREDIT: ARIF ALI / AFP

THE CURRENT PHASE THE MEDIA IS PASSING THROUGH HAS BEEN DUBBED  
BY MANY SENIOR JOURNALISTS AS ‘THE WORST’, ‘UNPRECEDENTED’ AND  
NOT EXPERIENCED EVEN IN EARLIER DICTATORIAL MILITARY REGIMES.





The facade of the Rawalpindi office of one of Pakistan's leading dailies, *The News* (English) and *Jang* (Urdu) on June 28, 2018. Facing abductions, censorship and financial ruin, journalists in Pakistan say they are under unprecedented pressure to bend to authorities' will as the country headed to nationwide polls. CREDIT: AAMIR QURESHI / AFP

## THE 'ECONOMIC COLLAPSE' OF THE MEDIA HAS HAD A DEEP IMPACT ON WORKING JOURNALISTS IN PAKISTAN. IN ADDITION, TOP NEWS MANAGERS TOO FACED TREMENDOUS PRESSURE, DEALING WITH THE FALL OUT ON THEIR FIELD STAFF.

made in February 2019 by the management on the orders of the Supreme Court of Pakistan. The apex court order has benefited 148 employees so far. Delayed salaries are the hallmark of the channel and about six months' salaries of the staff were due to be paid.

Neo TV did not fire any of its staff but the management got the employees to agree to a salary cut of four days' salary every month.

Another menace that flourished in the past year was delayed payments of salaries by almost all the major and minor television channels and newspapers. Many organizations delayed pay for four months, some even up to six months, for example at the *Daily Ummat*.

### DETERIORATING WORKING CONDITIONS

The 'economic collapse' of the media has had a deep impact on working journalists in Pakistan. In addition, top news managers too faced tremendous pressure, dealing with the fall out on their field staff.

In late 2018 Jawad Nazeer, who was serving as news and current affairs director at Geo TV died of heart failure. His colleagues believed that he was under immense pressure because of his own difficult work conditions and those of his colleagues.

The managing director of one of the country's largest television channels survived an anxiety-related heart attack,

related to the stress of his inability to clear salaries of his staff, who were looking up to him for resolving their problems.

Those who were fired have been frantically looking for jobs in the saturated market, but those whose salaries were slashed are faced with the dilemma of downsizing their lifestyles. A journalist who was drawing a decent salary and got one of his sons enrolled in an elite cadet college had to withdraw his son from the college due to uncertainty of salaries. Another journalist likened the dire situation to the dark ages when feudal lords would engage 'bonded labour,' in their fields.

The right of collective bargaining largely remains out of the question as very few organizations have Collective Bargaining Agreements (CBAs). *Jang*, *Nawa-e-Waqt* and *Dawn* newspapers, the legacy of the good old times have CBAs. However, many employees of these organizations believe that most of their elected union leaders were more sympathetic to the owners/management than the employees.

Exploitative working conditions in the absence of CBAs continues unabated. Contractual employment or third-party contractors form a larger part of the employment at media houses. Contractual employment is illegal but the employees, fearful of a protracted legal course, avoid approaching the courts.

Drastic pay cuts were also made by prominent media organizations, demoralizing working journalists, who were braving the hanging sword of retrenchment by their respective organizations.

The severe job security saw the polarized unions of



Pakistan's cricketer-turned politician Imran Khan (C) of the Pakistan Tehreek-e-Insaf (Movement for Justice) speaks to the media after casting his vote at a polling station during the general election in Islamabad on July 25, 2018. CREDIT: AAMIR QURESHI / AFP

journalists, which had undergone several splits in the past, come together to resist lay-offs and pay cuts which were hampering free media voices. Journalist unions in collaboration with other labour unions launched a spate of sit-ins and protests, but there was no respite.

After a nerve wracking 15 years, on April 10, 2019, the 8th Wage Board Commission announced an interim relief in three slabs ranging from Rs 5000 (USD 35) to Rs 8500 (USD 60) for journalists and other newspapers employees. The last wage commission was announced in 2000 and in 2004. Ever since, journalists were working on salaries fixed on the basis of parameters of inflation set as long back as 2000.

However, amid the dismal scenario of salary cuts and job losses, even this meagre interim raise was good news for working journalists. The Commission has also made it mandatory for the newspapers to pay the interim relief since January else the government advertisement would not be issued to the violating organization.

The key issue is that only few newspapers implement the wage board salaries. The arrears of the sixth wage board were still pending and some 300 to 350 employees were awaiting 19-year old dues. Meanwhile, 9th and 10th wage boards are overdue, posing a question on the government's will to address the plight of journalists.

### MASSIVE STATE INTRUSION

Undeclared censorship has been in vogue and created an environment of fear. As a result, self-censorship by television anchors and journalists is rife. TV anchors complained about receiving advisories from security officials on a daily basis. A prominent TV anchor said that 90 percent of the anchors get advisories and merely 10 percent dare to conduct their TV current affairs shows independently.

There were attempts to control content on two prime

television channels Geo TV and Dawn which practice relatively independent journalism with regard to current affairs and politics. These channels on occasion deviate from the official narratives not in accordance with the line of the powerful security establishment of the country.

Talat Hussain, a seasoned journalist who was the host of a current affair programme at Geo TV was fired for being a staunch critic of the civil-military imbalance in the country.

Matiullah Jan, like Hussain, was shown the exit door by his organization Waqt TV for expressing anti-establishment views.

The Human Rights Commission of Pakistan (HRCP) set up a fact-finding mission on the freedom of press in 2018 and observed that there was a massive intrusion by the State apparatus into the distribution of newspapers and broadcast of television channels. Many interviewees requested anonymity and related their experiences of pressure by State and intelligence agencies.

An unofficial ban was witnessed on daily *Dawn*, *The News*, *Jang* and *Nawa-e-Waqt* before the July 2018 general elections of the country. Their distribution was severely hampered in different parts of the country.

The distribution of *Dawn* came to halt at various towns and cities after it published an interview of former prime minister Nawaz Sharif, who raised questions about the militant groups' *raison d'être* in the country.

Vendors, distributors and cable operators endured threats, physical assault and harassment over supplying copies of *Dawn* in their respective areas or transmission of Geo TV on prime channels.

In the Gilgit-Baltistan province, a chief of a cable operating company was repeatedly harassed and told to bring Geo TV broadcast at the lowest level and was ultimately told to take the channel off air.

Discussing the issues of Balochistan, where insurgents defy the State writ fighting for their rights, is unofficially banned.





Similarly, the rallies and activities of Pashtun nationalists represented by Pashtun Tahafuz Movement (PTM) are not shown or covered in the print media.

Likewise, protest rallies of journalists for their rights are completely boycotted by the media save for a few organizations.

## KILLINGS, ATTACKS AND ABDUCTION

Noor ul Hassan from Royal News TV was killed and cameraman Sabir was injured on December 3, 2018 in Peshawar in Khyber Pakhtunkhwa province, northwest Pakistan.

Unidentified gunmen fired shots at Express News TV anchor Imran Khan's house in Lahore, the capital of Punjab Province in north-eastern Pakistan on August 1.

Journalist Muhammad Abid died on August 23 as a result of the injuries he received during the attack on him a day earlier in Borewala Tehsil in Punjab province.

Violent incidents against journalists within a few hours of each other in Lahore highlighted the tough situation for the media ahead of the parliamentary elections. Journalist Asad Kharal was attacked by armed masked men; and Gul Bukhari was abducted and briefly detained by unidentified men in two separate incidents on June 5 night.

Journalist Kadafi Zaman of Norway's TV 2 was arrested and beaten by police while covering a political rally on July 13 in Gujrat city of Punjab province despite informing the police that he was a journalist. He was released on bail on July 16 but faces criminal charges including attempted murder, tearing a police uniform, snatching four mobile telephones from the police, and interference in government function.

The Lahore High Court issued a non-bailable arrest warrant for journalist Cyril Almeida over an interview with former Prime Minister Nawaz Sharif. He is required to appear at the next hearing of a case seeking action against the former PM on charges of treason.

Illegal picking up and detention of journalists continued in 2018-19. At least three journalists were picked up by security officials, of whom one was released, though he was framed in

Pakistani journalist Cyril Almeida (C) arrives at the High Court to face treason charges in Lahore on October 8, 2018. Two former Pakistani prime ministers and the journalist fronted the case which centred around remarks made by Nawaz Sharif during an interview with the *Dawn* columnist in May 2017, where the former PM suggested Pakistani militants were behind the 2008 Mumbai attacks. CREDIT: ARIF ALI / AFP

terrorism financing activity.

Rizawn Razi was arrested on February 9, in Lahore over a series of social media posts. The International Federation of Journalists (IFJ) and the Pakistan Federal Union of Journalists (PFUJ) strongly criticized the arrest and detention of Razi and demand his immediate release. Razi was charged under cyber-crime laws and released on bail.

Law enforcement agencies picked up at least two journalists in Karachi. On April 1, Matloob Husain Mosavi, was abducted from his home. The young reporter was associated with the Jang newspaper. Days after a cameraperson of Abb Takk TV was also picked up in a similar manner. Their official whereabouts are still not known.

## SILENCING BY IMPUNITY

Pakistan is known as one of the most dangerous places in the world for journalists and the culture of impunity further magnifies the prevailing threats. From 2008 till 2018 some 128 journalists have been killed across Pakistan, according to Media Matters for Democracy, an Islamabad-based NGO.

The level of impunity for such heinous murders can be gauged by the fact that in only two cases, the murderers faced conviction. Other than the case of Daniel Pearl, a key case was the murder of journalist Wali Babar of Geo TV, who was gunned down in 2011 at busy street of Karachi, allegedly by members of the Muttahida Qaumi Movement (MQM), a Karachi based political party.

Babar's case could have been yet another typical case of impunity, but his elder brother Murtaza made it his mission to get justice. Five judges were changed during the long hearings, several people connected with the case including a lawyer and

A Pakistani journalist reads a local edition of the International *New York Times* in Islamabad on February 12, 2019, which shows a single-column blank space on the front page. An opinion piece in the *International New York Times* criticising Pakistan's powerful army was censored by its local publisher on February 12, replaced by a blank space in a country where it can be dangerous to reprimand the military. The article by Manzoor Pashteen, the leader of a movement which calls for an end what it says are enforced disappearances and extra-judicial murders of ethnic Pashtuns by security officials, was widely available online. CREDIT: AAMIR QURESHI / AFP

**SIX OF PAKISTAN'S PROMINENT JOURNALISTS, ALL BASED IN ISLAMABAD, WERE CHARGED UNDER THE PECA AND AN INVESTIGATION WAS LAUNCHED AGAINST THEM. ALL HAVE A REPUTATION OF BEING VOCAL AGAINST VARIOUS KINDS OF WRONGS.**

witnesses, were mysteriously gunned down. Finally, in 2015, two of the perpetrators were handed death sentences. It was the selfless personal struggle of Babar's brother that took the case to its logical end. Otherwise, impunity has been a chronic failure by the State, judiciary and the law enforcement agencies to book the culprits.

Impunity abets more killing as the perpetrators remain at large, avoiding prosecution or conviction. Working journalists face threats not only by militants, criminals but also by political, religious and sectarian groups and law enforcement agencies, with no assurance that the perpetrators of violence will be brought to book.

As crimes against journalists continue unabated in Pakistan, most of them keep themselves distant from assignments that could cause them trouble. Investigative journalism has thus been the biggest victim of impunity.

In the backdrop of entrenched impunity, journalists' safety programmes, insurance, training and welfare concepts have been rare in the media industry, though some non-profit organizations are trying to highlight the issue.

## TIGHTENING REGULATION

While journalists remained distressed by the economic squeeze and mass unemployment, they also had to face the brunt of laws regulating media freedom.

The draconian Prevention of Electronic Crimes Act (PECA) passed in 2016, restricts press freedom and needs to be completely revamped, this time after extensive consultations. The controversial law was approved without taking on board the journalist community and other stake holders. Among other things, the Act penalizes the spoken or written word that supposedly poses a danger to the security of Pakistan, to public order or to the maintenance of friendly relations of Pakistan with foreign states.

Six of Pakistan's prominent journalists, all based in Islamabad, were charged under the PECA and an investigation was launched against them. All the six journalists have a reputation of being vocal against various kinds of wrongs. Matiullah Jan, Murtaza Solangi, Azaz Syed, Ammar Masood, Umer Cheema and Ahmed Waqas Goraya were being interrogated by the Federal Investigation Agency (FIA). A case was registered against them on March 13, 2019 charging them with launching a systematic campaign against the visit of Prince Salman of Saudi Arabia, through their Facebook



and Twitter accounts. The journalists were raising the issue of justice for Jamal Khashoggi, the Saudi journalist who was murdered in the Embassy of Saudi Arabia in Turkey.

The FIA registered another case under PECA on April 6, 2019, against Shahzeb Jilani, a senior and vocal journalist, who is a critic of the government as well as of the military's political role. News channel 24 was taken off air in early April by PEMRA over a report by Najam Sethi, a seasoned journalist and former editor of *Daily Times*, about Prime Minister Khan's alleged differences with his wife. The news, if it were inaccurate, could have been rebutted, but the regulator's action was a clear message to the media to refrain from any criticism of the government.

With the PECA already restricting freedom of the press and expression, the PTI government is flexing its muscles to heighten regulation of the media. The government in February 2019 proposed the creation of a new regulatory body, the Pakistan Media Regulatory Authority (PMRA). Under the proposed law all media including print, electronic, and social media would be monitored and regulated by this new body. After reviewing the role of existing regulatory bodies, the government decided to replace them in favour of a single regulatory body, the PMRA. The proposed body would replace the Pakistan Electronic Media Regulatory Authority (PEMRA), Newspapers Employees Act (1973), that largely governs the print media and guarantees minimum wages and service conditions, as well as the Pakistan Press Council (PPC).

The proposed law is a matter of much concern for journalists, as it might heighten their vulnerability to the ever-present intimidation by the government and state institutions. The PFUJ and Karachi Union of Journalists rejected the PMRA, calling it a brazen attack on the freedom of press, speech and expression.

The media in Pakistan is growing by leaps and bounds, providing a variety of news, social and entertainment to diverse audiences. However, this mushrooming growth will remain meaningless if regulatory laws are framed with a focus on curbing free access to information and freedom of expression.



## SRI LANKA

RESILIENCE  
AMIDST TURMOIL

With growing crises in the political, economic, social, and cultural spheres, Sri Lanka is at a critical juncture. From April 2018 to March 2019, Sri Lanka has witnessed several developments with far-reaching consequences with regard to the state of press freedom.

With ownership of at least 30 media outlets, the State remains the largest player across print, television, radio, and online media in Sri Lanka. In the media space, the State's dual role as both owner and regulator results in a serious conflict of interest. Though the general objective of State-owned media is to communicate with and inform the public, to a great extent this is limited to conveying information about the actions of the government and its elected representatives. Through employing a narrative which always reflects the government's position on particular issues, State-owned media is used to amplify its own message and to suppress critics.

## A COUP AND AFTER

The political developments in late 2018 were the harbinger of the political misfortune that awaits 2019, an election year. On October 26, 2018, in violation of the Constitution, President Maithripala Sirisena removed from office Prime Minister Wickremesinghe, who continued to enjoy the support of the majority of the Parliament. In his place, he appointed as prime minister, the former president Mahinda Rajapaksa. In the seven weeks following the constitutional coup, Sri Lanka witnessed its worst uncertainty and instability since the end of the civil war almost a decade earlier.

Immediately after the appointment of Rajapaksa as the Prime Minister, State-controlled media institutions were forcibly taken over. Either the editors were asked to step down or gangs invaded editorial offices. A new set of editors and managers was soon installed. With no delay, they started rolling out engineered stories supporting the coup, which they proceeded to portray as a patriotic act of the parties involved. The unfortunate irony was that some of the newly-installed editors were press freedom champions of yore.

Sri Lanka Podujana Peramuna or the Sri Lanka People's Front (SLPP) loyalists took control of most State media institutions after the swearing in of Mahinda Rajapaksa as Prime Minister. Sri Lanka Rupavahini Corporation (SLRC), Independent Television Network (ITN) and the Sri Lanka Broadcasting Corporation (SLBC), issued directives even as previously appointed staff members in senior positions kept away from work.

In the days that followed, the unconstitutionally appointed PM swiftly filled all media-related government institutions with his political appointees. The live broadcast of parliamentary proceedings was taken off air when the new PM could not show majority in the Parliament and the Speaker was violently obstructed from addressing the Parliament. The President prorogued the Parliament for three weeks when it became clear that his new PM did not have parliamentary majority.

During the coup, the majority of the 225-member Parliament voted against Rajapaksa four times; two no-confidence motions were passed. On November 23, the 122 MPs filed a Writ Quo Warranto in the Court of Appeal challenging the continuation of the new government in office. An interim order was issued



IN THE SEVEN WEEKS FOLLOWING THE CONSTITUTIONAL COUP, SRI LANKA WITNESSED ITS WORST UNCERTAINTY AND INSTABILITY SINCE THE END OF THE CIVIL WAR ALMOST A DECADE EARLIER.

Supporters of ousted Prime Minister Ranil Wickremesinghe shout slogans during a protest against his removal near his official residence in Colombo on October 30, 2018. Tens of thousands of supporters of the sacked prime minister blocked roads in Sri Lanka's capital on October 30, stepping up a showdown with the country's newly appointed leader, a former strongman accused of grave rights abuses. CREDIT: ISHARA S. KODIKARA / AFP

by the Court of Appeal restraining Rajapaksa and his ministers from functioning in their respective offices. This decision was reaffirmed by the Supreme Court on December 14, in an outstanding show of independence of the judiciary. A day later, Rajapaksa 'resigned' from the office of the PM.

The coup was short lived, but it did not mean political stability for Sri Lanka. On the contrary, many of the factors that have destabilized Sri Lankan politics in recent years remain unresolved. Primary being the personal animosity as well as ideological disagreements between President Sirisena and PM Wickremesinghe which were central to the coup. Despite pre-election pledges ensuring transitional justice, the President has adopted a Sinhalese nationalist stance in recent years, declaring that he would "not allow war heroes to be hauled before courts".

## MEDIA VERSUS CIVIL SOCIETY

During the political crisis, the revival of civil society activism was remarkable. Daily protests were held in Colombo, organized by independent civil society groups. However, their activism was not reflected by the largely pliant and problematic role of the mainstream media.

While State media was 'taken over' as part of the coup, the

role the mainstream private media played was also questionable. Some mainstream Sinhala news channels welcomed Rajapaksa as a patriotic leader and glorified the coup. These media groups also launched personalized attacks against civil society activists as they protested against the coup and rejected the biased point of view of these channels. The absence of independent media emerged as a key cause for concern around freedom of expression in Sri Lanka.

Civil society groups demonstrated unprecedented creativity in protesting the political crisis and amplified the continued resistance against the coup. Calls to transform State-controlled media to genuine public service media became stronger and more pervasive. While social media became the sphere of resistance that provided many a space to voice their opinions as well as mobilize, an invigorated conversation on the role of media came to life.

When the coup ended, the democratically elected government was reinstated. They labelled the privately-owned media which became willing partners of unconstitutional coup 'Black Media'. In January 2019, a campaign against biased reporting by the majority of the mainstream media during the coup emerged as a citizens' response. Protesters clad in black, with their faces masked, handed over a statement to media institutions:

*It has fallen upon us to remind you of media integrity and values once again, due to the non-constitutional and undemocratic conspiracy that happened on 26th October last year in which you actively played a part. We consider that incident clearly as a deterioration of media values, which were disregarded when reporting on the coup's events.*

Some media institutions refused to accept this statement and launched a virulent attack on the peaceful campaigners that lasted for days. A number of politicians across the political spectrum

condemned the citizen's campaign, demonstrating the level of influence TV channels have over politicians.

Civil society groups held a number of discussions on the role of the media, some of which focused on transforming State-owned media into public service media. On this particular matter, there was a considerable interest among the concerned groups. Unfortunately, the discussions were not systematically organized in a way that could lead to a collective articulation and expression of the shared sentiment, and the conversation slowly died down.

## PARTISAN APPOINTMENTS

Out of the blue on January 31, 2019, the then-Minister for Media and Information, Mangala Samaraweera, appointed a seven-member committee to come up with a report on how State media is to be transformed into public service media. No consultations were held with media rights organizations who have campaigned on the same issue for years. Although there are a number of comprehensive reports that have been produced by local rights groups in collaboration with international media rights organizations, there was no mention of these reports. The appointments were made ad hoc, the mandate of the committee was unclear, and the committee was expected to produce a report within six weeks. The majority of members of the said committee soon resigned with no reasons given. So far, there has been no report.

In another peculiar development, in a cabinet reshuffle MP Ruwan Wijewardena was appointed the State Minister for media. It cannot be a coincidence that MP Wijewardena comes from the





Sri Lankan activists from the Free Media Movement (FMM) hold candles and placards during the annual 'Black January' vigil organized to pay tribute to slain colleagues, in Colombo on January 29, 2019. CREDIT: LAKRUWAN WANNIARACHCHI / AFP

Wijewardena family, who owns the largest private print media institution, The Times Group. This presents a clear case of conflict of interest.

## IMPUNITY AND ACCOUNTABILITY

Since the end of the war in 2009, Sri Lanka has been carrying deficit of accountability for crimes against humanity and serious violations of human rights that took place in the last phase of the war. Since 2012, the United Nations Human Rights Council based in Geneva, has adopted a number of Resolutions with the view of enhancing the status of human rights, reconciliation, and accountability in Sri Lanka. These Resolutions and the related interactive dialogues within the Council have emphasized that ending impunity is crucial for truth and justice to prevail. Dozens of journalists were killed during the war in Sri Lanka but not a single perpetrator has been brought to justice.

Since the change of government in January 2015, Sri Lanka has considerably improved its engagement with the UNHRC. The State has invited eight UN special procedures (which are made up of Special Rapporteurs, independent experts or Working Groups) to the country during the last four years and this has resulted in the production of significant reports on human rights issues. However, the UN Special Rapporteur on Freedom of Expression Rights is yet to visit Sri Lanka.

On March 21, 2019, at the 40<sup>th</sup> session of the UNHRC, the Council adopted another Resolution unanimously extending the time period granted to the government to deliver on its undertakings under Resolution 30/1 on Promoting Human Rights, Reconciliation and Accountability in Sri Lanka, which was co-sponsored by the Sri Lankan government in 2015. The extension was needed by the government due to the failure on its part to implement the commitments outlined in the Resolution. Launching investigations into the attacks against media and killings of journalists was part of these commitments.

United Nations Human Rights High Commissioner, Michelle Bachelet, submitted her report on Sri Lanka on March 20, 2019, during the 40th session of the Council. Her report provides an assessment of the progress made by Sri Lanka in the implementation of Resolution 30/1 during October 2015 and January 2019. The report identifies the challenges faced in the

operationalization of the reconciliation and accountability agenda to which the government of Sri Lanka committed under the Resolution. While calling upon the government to demonstrate sustained commitment and leadership to move that agenda forward, the High Commissioner urges the Council to continue to monitor and its engagement in developments in Sri Lanka.

The Human Rights High Commissioner's report on Sri Lanka highlighted two cases of killed journalists as emblematic cases – Prageeth Eknaligoda and Lasantha Wickrematunge.

“With regard to the disappearance in January 2010 of journalist Prageeth Eknaligoda, an army intelligence officer, Lieutenant Colonel Arantha Peiris, was arrested by the Criminal Investigation Division on 20 September 2018; however, 13 other suspects were released on bail in 2016. Reportedly, the ongoing police investigation has been delayed owing to lack of cooperation by the army in sharing relevant information. The police are due to report to court on the ongoing investigation on 10 January 2019. On August 8, 2018, Buddhist monk and Secretary-General of the Sinhala nationalist movement Bodu Bala Sena, Galagoda Aththe Gnanasara, was sentenced to six years of imprisonment after being found guilty of contempt of court owing to his conduct during a hearing in 2016 regarding the disappearance of Eknaligoda, when he had stormed into the courtroom and threatened the wife of the journalist,” it was noted.

“The killing of journalist Lasantha Wickrematunge, in January 2009, remains under investigation, although all suspects have been released on bail. The police last reported on the progress made in the investigation to the court in September 2018 and were due to provide the next update on 17 January 2019,” the report further noted.

Colombo-based think-tank the Centre for Policy Alternatives (CPA), has looked at seven cases in a report titled *The Need for Accountability in Sri Lanka's Criminal Justice System - A Glance at Seven Emblematic Cases*. This report looks at cases of murder, abduction and enforced disappearance of journalists. It examines the murder of Mylvaganam Nimalarajan in 2005, the abduction of Keith Noyahr in 2008, the murder of Lasantha Wickrematunge in 2009, and the disappearance of Prageeth Eknaligoda in 2010.

The CPA report attempts to identify general trends that require attention and recommends structural and legal reforms which are needed to address emerging concerns: culture of impunity; lack

of, or, delays in prosecutions; lack of independent investigations; deficient victim and witness protection; the issues of evidence tampering, concealment and destruction; and political interference in investigative institutions have been highlighted as key concerns.

Either due to the failure of domestic mechanisms or the unwillingness of the ruling political class to bring to justice the perpetrators of serious human rights violations, accountability for attacks against journalists has not yet materialized. This makes the need for international oversight and pressure vital.

On January 24, 2019, eight media organizations: the Sri Lanka Working Journalists Association, the Free Media Movement, Federation of Media Employees' Trade Union, Sri Lanka Young Journalists' Association, the Tamil Media Alliance, the Muslim Media Forum, Internet Media Action, and Media Movement for Democracy, handed over a joint letter to Hanaa Singer, Resident Coordinator of the United Nations in Sri Lanka. “The undersigned believe it is essential for the UN to persist in pressuring the Sri Lankan government to take accountability forward. A first step would be to ensure that the current government fulfills the many promises it made with regard accountability for crimes committed against journalists. This enduring violence and culture of impunity must end. We trust you will take decisive, sustained action to ensure that Media Freedom and Freedom of Expression are installed to the fullest in Sri Lanka”, reads the joint appeal.

On January 29, the Free Media Movement handed over a petition to National Police Commission and the Human Rights Commission of Sri Lanka, coupled with a report on the lack of legal action, and called upon them to intervene to speed up the investigations into journalists' killings and attacks upon media organizations. Issuing a press release, the Free Media Movement noted that the Chairperson of the HRCSL stated that the Commission was ready to accept any basic information that could be provided in order to commence further inquiries into assault, killings, and disappearances of journalists.

**Left:** Sri Lankan police escort parliament speaker Karu Jayasuriya (top R, in black and gold) as aides hold up cushions to protect him and themselves from projectiles thrown by rival legislators in the assembly hall in Colombo on November 16, 2018. Sri Lanka's chaotic political crisis in late 2018 were a harbinger of potential political misfortune that awaits 2019, an election year. CREDIT: LAKRUWAN WANNIARACHCHI / AFP

**Right:** Sri Lankan activists demonstrate amid an ongoing political crisis in Colombo on December 7, 2018. President Maithripala Sirisena plunged the country into crisis on October 26 when he fired the prime minister and appointed the contentious Mahinda Rajapaksa in his place. CREDIT: ISHARA S. KODIKARA / AFP



## DETENTION AND IMPRISONMENT

No journalist or media worker was arrested or jailed in Sri Lanka during the period covered by this report. However, harassment and violence against journalists continue as isolated incidents:

In November 2018, journalists were attacked at the Fort Magistrate's Court premises, where they were covering a case over the abduction of eleven persons by the Navy in 2010, in which the Chief of Defence Staff, Ravindra Wijegunaratne was named a suspect. In February 2019, journalist Nadarajah Kugarajah was attacked by police officers in Kokuvil, Jaffna. Journalist Kasun Pussawela received threats from a key suspect in an ongoing case relating to prison riots, upon which Pussawela had previously reported.

## PROPOSED COUNTER TERRORISM ACT

Abolishing the Prevention of Terrorism Act (PTA) has been on the democratization agenda for years. When the current government came to power in 2015, it promised to replace PTA with a new Counter Terrorism Act (CTA) in line with international best practices. The draconian PTA, in operation since 1979, has been used as a weapon against media and journalists. The cabinet recently approved the draft Counter Terrorism Bill which is being discussed at the Parliamentary Oversight Committee. The draft Bill contains clauses that could be used to suppress dissent and ban organizations without an investigation or reasons given. Its definition of terrorism is much wider than those possessed by its predecessor. In contrast to the PTA, which limited arrest powers to the police, members of the armed forces or the Coast Guard may also make such arrests under the proposed Act. Considering the fact that outside of an armed conflict situation, armed forces do not have law enforcement training, permitting them to carry out arrests facilitates arbitrary arrests and mistreatment in custody, effectively undermining counterterrorism efforts.

One of the firm critics of the Bill, Attorney-at-Law and human rights advocate Kishali Pinto Jayawardena, explains the danger of the proposed CTA:

*“For the media in particular, there are palpable risks at hand.*

*Clause 10 (g) of the Bill summons chilling recollections of the harm caused by similar provisions in the past. That Clause defines aiding terrorism as ‘intentionally and unlawfully distributing or otherwise making available any information to the public having intent to incite the commission of the offence of terrorism or other offence under this Act and to cause ‘the fear of such offence being committed.’ Read together with the primary offence of terrorism with its vague wording of ‘wrongfully’ compelling the Government to do or abstain from doing any act,’ the threat is explicit.”*

It is noted that practically, it is problematic to expect a





Representatives from the Free Media Movement, the Sri Lanka Working Journalists Association and the Federation of Media Employees Trade Union along with other media workers outside the Police Commission in Colombo. They met with the Police Commissioner to discuss continued inaction on impunity for crimes against journalists in Sri Lanka. CREDIT: FMM/SLWJA

journalist or an editor to assess this ‘fear’ that is referred to casually. It has been pointed out that the conduct in issue need not ‘expressly’ advocate such an offence. This reduces the bar at which the offence of ‘aiding terrorism’ comes into existence.

In a joint press conference held on March 18, 2019, Sri Lanka’s media rights organizations too stressed that the proposed Act could be used to suppress media freedom and democratic rights and called for its withdrawal.

## SOLIDARITY

Sri Lankan media organizations joined hands on several occasions to strengthen solidarity among them. The Sri Lanka Working Journalists Association, the Free Media Movement, the Federation of Media Employees’ Trade Union, the Sri Lanka Young Journalists’ Association, the Tamil Media Alliance, the Muslim Media Forum, the Internet Media Action, and the Media Movement for Democracy came together to issue an appeal to the United Nations Human Rights Commission on January 24, 2019.

In 2019, similar to previous years, the Free Media Movement organized the Black January Protest in collaboration with other media organizations. A vigil was held on January 29, calling for justice for fallen media colleagues.

On March 18, three media organizations, namely the Sri Lanka Working Journalists’ Association, the Free Media Movement, and the Federation of Media Trade Unions, held a joint press conference to express their concerns over the proposed Counter Terrorism Act.

In continuation with capacity building efforts over the years, journalists’ training workshops were ongoing in Sri Lanka. Media organizations and the Transparency International, as well as government departments organized various trainings during the period under review. These included trainings on social media handling, digital security, and drone journalism.

The launch, in January 2019 of the Center for Investigative Reporting (CIR) was the result of a collective effort of senior journalists and media trainers in Sri Lanka to enhance professional journalism in the country. The Center, the island’s first such initiative, aims to launch investigative reporting initiatives in accordance with international professional standards and create a space that can overcome newsroom restrictions and build a strong community of young investigative journalists to drive change.

## ONLINE HARASSMENT AND HATE SPEECH

Hate speech on social media platforms has become common in Sri Lanka. Extreme nationalist ideology plays a central role in propagating hate online.

Sandya Eknaligoda who has been fighting for justice for her abducted (and murdered) journalist husband Prageeth Eknaligoda faced an unprecedented level of online harassment. A coordinated and relentless online hate campaign was unleashed against her after a leading extremist Sinhala Buddhist monk was sentenced to six years in prison in a contempt of court case related to the Eknaligoda abduction case. “The threats against Sandya Eknaligoda are extremely worrying. The Sri Lankan authorities must urgently and effectively take appropriate action against those who seek to cause her harm,” said Dinushika Dissanayake, Deputy South Asia Director at Amnesty International in July 2018. Sandya Eknaligoda was subject to a barrage of hate, abuse, intimidation, harassment, and death threats on social media.

In the aftermath of anti-Muslim violence in Kandy in March 2018, 13 Sri Lankan civil society organizations wrote an open letter to Facebook requesting the social media platform to enforce its own community standards. The riot was fueled, and to a certain extent, organized, through Facebook. The open letter noted that Facebook chose to primarily respond to representatives from the government only after Facebook was blocked, and even after this, Facebook chose not to meaningfully engage with civil society actors who had been reporting abuse. Facebook was urged to seriously, urgently, and meaningfully commit to working with civil society to address the issues raised and provide clear information on measures taken to address these issues including information related to technical or human resource investments, clear reporting guidelines in local languages, precise response times, and independently verifiable key performance indicators.

In a positive example, Facebook recently took down an offensive post by one Chapa Bandara, a news anchor working for Sri Lanka’s Derana TV, and deleted several equally offending posts indirectly justifying the recent massacre of Muslims in New Zealand. Bandara’s colleague indirectly endorsed him on Facebook when she equated the massacre to what she called “New Zealand sending us poisoned milk”. Her Facebook

## SRI LANKAN MEDIA ORGANIZATIONS JOINED HANDS ON SEVERAL OCCASIONS TO STRENGTHEN SOLIDARITY AMONG THEM.

followers cheered on. Despite the fact that many social media users castigated Derana and demanded that Bandara be taken off the air, no action was taken.

As a response to this situation, 13 civil society organizations including media rights organizations jointly developed and adopted the Colombo Social Media Declaration which identifies digital rights as a human right, and recognizes the responsibilities of social media platforms, the government, and the civil society with regard to transparency, privacy and security, data protection, combating hate speech and protection of human rights.

## RIGHT TO INFORMATION

On February 3, 2019 Sri Lanka marked two years of the operationalization of the Right to Information Act. On the occasion, the Right to Information Commission (RTIC) commenced public sittings and the hearing of appeals in Sri Lanka’s provinces. In its press release to mark the second anniversary, the RTI Commission stated, “While the slow transformation of an ‘information-closed’ culture to an ‘information-open’ culture has been initiated, challenges remain. The duty to give information proactively needs to be manifested far more diligently by Public Authorities. Furthermore, the enactment of new laws that are deliberately placed beyond the scrutiny of the Right to Information regime remains of particular concern.”

The Right to Information Act has been a key success of the democratic transformation in the post 2015 era. According to one of the commissioners, as of August 2018, there were 850 or so appeals filed, out of which final or interim orders were given on 650 – more than two-thirds of the total amount of appeals. The information released includes the reasons why the Telecommunications Regulatory Commission blocked certain websites, details relating to expenses incurred for overseas trips of politicians, salaries and other benefits of top executives in state institutions, and Commissions of Inquiry reports that had not been tabled in Parliament.

An RTI request was also able to obtain the information that 13 websites continue to be blocked by the Sri Lanka Telecommunication Regulatory Commission (TRC) since September 2016. Four out of the 13 websites had been blocked for “publishing incorrect information and damaging the President’s reputation”.

Another positive development was the decision to allow media to cover the proceedings of the Parliamentary Committee on Public Enterprises (COPE), a long-standing demand of media rights groups.

In a negative development, the government has been postponing the elections for six provincial councils for almost a year. It is worth recalling that in a landmark judgement in a case filed by activists of the Free Media Movement in 1996, the Supreme Court of Sri Lanka decided that right to vote is encompassed within the freedom of expression and decided against the postponing of elections.

## BLOW TO RELIGIOUS FREEDOM

Sri Lanka is a multi-religious country and ensuring religious freedom is of utmost importance for building peace and reconciliation especially in the context of decades of ethnic violence. However, religious freedom of the minority communities have come under increasing pressure from the majoritarian Sinhala Buddhist ideology and extremist Sinhala

Buddhist groups.

Sri Lanka has been ruled by Sinhala majoritarian governments since independence, and since the end of the war Sinhala Buddhist groups with extremist ideologies started to target the Muslim community as an enemy. Impunity against the crimes against minority communities and their rights is the norm in Sri Lankan majoritarian governance.

A huge blow to religious freedom of the Sri Lankan Christian community was struck on Easter Sunday, April 21, 2019. High explosive bombs were detonated around the same time in three major churches in Colombo, Negombo and Batticaloa, targeting devotees attending the Easter Mass. All together nine explosions took place, three of them at high-end hotels in Colombo. The death toll was 253, while hundreds were injured. The Islamic State on its ‘official’ al-Amag news agency claimed responsibility for the bombings.

In the wake of the attacks, government blocked all social media platforms including Facebook, Instagram, WhatsApp and Viber. The reason given was to stop rumours and propagating hate against certain communities in the country. Some TV stations were criticized by a government Minister for showing body parts and dead bodies of victims. Emergency regulations which empower the security forces to enforce strict national security measures, including powers to detain and interrogate suspects without warrants and court orders, went into effect on the midnight of April 22, along with a night curfew.

Freedom of the press could be seriously impacted by Emergency Regulation 15 according to which a ‘Competent Authority’ is given the power to restrict the publication (in Sri Lanka) or transmission (to a place outside Sri Lanka) of something that might be “prejudicial to national security”. Prior censorship is also permitted, with the news reports, editorials, articles and cartoons can be required to be submitted to the Competent Authority before publication. Contravention of these provisions can invite jail terms and fine, a threat that does not bode well for the free press.

## CRITICAL YEAR AHEAD

In the period under review, democratic space for freedom of expression and dissent remained resilient amidst political turmoil. A majority of the private media institutions demonstrated poor ethics in reporting the constitutional coup and later became hostile towards civil society groups and activists that protested the coup. Some of the media institutions went to the extent of directing personalized attacks against activists.

In the meanwhile, state-owned media is plagued with biased reporting, leading to renewed calls for the transformation of state-owned media into public service media.

Media rights organizations stood strong, demanding accountability for crimes against journalists. In the absence of impartial mainstream media, social media emerged as a critical space for the sharing of information and mobilizing. Paradoxically, while Facebook provides unfettered space for citizens’ voices in Sri Lanka, it remains the number one social media platform to proliferate hate speech in the country.

The year 2019 is going to be crucial not only for freedom of expression but also for all other human rights. With the growing displeasure with the unstable government, there are calls for a ‘strong’ political leader. These calls can severely influence the choice between democracy and authoritarianism. If the regime changes, censorship is almost inevitable and freedom of the press is likely to be restricted. In this setting, regional and international solidarity will play a crucial role.



## LIST OF MEDIA RIGHTS VIOLATIONS BY JOURNALIST SAFETY INDICATES (JSIS), MAY 2018 TO APRIL 2019

The media violations are categorised by the Journalist Safety Indicators. Other notable incidents are media violations recorded by the IFJ in its violation mapping.

\*Other notable incidents are media violations recorded by the IFJ. These are violations that fall outside the JSIs and are included in IFJ mapping on the South Asia Media Solidarity Network (SAMSN) Hub - [samsn.ifj.org](http://samsn.ifj.org)

### AFGHANISTAN

**JOURNALIST KILLINGS:** 12 (**Journalists:** 5, **Media staff:** 7. **Male:** 12, **Female:** 0)

**THREATS AGAINST THE LIVES OF JOURNALISTS:** 8

**OTHER THREATS TO JOURNALISTS:** None recorded

**NON-FATAL ATTACKS ON JOURNALISTS:** 61 (**Journalists:** 52; **Media staff:** 9)

**THREATS AGAINST MEDIA INSTITUTIONS:** 3

**ATTACKS ON MEDIA INSTITUTIONS:** 3

**OTHER NOTABLE INCIDENTS\*:** 26

### JOURNALIST KILLINGS

**June 4, 2018: Helmand**

Unknown gunmen attacked the Helmand National Television and killed its security guard.

**July 22, 2018: Kabul**

Mohammed Akhtar, 31, a driver for Agence France Presse, was on his way to work when he was killed in a suicide bombing near Hamid Karzai International Airport. The attack targeted supporters of Afghan Vice President, Abdul Rashid Dostum, there to welcome him on his return from exile. In total, 25 people died in the attack which was claimed by the Islamic State.

**August 10, 2018: Ghazni**

Mohammad Dawood Anwari, a technician at State-run broadcaster Radio Television Afghanistan, was killed in a Taliban attack on the provincial capital of Ghazni, about 150 km from Kabul. Fierce fighting for four days left about 100 policemen and 20 civilians dead. About 200 insurgents were also killed in the battle.

**September 5, 2018: Kabul**

Reporter Samim Faramarz and cameraman Ramiz Ahmadi, of TOLO News, were killed while reporting at the scene of an earlier suicide attack. The second blast was believed to have been targeted at first responders of the initial bombing which targeted a wrestling event in Kabul. In total, 25 people were killed in the twin attacks and a further 80 were injured.

**October 13, 2018: Takhar**

Photojournalist M Asif Hakimi was killed in a blast that claimed the lives of 22 people when a motorcycle bomb was detonated at the campaign rally of a local politician. With Afghanistan due to hold parliamentary and district council elections on October 20, election-related attacks surged from the registration of candidates and commencement of voting in July. At least eight candidates and many other civilians were murdered in attacks.

**October 18, 2018: Kandahar**

Mohammad Saleem Angar, photographer with the Kandahar branch of Radio Television

Afghanistan, was killed in an attack on the police chief of Kandahar, General Abdul Raziq. The Taliban-claimed attack took place in the governor's compound during a high-level official meeting. Angar, along with others, was killed in the cross-fire.

**December 4, 2018: Nangarhar**

Engineer Zalmay, director and owner of Enikass radio and TV stations was kidnapped at 5pm during a shopping trip. He was taken by armed men who arrived in an armoured vehicle. His driver was shot and taken to hospital where he later died. Zalmay was later released on April 10, 2019. No group claimed responsibility for the kidnapping and killing of the driver.

**January 5, 2019: Farah**

Jawed Noori, 27, a local radio host was executed by suspected Taliban insurgents in an attack in Nadarabad district of Farah province in south-western Afghanistan. Noori was travelling in a car with relatives that was stopped at a checkpoint. After being identified as a journalist, he was taken aside and killed.

**February 6, 2019: Takhar**

Shafiq Aria, and Rahimullah Rahmani, both in their 20s, were killed by unknown armed men in the office of Radio Hamsada in the northern Takhar province city of Taluqan. Two unidentified gunmen entered the office building on false pretexts and shot and killed the two journalists. Four arrests were made in connection with the murders.

**March 15, 2019: Khost**

Sultan Mahmood Khairkhai, a journalist working for Zan TV in Khost province, died after sustaining lethal injuries in an attack by unidentified armed men. Islamic State-Khorasan (IS-K) claimed responsibility for the killing.

### NON-FATAL ATTACKS ON JOURNALISTS

**May 6, 2018: Kabul**

Independent investigative reporter Naimatuallah Taneen was attacked by an unknown group for his new reports about corruption.

**May 12, 2018: Nangarhar**

Safiullah Osmani, Islamic Programs Operator for Elham TV, was injured in shotgun fire early in the morning as he was going to the mosque in the Teachers town area.

**May 18, 2018: Nangarhar**

Safaa Radio Director, Qarar Azizi, was injured in a mine blast in a cricket field in Jalalabad. Mobarez Atal, a technician and reporter for Safaa Radio was also injured.

**June 3, 2018: Kabul**

Mirza Hafezi, photographer for Wolesi Jerga TV;

Sayeed Ali ina Zafari, political programs operator on Wolesi Jerga TV; and a Wolesi Jerga TV driver were entering the MOFA road for an interview in Zanbaq square when they were confronted by a policeman.

**June 5, 2018: Takhar**

Milli TV Takhar province reporter Merajuddin Sharifi was beaten up by the head of the community after a verbal disagreement.

**June 11, 2018, Ghor**

*Saam Weekly* Director, Nadeem Ghor, had his office attacked by a local force, destroying its cultural heritage.

**June 19, 2018: Kabul**

Karim Amini, a Tolo News Reporter, and Mujeeb Mashal, a *New York Times* reporter, were insulted by the guards of the president during a visit to the President of Helman's peace caravan.

**June 24, 2018: Herat**

Abdul Karim Azeem, reporter with Nedaye Agaah Reporting Agency, and Najeeb Marzban, a Shamshad TV reporter, were verbally assaulted while covering a rally in Herat.

**July 2, 2018: Ghazni**

Faisal Naweed, a 1 TV reporter, and Jamshid Ahmady, a Bakhtar News Agency reporter, were beaten by National Security Staff when they arrived to report at the Public Health Directorate.

**July 3, 2018: Baghlan**

Noorgul Andarwal, reporter with Passban TV, was threatened by a Baghlan official for publishing a report.

**July 10, 2018: Herat**

Farhad Joya, reporter with 1 TV, was confronted by unidentified gunmen who allegedly planned to attack and shoot the reporter.

**July 10, 2018: Pakhtiya**

Hekmat Niazi, reporter with Shamshad TV, was verbally assaulted after publication of a report on a disagreement between two ethnic groups.

**July 11, 2018: Ghazni**

Rahmatullah Nikzad, reporter with *Al Jazeera*, was verbally assaulted by special security personal in Ghazni.

**July 11, 2018: Kabul**

Reshad Zareer, a political program announcer on Noor TV, was attacked by unidentified gunmen and sustained injuries in the attack.

**July 26, 2018: Kabul**

While in the area of an explosion, National security forces blocked access to Pazhwok News Agency reporters Zainullah Mahboobi and Jaweed Hamdard and beat the pair up.

**August 1, 2018: Kabul**

Abdul Moshred Kohistani, reporter for Maaref TV, was beaten by hospital security guards while writing a report.

**August 11, 2018: Ghazni**

During a Taliban offensive, ten reporters from various media outlets in the province were threatened. This included Farif Omari, director of Ghaznavian TV.

**September 3, 2018: Balkh**

Mostafa Moheb, a director of Meher TV, was beaten up by an unknown group.

**September 5, 2018: Kabul**

Reporters Hussain Rastee Manesh and Ahmad Khalid Nikzad, Photographer Ahmad Sier Yonesi for Khurshid TV were injured in a suicide attack in Western Kabul. Ahman Farhang, reporter with 1 TV and Jamshid Ahmady, reporter with Maiwant TV were also injured. The attack was targeting media and emergency services responding to an initial attack.

**September 27, 2018: Faryab**

Ayoob Amini, reporter with Ayeena TV, was beaten by national security officers.

**September 30, 2018: Balkh**

Bakhtar director of News Agency, Laal Mohammad, was verbally assaulted by police and denied access to the Balkh governor's office.

**October 10, 2018: Nangarhar**

Elhamuddin Elham, director of Haqeeqat Radio, was threatened by unidentified gunmen after a bomb exploded near his home.

**October 20, 2018: Kabul**

Samiulhaq Patman, a reporter with Ekhlash Turkey News Agency, was returning from an interview on the way to the office when he was beaten up by unidentified gunmen.

**October 20, 2018: Balkh**

Officials of the election commission insulted and prevented photographer Sayed Sameem Sadaat of Afghan Voice News Agency from photographing parliamentary election proceedings.

**October 20, 2018: Kapisa**

Abdul Fatah Fayeze, of Radio Resalat, was physically assaulted by a candidate for filming of alleged fraud.

**October 30, 2018: Kabul**

Zameer Quraishi, a Melli TV Announcer, was attacked on his way to his office in the fifth district of Kabul by unknown gunmen and was wounded in the attack.

**November 5, 2018: Ghazni**

Sayed Wahdat Abdali, of Bakhtar News Agency, was threatened by the Taliban to quit the media. This was following the assault of Ghazni by the Taliban.

**November 7, 2018: Zabul**

Anwarulla Anwari, reporter with Bakhtar News Agency, was arrested and beaten for

publishing a report on police corruption.

**November 12, 2018: Badghis**

Abdul Razaq Sediqli, director of Sameem Radio, was insulted by a local governor for photographing children in dilapidated school.

**November 25, 2018: Kabul**

Haseebullah Noori, a Killid Radio reporter, was physically assaulted by protesters during a marching campaign.

**November 26, 2018: Kabul**

Haseebullah, a reporter with Kurshid TV, was physically assaulted by protesters during the marching campaign.

**December 4, 2018: Balkh**

Mewaise Bezhan, a reporter with Voice of America, was physically assaulted by police on Jawzhan highway.

**December 10, 2018: Kabul**

Haroon Panah, a technician with Tolo TV, was returning home from work when unidentified gunmen physically assaulted him.

**December 14, 2018: Uruzgan**

Esmat Sahar, broadcast manager with Dahrawood Radio, was attacked when ANA soldiers entered the station without permission.

**December 27, 2018: Kabul**

Wesal, a Kabul News TV reporter, was shot at and his camera damaged by guards during a public protest in front of the Pakistani embassy.

### ATTACKS ON MEDIA INSTITUTIONS

**June 11, 2018: Ghor**

Local militants entered the *Saam* monthly office and museum and destroyed the premises.

**August 10-11, 2018: Ghazni**

During the Taliban offensive on Ghazni, Taliban insurgents attacked radio station Melli TV Ghazni and set fire to an antenna. They also attacked Ranaa Radio and set fire to an antenna and broke down the door of Samaa Radio, entered the station and destroyed its equipment. Ghaznavian radio TV was also attacked and destroyed.

**August 25, 2018: Kandahar**

Police shut down Emerge Media's media office for unknown reasons and Emerge Media Director, Faheem Atal, was threatened by police.

### THREATS AGAINST MEDIA INSTITUTIONS

**October 16, 2018: Afghanistan**

In the lead up to the elections the Independent Election Commission of Afghanistan refused to issue "coverage cards" to give reporters access to cover polling stations. Provincial journalists said that electoral officials had not only refused to grant the cards but treated them with contempt and ordered them to go to Kabul to get the required permissions.

**December 22, 2018: Nooristan**

Unidentified gunmen attacked the Alina radio station and set an antenna on fire.

**December 27, 2018: Herat**

Unidentified gunmen attacked radio station Nedaye Sobh in the Ghorian district of Herat.

### OTHER NOTABLE INCIDENTS\* ARREST/DETENTIONS

**July 25, 2018: Kabul**

Borhan Marzi, reporter with Noorin TV, was illegally detained by police and released after 17 hours. He alleged he had been beaten in custody.

### ACCESS TO INFORMATION

**May 22, 2018: Ghazni**

Reporters in Ghazni complained to local authorities about the lack of access to information.

**May 19, 2018: Badakhshan**

Reporters in Badakhshan complained to local authorities about the lack of access to information.

**May 20, 2018: Daikundi**

Daikundi reporters complained to local authorities about the lack of access to information.

**June 5, 2018: Herat**

Khalil Amirir, a Faryaad TV director, was threatened with murder due to non-payment of taxes to the Taliban.

**June 11, 2018: Kandahar**

Twelve reporters and photographers from different media outlets in Kandahar were prevented from covering the president's visit to Kandahar. The Mubarak Trustees and the president's press team blocked the reporters to take Mubarak's pictures.

**June 20, 2018: Uruzgan**

Local authorities refused to give information to Najib Latif, a reporter for Shamsha TV.

**October 20, 2018: Balkh**

Meerwais Bezhan, a reporter for Voice of America; Habib Najahi Zada, a reporter with 24 TV; Waheed Orya, a reporter with *Salaam Watandar*; and Raheema Yazdani, a reporter with Afghan Voice News Agency, faced obstacles due to lack of access to information on parliamentary election day.

**November 21, 2018: Ghazni**

Journalists Asaduallah Jalalzai, of BBC; Muhammadullah Mominzada, of Aryana News; and Asef Hussaini, of Voice of America; were not permitted to cover the important summit meeting at the governor's office.

**December 5, 2018: Badakhshan**

Reporters from various media outlets complained of lack of access to information by local authorities.



## BANGLADESH

**JOURNALIST KILLINGS:** 2 (Male: 2, Female: 0; Journalist: 2)

**THREATS AGAINST THE LIVES OF JOURNALISTS:** 0

**OTHER THREATS TO JOURNALISTS:** 0  
**NON-FATAL ATTACKS ON JOURNALISTS:** 13  
**THREATS AGAINST MEDIA INSTITUTIONS:** 1  
**ATTACKS ON MEDIA INSTITUTIONS:** 0  
**OTHER NOTABLE INCIDENTS\*:** 3

### JOURNALIST KILLINGS

**June 11, 2018: Kalkadi**

Shahjahan Bachchu, the publisher of Bishakha Prokashoni and acting editor of *Amader Bikrampur* was attacked as while visiting a local pharmacy. Four hooded youths detonated a bomb adjacent to the building and then proceeded to drag Shahjahan onto the street to shoot him. He died at the scene.

**August 28, 2018: Pabna**

Suborna Nodi, 32, the Pabna correspondent for Ananda TV and a journalist for the *Daily Jagroto Bangla* newspaper, was hacked to death at the door of her home in the Northern town of Pabna. Nodi's murder was alleged to be the outcome of a family feud, according to the victim's family members and investigators. A murder case was filed against Nodi's ex-husband and six others, all were arrested. The case is still under investigation.

### NON-FATAL ATTACKS ON JOURNALISTS

**July 22, 2018: Kushita**

Mahmudur Rahman, editor of *Amar Desh* daily, was brutally attacked by a mob of more than 100 people appearing to be associated with the Bangladesh Chhatra league, the youth wing of the ruling Awami League. Rahman had been confined to the courthouse despite having been granted bail for a defamation case over fears of the mob which awaited him outside. When he finally left, he and his car were attacked; he then sought shelter in an advocate's room where he was beaten. Fearing reprisals, he decided not to treat his injuries in a local hospital and flew to Dhaka. The case was linked to alleged defamatory remarks about former Prime Minister Sheikh Hasina in 2017.

**August 5, 2018: Dhaka**

More than a dozen journalists covering mass demonstrations by student protesting for safer roads were attacked by unidentified men in helmets and carrying sticks and metal rods. The attacks were part of a broader crackdown on media and dissent during the street protests.

### THREATS AGAINST MEDIA INSTITUTIONS

**June 1, 2018: Dhaka**

*Daily Star's* website was blocked for almost 18 hours following an order from the Bangladesh Telecommunication Regulatory Commission after publishing a story related to the alleged killing of Teknaf Municipal Councillor Akramul Haque.

### OTHER NOTABLE INCIDENTS\*

#### ARREST/DETENTION

**August 5, 2018: Dhaka**

Photojournalist Shahidul Alam, 63, was arrested and detained by police for making allegedly 'provocative' posts on Facebook concerning ongoing student protests in the city. A group of plain clothed people identifying themselves as detectives at 10:30pm stormed into Shahidul's apartment. Building CCTV cameras were broken, the intercom connection of the building was disconnected and the men forcibly removed him in a van. Alam was released on bail November 21, 2018. He has been charged under Bangladesh's ICT Act and, if convicted, faces 14 years in jail.

#### REGULATIONS

**September 19, 2018: Dhaka**

Telecommunication and Information Communication Minister, Mustafa Jabbar, cleared the Digital Security Bill, 2018 for immediate passage and the 350-member parliament passed the bill by voice votes with only 11 lawmakers. The proposed law has been criticized for its draconian provisions that could impact free speech.

**October 15, 2018: Dhaka**

Bangladesh's Cabinet endorsed the restrictive Broadcasting Bill under the provisions of which media outlets would be punished with a maximum of seven years jail and a fine of BDT 50 million (USD 588,000) for publishing material "harmful to the country's history and image, public interest or law and order". The legislation also included the establishment of a broadcasting commission, which would be responsible for licenses and monitoring media content. The draft bill was approved simultaneously with a draft Mass Media Employees (Services and Conditions) Bill which redefined journalists as 'mass media employees', taking them out of the purview of the Bangladesh Labour Law, 2006.

## INDIA

**JOURNALIST KILLINGS:** 4 (Journalists: 4; Media staff: 0; Male: 4, Female: 0)

**THREATS AGAINST THE LIVES OF JOURNALISTS:** 4

**OTHER THREATS TO JOURNALISTS:** 0  
**NON-FATAL ATTACKS ON JOURNALISTS:** 30  
**THREATS AGAINST MEDIA INSTITUTIONS:** 1  
**ATTACKS ON MEDIA INSTITUTIONS:** 3  
**OTHER NOTABLE INCIDENTS\*:** 14

### JOURNALIST KILLINGS

**June 14, 2018: Jammu & Kashmir**

Shujaat Bukhari, editor of the *Rising Kashmir* newspaper, was shot dead outside his office by unidentified gunmen. He was in his car with security guards who were also killed in the attack. He had previously survived multiple murder attempts and had been provided police protection since 2010. No group so far has claimed responsibility for the killing. Police later claimed that Lashkar-e-Taiba commander, Naveed Jatt, was among three prime accused shot dead in a gun battle.

**October 30, 2018: Chhattisgarh**

Achyutananda Sahu, a video journalist for state-owned Doordarshan, was killed in crossfire during a shoot-out between police and Maoist rebels. Sahu was embedded with local police at the time. Two other embedded media workers in the group escaped unscathed.

**October 30, 2018: Jharkhand**

Chandan Tiwari, a reporter for Aaj News, was found unconscious in the jungle. Tiwari later died in hospital. He previously lodged two complaints over threats he had received to the police.

**December 8-9, 2018: Jharkhand**

The body of Amit Topno, 35, an Adivasi journalist who had been covering the Pathalgadi movement over tribal land rights, was found on the Namkum-Doranda road near state capital Ranchi. He had been shot at point-blank range. Topno was working with the media company Newscode and was also a community correspondent of Video Volunteers.

### JOURNALIST KILLINGS - ACCIDENTAL

**July 23, 2018: Kerala**

Whilst on assignment to cover the conditions of a relief camp during the Kerala flood, locals rescued the bodies of bureau chief KB Sreedharan, cameraman Abhilash S Nair and ferryman Abhilash. It is understood they had possibly been swept away by a strong current. Their bodies were found a day later on July 24.

### THREATS AGAINST THE LIVES OF JOURNALISTS

**May 25, 2018: New Delhi**

Journalist Ravish Kumar, of NDTV, alleged a high frequency of abusive calls and death threats over a month period. This included a video message from an ex-CISF soldier threatening to shoot him in his office. Another person claimed to be from the extreme Hindu right-wing group Bajrang Dal in Jaunpur, Uttar Pradesh, had also sent details of his residential address, the route he takes from home to office, threatening to kill him and rape the women in his family. He noted that most of them were not anonymous trolls, but had been emboldened by the lack of consequences, to step up the intimidation.

**May 27, 2018: New Delhi/New York**

A group of UN Special Rapporteurs called on the Government of India to protect journalist Rana Ayyub and investigate online threats posing a real risk to her life. Ayyub had received threats of rape and sexual violence after the release of her book *The Gujarat Files: Anatomy of a Cover-up* in 2016, which detailed the anti-Muslim riots in Gujarat in 2002. The experts included the Special Rapporteurs for extrajudicial, summary or arbitrary executions, Agnes Callamard; human rights defenders, Michel Forst; promotion and protection the right to freedom of opinion and expression David Kaye; freedom of religion or belief, Ahmed Shaheed; and violence against women, Dubravka Šimonović.



Indian journalist and photojournalist protest in Kolkata against the 2018 attacks on journalists in Bangladesh during the student movement on August 8. CREDIT: DIBYANGSHU SARKAR / AFP

**October 3, 2018: Bihar**

Amit Bhelari, a journalist with *The Telegraph*, based in Patna, received death threats for reporting on Lalu Prasad Yadav, chief of the Rashtriya Janata Dal (RJD). A caller from an identified number used foul and abusive language and threatened to shoot him dead. Bhelari filed a police complaint and investigations were launched.

**March 7, 2019: New Delhi**

Attorney of India General K K Venugopal threatened to invoke the Official Secrets Act, a relic of British colonial rule, against *The Hindu* for publishing an expose on the Rafale defence deal which the government claimed was based on allegedly stolen documents.

### NON-FATAL ATTACKS ON JOURNALISTS

**June 7, 2018: West Bengal**

TV journalists Astik Chatterjee, of ABP Ananda, and Barun Sengupta, of 24Ghanta, were severely beaten with iron rods and sticks by goons affiliated with the ruling Trinamool Congress (TMC). The journalists were reporting a murder allegedly committed during a TMC faction fight. One journalist was dragged into a room and doused with petrol and was almost set on fire before being rescued by local residents.

**July 30, 2018: Punjab**

Two journalists for News18 TV Sandeep Kumar and Neeraj Bali suffered injuries after being surrounded by a mob that attacked them and damaged their video equipment while they were investigating illegal mining. Police failed to respond to their calls for 30 minutes and only took action after the reporters went to make a complaint about the incident to the Deputy Superintendent of Police.

**October 11, 2018: Jammu and Kashmir**

Personnel of the Central Reserve Police Force (CRPF) beat up two reporters, Fayaz Lalu and Deen Imran, with national TV channels Munsif and Aalimi Sahara. The pair were beaten while covering clashes over the killing of Hizb commander, Manan Wani in Anantnag.

**October 16, 2018: Kerala**

Following the Supreme Court allowing women of all ages to worship at the Sabarimala shrine, women journalists were targeted. Pooja Prasanna, of Republic TV; Saritha Balan, of The News Minute; Radhika Ramaswamy, of CNN-News 18; and Maushumi Singh, of India Today; came under mob attack as tension prevailed throughout the duration of the shrine's opening. On January 3, 2019, Shajila Abdulrahman of Kairali TV suffered massive blows from protesters, but kept the camera rolling through the attack. She was hospitalised with neck injuries.

**October 17, 2018: Jammu & Kashmir**

Around ten journalists were beaten up by security forces while covering a shoot-out between security forces and militants in Fateh Kadal area of Srinagar. According to eyewitnesses, police attacked the journalists for taking photos of the scene, as senior officers looked on.

**October 18, 2018: Jammu and Kashmir**

A joint team of Jammu and Kashmir police and Central Reserve Police Forces (CRPF) beat three journalists and detained them for about 30 minutes in the Nawab Bazar area of Srinagar city. The three journalists working with a local news portal were outside their office in Nawab Bazar when the forces party attacked them and took them away in a Rakshak vehicle.

**October 29, 2018: Jammu and Kashmir**

Aijas Ahmad Dar, a journalist with Zee News, was injured during clashes between protesters and government forces following a cordon and search-operation (CASO) in Meemandar village, of south Kashmir's Shopian district. Dar and his colleague, both wearing press jackets, held up their hands and identified themselves as media persons, but were not spared in the clash.

**January 21, 2019: Jammu and Kashmir**

Waseem Andrabi, of the *Hindustan Times*, was hit in the face and hands by pellets, while three other photojournalists Nasir ul Haq, of *Rising Kashmir*; Junaid Gulzar, of *Kashmir Essence*; and Mir Burhan, of ANI; were also injured when security forces fired pellets and tear gas shells to disperse protesters. Demonstrators were protesting against the killing of three local militants in south Kashmir's Shopian district.

**February 2, 2019: Chhattisgarh**

Four BJP functionaries beat journalist Suman Pandey who was working with a local website Voices, in Raipur. Pandey was attacked by BJP Raipur president, Rajiv Agarwal; Vijay Vyas and Dina Dongre after recording a scuffle that had ensued between party workers at an event venue. His footage was deleted after his phone was snatched away, and party workers proceeded to beat him up. Police arrested four people after Pandey filed an FIR. But they were immediately released on bail. Upon their release, the culprits went back to the dharna venue and roughed up protesting journalists.

**April 18, 2019: Jammu and Kashmir**

Junaid Bazaz, correspondent with the *Kashmir Reader* was assaulted by a mob while covering polling in Mir Behri polling booth in Srinagar



parliamentary constituency. Polling agents and supporters of a particular party grabbed Bazaz by the collar and attempted to trample upon him after they suspected him of recording a video the incident of intimidation and threats to election staff. He was rescued from the mob by security forces.

## THREATS AGAINST MEDIA INSTITUTIONS

### March 11, 2019: Meghalaya

The Meghalaya High Court held the editor, Patricia Mukhim, and publisher, Shobha Chaudhuri, of Shillong Times, to be in contempt of the court for a report on the judgement of the court regarding retirement facilities for judges. They were imposed a fine of Rs 200000 each with the fine to be paid in a week. If not paid, they were liable for six-month imprisonment and the newspaper ‘banned’, the court ordered. Mukhim and Chaudhuri obtained a stay in the Supreme Court of India on the Meghalaya High Court order.

## ATTACKS ON MEDIA INSTITUTIONS

### August 1, 2018: New Delhi

Punya Prasun Bajpai and Milind Khandekar, editors at ABP News, resigned after the proprietor’s attempts to dumb-down Bajpai’s TV show Master Stroke which was considered anti-government. Milind Khandekar, managing editor, also resigned. ABP had begun experiencing government pressure, as well as withdrawal of advertising, leading the network to block the broadcast on a government satellite network which Bajpai labelled as censorship.

### August 29, 2018: New Delhi

As many as 297 workers from the Press Trust of India (PTI) were made redundant. According to reports, all but 52 of the group’s non-journalist staff were terminated. PTI management claimed that maintaining financial viability was the motive behind the decision. On October 1, employees and union held sit-in protests at PTI centres across the country. On November 27, the retrenchments were halted by the Delhi High Court on the grounds that the move did not follow the required rules of retrenchment. The decision was a result of a petition filed by the Federation of PTI Employees Union.

### October 3, 2018: Tripura

*Daily Desher Katha*, the second largest circulated daily in Tripura had its registration cancelled due to a change in leadership. The newspaper termed it as undue political influence. On October 10, the Tripura High Court stayed the de-registration and allowed the newspaper to resume publication.

## OTHER NOTABLE INCIDENTS\*

### ARREST/DETENTION

#### August 27, 2018: Jammu & Kashmir

Aasif Sultan, assistant editor of *Kashmir Narrator*, was arrested, hand-cuffed and illegally detained for six days and questioned about stories published for his magazine. After concerns were raised by local journalist unions, Sultan was presented to court on September 1 but continues to remain in custody over an alleged involvement in militancy-related activities. Police seized his laptop, cell phones and other documents.

Sultan’s family and colleagues claim the allegations of militancy were fabricated by police.

### October 21, 2018: Chhattisgarh

Three journalists were detained by the Chhattisgarh Police for eight hours in Narayanpur in Bastar district without any specific charges. Siddharthya Roy, with *The Diplomat*, freelance journalist Kamal Shukla, and video journalist Bhushan Choudhari were covering the run-up to the state Assembly elections slated for November 12. They claimed that despite showing the police their identity documents, they were hauled off to the local police station, made to switch off their phones and not allowed to speak to anyone. Their equipment was confiscated and the police copied their camera’s memory card before returning it. The police claimed that they had taken the journalists to the station as part of their “regular check-ups” ahead of the elections and held that this did not qualify as detention.

### November 27, 2018: Manipur

Kishorechandra Wangkhem, anchor and sub-editor for Information Service Television Network, was arrested on “charges of misusing social media with the intention of inciting public mischief”. Wangkhem posted four videos on Facebook criticizing the state government and terming the chief minister a “puppet” of the BJP government at the centre. He has been detained for one year under the National Security Act, which allows for detaining a person considered to be a “threat to public order” or the security of the state for up to one year without framing formal charges in court or even conducting a trial. He was released on April 10, 2019 on orders of the Manipur High Court.

## REGULATIONS

### July 14, 2018: Jammu & Kashmir

Auqib Javed Hakim, a journalist for *Kashmir Observer*, was ordered to New Delhi for questioning by India’s National Investigation Agency (NIA) regarding an alleged connection to a sedition case filed against a Kashmiri separatist leader, as well for his past interviews and stories.

### October 8, 2018: Maharashtra

Mohd. Hizbullah and Divyesh Singh, journalists for *India Today*, were labelled by political group Sanatan Sanstha as terrorists for reporting their involvement in bomb blasts in 2008. The political group posted images on their website depicted the two men as terrorists and asking members of the public to inform the police if they sighted the pair. An official complaint was lodged against the Sanstha and journalists’ organizations condemned this attempt to intimidate the media.

## HARASSMENT

### October 2018: India

Over several days, women journalists came out with stories of sexual harassment and abuse at the hands of senior editors and publishers. At least two newspapers launched investigations, while *Hindustan Times’* chief of Bureau and political editor, Prashant Jha, stepped down from management roles. Seven women wrote to the *Times of India* with allegations of sexual misconduct against its Hyderabad resident editor, KR Sreenivas, for unwanted touching, explicit messages and sexual propositions. Another seven

female journalists went on record accusing former journalist and editor and now Minister of State for External Affairs, M J Akbar, of sexual harassment and inappropriate behaviour during his time in the media. After further pressure, Akbar resigned as minister but is pursuing a defamation case against a woman journalist. Many other journalists followed in the wake of the stories to name other reporters and editors with accusations of sexual misconduct.

### November 29, 2018: Tamil Nadu

Two French journalists, Arthur Ronald Rene and Jules Daimen, were charged for entering the high security zones of Indian Rare Earths (IRE) Limited at Manavaalakurichi and videographing areas where beach sand minerals were being mined and processed by a unit owned by the Indian government. The two French nationals had left the country before the cases of trespass and violating visa regulations were registered. However, two local journalists Ananth Kumar and M Sriram were illegally detained and questioned on grounds of abetting the crime.

### January 29, 2018: Jammu & Kashmir

Six journalists were blocked entry into Sher-e-Kashmir Cricket Stadium in Srinagar by the security wing of the police as they attempted to cover a Republic Day function. The journalists were prevented from entering the stadium despite carrying passes issued by the Information and Public Relations department.

# NEPAL

### JOURNALIST KILLINGS: 0

### THREATS AGAINST THE LIVES OF

### JOURNALISTS: 2

### OTHER THREATS TO JOURNALISTS: 0

### NON-FATAL ATTACKS ON JOURNALISTS: 14

### THREATS AGAINST MEDIA INSTITUTIONS: 0

### ATTACKS ON MEDIA INSTITUTIONS: 0

### OTHER NOTABLE INCIDENTS\*: 7

## THREATS AGAINST THE LIVES OF JOURNALISTS

### July 22, 2018: Udayapur

Bidur Katuwal, a journalist and the joint secretary of the Federation of Nepali Journalists (FNU) for Udayapur district, was threatened by the mayor and vice-mayor of Triyga Municipality as well as a Provincial Assembly member regarding a report.

### September 29, 2018: Pokhara

Journalist Jamal Paudel Athak was threatened regarding news about fraud. Paudel received threatening phone calls from an anonymous caller.

## NON-FATAL ATTACKS ON JOURNALISTS

### June 6, 2018: Kathmandu

A group of seven members from the All Nepal National Free Students Union (ANNFSU) entered the headquarters of news portal hamrakura.com. The group demanded the website remove all news regarding MP and ANNSFU chairperson, Nabina Lama, and remained at the offices for more than half an hour.

### July 18, 2018: Karnali

LB Devkota, a journalist for *Kantipur* daily, and Prakash Upadhyay, a journalist for AP1 TV,



Nepalese journalists and photojournalists holding a candlelight vigil condemning the killing of journalists in Afghanistan, in Kathmandu. Afghanistan’s slain journalists were remembered on World Press Freedom Day on May 3, days after the deadliest attack on the country’s media since the fall of the Taliban in 2001. CREDIT: BIKASH KARKI / AFP

were attacked by police whilst covering clashes between police and demonstrators at a protest concerning a hunger strike. Police attempted to snatch the journalists’ cameras and harass them. Both journalists sustained minor injuries.

### July 21, 2018: Kathmandu

Five journalists were attacked by Nepal police officers while covering clashes between police and demonstrators near Kathmandu’s parliament. Ajaya Babu Shiwakoti, editor of hamrakura.com and general secretary of NPU; Maheshwor Gautam, of *Rajdhani* daily; Nivesh Kumar, of News24 TV; Skanda Gautam and Prabin Maharjan, both of *The Himalayan Times*, were all victims of the attack.

### August 5, 2018: Rupandehi

Three journalists were attacked by a mob of students organizing a protest over the death of a fellow student at the Universal College of Medical Sciences. Radheshyam Biswokarma, a journalist with Buddha TV and Butwal Today; Salman Khan, a journalist with *Annapurna Post*, and Deepak Ghimire, of *Khabar* weekly, were victims of the attack during which protesters also damaged the journalists’ equipment.

### August 9, 2018: Parbat

Two journalists, Chhabil Tiwari and Om Prakash Gayal, were attacked by local construction businessman Puskal Sharma. Gayal was injured in the attack and Sharma’s clothes were torn. The motive behind the attack was unclear.

### November 9, 2018: Rukum

Lokendra Khanal, a reporter for *Nagarik* daily newspaper, was attacked by about a dozen

knife-wielding cadre of the ruling Nepal Communist Party on his way to a religious ceremony. Khanal sustained head injuries and required stitches.

## OTHER NOTABLE INCIDENTS\*

### ARREST/DETENTION

#### September 10, 2018: Lalitpur

Editor-in-chief of the *Khojtalash* weekly newspaper was arrested on cybercrime charges that related to a news report concerning the pressuring of lawmakers to illegally sell government-owned factory land. Basnet’s wife claimed that the police refused to take him to hospital in relation to an ongoing illness. He was charged under the Electronic Transaction Act, 2008.

### November 27, 2018: Kathmandu

Editor for online news outlet postpati.com, Gopal Chand, was arrested under Nepali cyber law for publishing news about a co-chairman of the ruling party. The Central Intelligence Bureau arrested Chand for spreading false information relating to an attack on formed Prime Minister and co-chairman of the ruling communist party, Pushpa Kamal Dahal, by a member of the public.

### December 13, 2018: Kathmandu

Police arrested Barsha Shah, a photojournalist for Deshanchar.com, as she was taking pictures of protesters at the president’s residence. The protesters were handing over a crowd-funded toy car as a symbolic protest against the government’s decision to purchase an expensive luxurious bullet-proof car. Police arrested Shah despite identifying herself as a photojournalist and showing her press card. Nepal Police

maintained she was in a prohibited zone but the Deputy Superintendent of Police, Phadindra Prasai, apologized for the police misbehaviour, releasing her after three hours.

## CENSORSHIP

### May 15, 2018: Mustang/Kathmandu

Nepali media were barred from covering Indian Prime Minister Narendra Modi’s visit to the Muktinath temple and Mustang and ceremonies in Kathmandu. Despite the fact that the Indian media and other foreigners had access to the event, Nepali media were refused entry.

### June 2, 2018: Morang

Dinesh Giri, editor for niranarkhabar.com and treasurer of the Morang Branch of the Nepal Press Union, was called out of his house and attacked by three assailants over unspecified news coverage. Giri sustained head and back injuries and was taken to hospital. Bishal Thapa was arrested whilst the two other assailants Jagen Gurun and Chitra Khadka remain at large.

### June 12, 2018: Kathmandu

Minister for Communication and Information Technology, Gokul Prasad Baskota, allegedly ordered state-run Nepal Television to shut down the program after its host, Raju Thapa, questioned the minister for his alleged dishonesty in accounting his personal expenses on June 9. Three days after the incident, the 12-year running show was cancelled.

### November 11, 2018: Kathmandu

The Nepali government withheld the decision of the meeting of the Council of Minister from the media. The *Kathmandu Post* reported that the Cabinet hid their decisions to avoid immediate



public backlash and legal challenges from the Supreme court.

## LEGISLATION

**August 17, 2018: Kathmandu**

Nepal's Criminal Code Act 2018 replaced 15 laws, including 55-year-old civil and criminal laws. Some provisions of the Act were noted as being restrictive to the press freedom and criminalizing expression. Section 293 of the Act prohibits listening or recording conversations without consent; Section 294 prohibits publicizing private information without consent; Section 295 prohibits taking photos without consent; Section 296 prohibits selling or publishing of photos for commercial purpose without the consent of the subject in the photographs; Section 298 prohibits receiving or sending or publishing unauthorized information on an electronic medium; Section 305 prohibits slander; and Section 306 prohibits libel, including those in satirical ways.

## MALDIVES

**JOURNALIST KILLINGS: 0**

**THREATS AGAINST THE LIVES OF JOURNALISTS: 0**

**NON-FATAL ATTACKS ON JOURNALISTS: 0**

**OTHER THREATS TO JOURNALISTS: 0**

**THREATS AGAINST MEDIA INSTITUTIONS: 0**

**ATTACKS ON MEDIA INSTITUTIONS: 1**

**OTHER NOTABLE INCIDENTS\*: 1**

## ATTACKS ON INSTITUTIONS

**August 8, 2018: Male**

Maldives Broadcasting Commission fined Raajje TV for 2 million MVR (130,000 USD) for live broadcasting a politician's speech from an opposition demonstration. The speech was deemed defamatory toward the Maldivian President and a threat to national security. The MBC didn't specify which speech during the broadcast had violated the law. *Raajje TV* had to pay the fine within 30 days or risk losing its broadcast license; and could only appeal the decision once the fine is paid. Raajje TV viewed the move as an obstructionist attack on its broadcasting.

## OTHER NOTABLE INCIDENTS\*

### CENSORSHIP

**September 12, 2018: Male**

The joint opposition issued a statement expressing concerns over reports that several international journalists had visa applications to cover the presidential elections rejected. The Election Commission responded stating that 11 out of 37 applications for visas by foreign journalists had been rejected on account of insufficient documentation. Strict requirements were then set for foreign journalists wanting to cover the presidential elections including deadlines, application for business visas with a Maldivian sponsor, completion of a 'vetting form' including details of employment, travel history and qualifications, as well as a police certificate. In August 2018, the Immigration Department issued a press release stating that the elections were open to monitoring by foreign media but warned that foreign journalists would be subjected to "punitive measures" should they report on the elections without the appropriate visa.

## PAKISTAN

**JOURNALIST KILLINGS: 4 (Journalist: 4;**

**Media staff: 0; Male: 3, Female: 0)**

**THREATS AGAINST THE LIVES OF JOURNALISTS: 0**

**OTHER THREATS TO JOURNALISTS: 3**

**NON-FATAL ATTACKS ON JOURNALISTS: 3**

**THREATS AGAINST MEDIA INSTITUTIONS: 0**

**ATTACKS ON MEDIA INSTITUTIONS: 0**

**OTHER NOTABLE INCIDENTS\*: 3**

## JOURNALIST KILLINGS

**April 30, 2019: Khyber Pakhtunkhwa**

Aman Ullah Gharro, a senior Pakistani journalist, was killed by unknown bikers who opened fire on him in the jurisdiction of University Police Station near Lunda Sharif.

**August 23, 2018: Punjab**

Muhammad Abid, a journalist with *Daily Sagemail*, died after being attacked by two men. Tahir Hussain and Muhammad Imran targeted Abid for exposing their alleged involvement in drug trafficking. Abid sustained serious head injuries as a result of the attack and later died in hospital.

**October 16, 2018: Khyber Pakhtunkhwa**

After breaking a story on a local drug cartel, journalist Sohail Khan was shot dead. Khan had just left the District Police Office after filing a police-protection application relating to multiple death threats when he was shot several times.

**December 3, 2018: Khyber Pakhtunkhwa**

Noor ul Hassan, of Royal News TV, was killed and cameraman Sabir was injured in an attack in Peshawar. Two gunmen on a motorcycle opened fire on the moving car carrying the journalists to Hassan's hometown of Nowshera. The journalists were taken to a nearby hospital where Hassan died. Police investigated the incident as a targeted killing.

## OTHER THREATS TO JOURNALISTS

**June 5, 2018: Pakistan**

Major General Asif Ghafoor, a spokesperson for Pakistan's military and intelligence agencies, accused journalists Ammar Masood, Fakhar Durrani, Umar Cheema, Azaz Syed and Matijullah Jan of sharing anti-state remarks on social media at a press conference. Ghafoor stated that the Inter-Services Intelligence agency was monitoring anti-state and anti-military 'internet trolls' and those who engaged with them, including journalists.

**June 21, 2018: Lahore**

The home of Marvi Sirmed, a journalist and correspondent for *Daily Times*, was ransacked while she and her family were away. Two laptops, a smartphone and passports were taken among other travel documents. This was seen as part of a broader campaign to intimidate journalists as well as influence reporting in the lead-up to the 2018 Pakistan election.

**June 27, 2018: Pakistan**

*Dawn* published an editorial lamenting the government's campaign of censorship against Pakistani media beginning in late 2016. The editorial claimed that the attacks on *Dawn* had escalated since May 2018, including actions such

as distribution of the paper being halted in multiple areas. *Dawn* claimed that efforts intensified as a reprisal against the publication of an interview with former PM, Nawaz Sharif, in which he criticised the military.

## NON-FATAL ATTACKS ON JOURNALISTS

**June 5, 2018: Lahore**

British-Pakistani journalist Gul Bukhari's vehicle was intercepted in a military-controlled area, whilst on her way to Waqt TV studio. She was abducted by unidentified men in plainclothes. She was held for three hours and later was able to return home safely. Bukhari is a vocal critic of the military.

**June 6, 2018: Lahore**

A senior journalist for BOL TV network Asad Kharal was driving home when he was intercepted by masked assailants, dragged out of his car and assaulted. He went to hospital for treatment for injuries sustained on his neck.

**August 1, 2018: Lahore**

Unidentified gunmen fired shots at the house of Imran Khan, a TV anchor at Express News TV in Lahore.

## OTHER NOTABLE INCIDENTS\*

### ARREST/DETENTION

**July 13, 2018: Punjab**

Kadafi Zaman, a journalist for Norwegian station TV 2, was arrested and beaten by police while covering a political rally. He was released three days later but faced multiple criminal charges ranging from attempted murder to tearing a police uniform

**September 24, 2018: Lahore**

The Lahore High Court issued a non-bailable arrest warrant for Cyril Almeida, an assistant editor of *Dawn*, regarding an interview with former Prime Minister Nawaz Sharif in relation to an ongoing trial against him for treason. Almeida was required to attend the next hearing on the treason case and was barred from international travel.

**December 16, 2018: Pakistan**

2000 media workers for the Jang Group of Newspapers were fired without warning after the paper unexpectedly shut down five newspapers across Pakistan. The Pakistan Federal Union of Journalists (PFUJ) estimated total job losses to be around 2500.

## SRI LANKA

**JOURNALIST KILLINGS: 0**

**THREATS AGAINST THE LIVES OF JOURNALISTS: 3**

**OTHER THREATS TO JOURNALISTS: 1**

**NON-FATAL ATTACKS ON JOURNALISTS: 9**

**THREATS AGAINST MEDIA INSTITUTIONS: 0**

**ATTACKS ON MEDIA INSTITUTIONS: 1**

**OTHER NOTABLE INCIDENTS\*: 2**

## THREATS AGAINST THE LIVES OF JOURNALISTS

**July 25, 2018: Colombo**

The Minister for Sustainable Development,



Pakistani police try to stop journalists during a rally to mark World Press Freedom Day in Islamabad on May 3, 2018. CREDIT: AAMIR QURESHI / AFP

Wildlife and Regional Development, Sarath Fonseka, threatened news editor of Neth FM radio, Hemantha Kahawalage, after he refused to comply a request to take down an article. The report concerned links between criminals and an anonymous senior minister.

**November 20, 2018: Sri Lanka**

Since the beginning of the constitutional crisis in Sri Lanka, members of the Sri Lanka Working Journalists Association (SLWJA) have received threats for speaking out against impunity and advocating journalists' rights. The Federation of Media Employees' Trade Union (FMETU) said developments in the constitutional crisis represented a serious threat to media freedom and democracy in the country.

**December 13, 2018: Colombo**

Supporters of the United National Party (UNP) gathered outside the state-owned Associated Newspapers of Ceylon Limited (ANCL), after a Supreme Court's ruling that the dissolution of parliament by President Maithripala Sirisena was unconstitutional. A group of UNP supporters gathered outside Lake House offices, demanding posters placed on the building wall supporting former President Mahinda Rajapaksa be removed. They also insisted that the management of Lake House be returned to the UNP following the ruling. Police intervened and removed the UNP supporters. Newsrooms at Lake House were earlier targeted and editorial staff harassed following the controversial appointment of Rajapaksa as the new Prime Minister by Sirisena on October 26, 2018.

## OTHER THREATS TO JOURNALISTS

**November 20, 2018: Colombo**

Sri Lanka's government transferred police

inspector Nishantha Silva from the post of investigating suspicious deaths of journalists during the regime of former president Mahinda Rajapaksa. Rajapaksa had recently been declared Sri Lanka's prime minister against the will of parliament and the design of the constitution.

## NON-FATAL ATTACKS ON JOURNALISTS

**November 28, 2018: Colombo**

Several journalists were attacked while attempting to cover the court appearance of Chief of Defence staffer Ravindra Wijegunaratne. Photojournalists and camera crew were attacked by several men who arrived on motorcycles and ordered them not to take photographs of Wijegunaratne as he left court. Wijegunaratne's security detail assaulted Indika Handuwala, a photojournalist for the *Sunday Morning* newspaper, as he attempted to take a photograph of the accused; an officer was then detained by police. Wijegunaratne is accused of protecting a naval intelligence officer who allegedly murdered 11 young men in 2009. Wijegunaratne had personally assaulted a reporter over a news report in 2016.

**February 19, 2019: Jaffna**

Nadarajah Kugaraj, of DAN TV, was assaulted and threatened by the Acting OIC of Kopai police station. He was admitted to the Jaffna Teaching Hospital with injuries.

## ATTACKS ON MEDIA INSTITUTIONS

**October 26, 2018: Colombo**

Newsrooms of the state-owned media in Sri Lanka including *Daily News*, *Dinamina* and *Silumina* were targeted and editorial staff harassed following the appointment of former president Mahinda Rajapaksa as the new

prime minister by President Maithripala Sirisena on October 26, 2018. A mob of members belonging to a union associated with the Sri Lanka Podujana Peramuna Unions entered the newsroom and threatened several others, forcing them to leave the premises.

## OTHER NOTABLE INCIDENTS\*

### CENSORSHIP

**August 28, 2018: Colombo**

A novel, radio drama and stage play came under attack for allegedly containing anti-Buddhist remarks and "offensive" language. The Office of National Unity and Reconciliation (ONUR) headed by former president, Chandrika Bandaranaike Kumaratunge, was forced to amend the titles of several episodes of a radio drama after monks and other religious organizations labelled some episodes as anti-Buddhist and an insult on the religion. The performance certificate of the play *Mama Kelin Minihek*, directed by Asanka Sayakkara, was also revoked by the Public Performance Board and was only allowed to be reinstated after some of its 'anti-Buddhist' dialogues were changed.

**October 5, 2018: Jaffna**

*Demons in Paradise*, a film by Jude Ratnam exploring the violence of the Sri Lankan Civil War, was cut from a Jaffna film festival by organisers after pressure from a sectarian group known as the 'Community'. The film won Best Film award at the Film South Asia 2017 festival in Kathmandu.



## JOURNALISTS DETAINED IN SOUTH ASIA (MAY 1, 2018 – APRIL 30, 2019)

The IFJ has documented cases of 24 journalists detained or jailed in South Asia in the period from May 2018 to April 2019.

Most notable is the significant drop in the number of journalists detained or jailed compared with the previous reporting period. Between May 2017 and April 2018, the IFJ recorded 68 detentions or jailings of journalists, with a drop of nearly 70 percent for this reporting period. The biggest drop has been in the Maldives which recorded 11 arrests in 2017-18 and none in 2018-19. This is largely linked to the shifting political climate in the Maldives which saw the exit of the previous government. Pakistan and Nepal also saw sharp declines in the number of arrests compared to 2017-18.

India bucked this regional trend, however, with more journalists jailed in the period. India has seen an increasing number of journalists arrested over their use of social media, raising serious concerns about freedom of expression in the online space. Journalists in Jammu and Kashmir were targeted, most evident in the illegal detention and arrest of Aasif Sultan in August.

The sharpest decline was in the number of journalists detained for 24 hours or less, which is a positive shift away from the intimidatory practice. Nepal's previous high number of arrests and detentions around the country's election schedule dropped in the period from 19 in 2017-18 to 4 in 2018-19.

The arrest of Shahidul Alam in Bangladesh in August under the draconian ICT Act captivated the region and the world and saw journalists across South Asia protest in solidarity demanding his release. Solidarity continues in his case across South Asia with calls for the draconian charges to be dropped.

### TOTAL JAILED OR DETAINED:

Currently in jail: 4  
Detained for more than  
one week: 6  
Detained for less than a  
week: 7  
Detained for one day or  
less: 7  
Women jailed: 1

### TOTAL JAILED OR DETAINED BY COUNTRY IN SOUTH ASIA

Afghanistan: 1  
Bangladesh: 6  
Bhutan: 0  
Nepal: 4  
India: 8  
Maldives: 0  
Pakistan: 5  
Sri Lanka: 0

**Name:** Shamim Khan  
**Gender:** Male  
**Detained:** 11/03/19  
**Job:** Journalist with *Daily Jugantor*  
**Location:** Dhamrai, Bangladesh  
**Accusation:** Shamim Khan is one of five journalists accused in a case under the Digital Security Act, 2018, filed by a local ruling party leader, Md Polash, with Dohar police station.  
**Status:** Currently in jail.

### INDIA

**Name:** Aasif Sultan  
**Gender:** Male  
**Detained:** 27/8/18 (illegally held in police lock-up until formally announced arrested on 31/8/18)  
**Job:** Assistant editor *Kashmir Narrator*  
**Location:** Srinagar, Kashmir, India  
**Accusation:** Charged under the Unlawful Activities (Prevention) Act, an anti-terror law which has come under sharp criticism for curtailing freedom of expression. He had featured a story in July 2018, on the second anniversary of the death of the young Kashmiri militant Burhan Wani, a killing that sparked months of strife on the streets.  
**Status:** Currently in jail.

### JOURNALISTS JAILED FOR MORE THAN ONE WEEK

#### BANGLADESH

**Name:** Shahidul Alam  
**Gender:** Male  
**Detained:** 5/8/18  
**Job:** Freelance photojournalist and activist  
**Location:** Dhaka, Bangladesh  
**Accusation:** Alam was arrested under the ICT Act for making allegedly false and provocative statements on Al-Jazeera television as well as his Facebook during student protests.  
**Status:** Released on bail on November 20, 2018.

**Name:** Abu Zafar  
**Gender:** Male  
**Detained:** 19/02/19  
**Job:** Journalist with *Daily Jugantor*  
**Location:** Keraniganj, Bangladesh  
**Accusation:** Abu Zafar, the Keraniganj correspondent of *Daily Jugantor* and also general secretary of Keraniganj Press Club, was the second journalist to be arrested under the Digital Security Act, 2018. He is one of five journalists accused in a case filed by a local ruling party leader, Md Polash, with

Dohar police station.  
**Status:** Released on bail on March 26, 2019.

### NEPAL

**Name:** Gopal Chand  
**Gender:** Male  
**Detained:** 27/11/18  
**Job:** Editor of online newsportal postpat.com  
**Location:** Kathmandu, Nepal  
**Accusation:** Chand was arrested under the Electronic Transactions Act by the Central Intelligence Bureau of the Nepal police after the portal published allegedly 'fake news' about an attempted attack on former Prime Minister Pushpa Kamal Dahal 'Prachanda'.  
**Status:** Released on bail on December 14, 2018.

### PAKISTAN

**Name:** Nasrullah Chaudhry  
**Gender:** Male  
**Detained:** 12/11/18  
**Job:** Journalist with *Nai Baat* (Urdu)  
**Location:** Karachi, Pakistan  
**Accusation:** Chaudhry was detained by the Counter-Terrorism Department (CTD) under the Anti-Terrorism Act, pertaining to "printing, publishing, or disseminating any material to incite hatred, and offer support and hold meetings for a proscribed organisation".  
**Status:** Released on bail on November 28, 2018.

### INDIA

**Name:** Abhijit Iyer-Mitra  
**Gender:** Male  
**Detained:** 23/10/2018  
**Job:** Independent commentator and columnist  
**Location:** New Delhi, India.  
**Accusation:** in September 2018 was ordered to be arrested by police in Odisha, after a Twitter post which allegedly ridiculed the iconography of some of the state's most revered temples. Iyer-Mitra was granted bail but went on to cast slurs against the elected legislators of Odisha. On October 23, a month after the initial arrest warrant was issued, Iyer-Mitra was taken in to custody from his home in Delhi by Odisha police, on the additional charges of breach of legislative privilege.  
**Status:** Iyer-Mitra walked free on December 6, 2018, after all charges were dropped.

**Name:** Kishorechandra Wangkhem  
**Gender:** Male  
**Detained:** Arrested and detained twice. The first arrest was made on November 26, 2018 and the second preventive detention was on November 27, 2018.

**Job:** Anchor and sub-editor at Information Service Television network (ISTV)  
**Location:** Imphal, Manipur, India.  
**Accusation:** In August 2018, Wangkhem had posted videos on Facebook criticizing the ruling party in Manipur which is also leading the government at the centre. He was charged on August 9, 2018, under sections 505(2) and 506 of the IPC related to disturbing communal harmony. After he was charged under the draconian sedition law, he was arrested on November 21, but was granted bail on November 26, 2018. He was remanded to preventive detention for one year under the draconian National Security Act on November 27.  
**Status:** In relation to the first arrest, Wangkhem was released after 10 days. Following the second arrest on November 27, he was released on April 10, 2019 on orders of the Manipur High Court dated April 8, 2018.

### JOURNALISTS DETAINED FOR LESS THAN ONE WEEK

- Zafarullah Achakzai, Pakistan, 25/6/18
- Kadafi Zaman, Pakistan, 13/7/18
- Aqib Javed Hakim, India, 14-15/7/18
- Raju Basnet, Nepal, 10/9/18
- Hedait Hossain Mollah, Bangladesh, 01/01/2019, released on 03/01/2019
- Rizwan Razi, Pakistan, 9/2/2019, released on 10/2/19
- Arjun Giri, Nepal, 15/4/2019, released on 18/4/2019

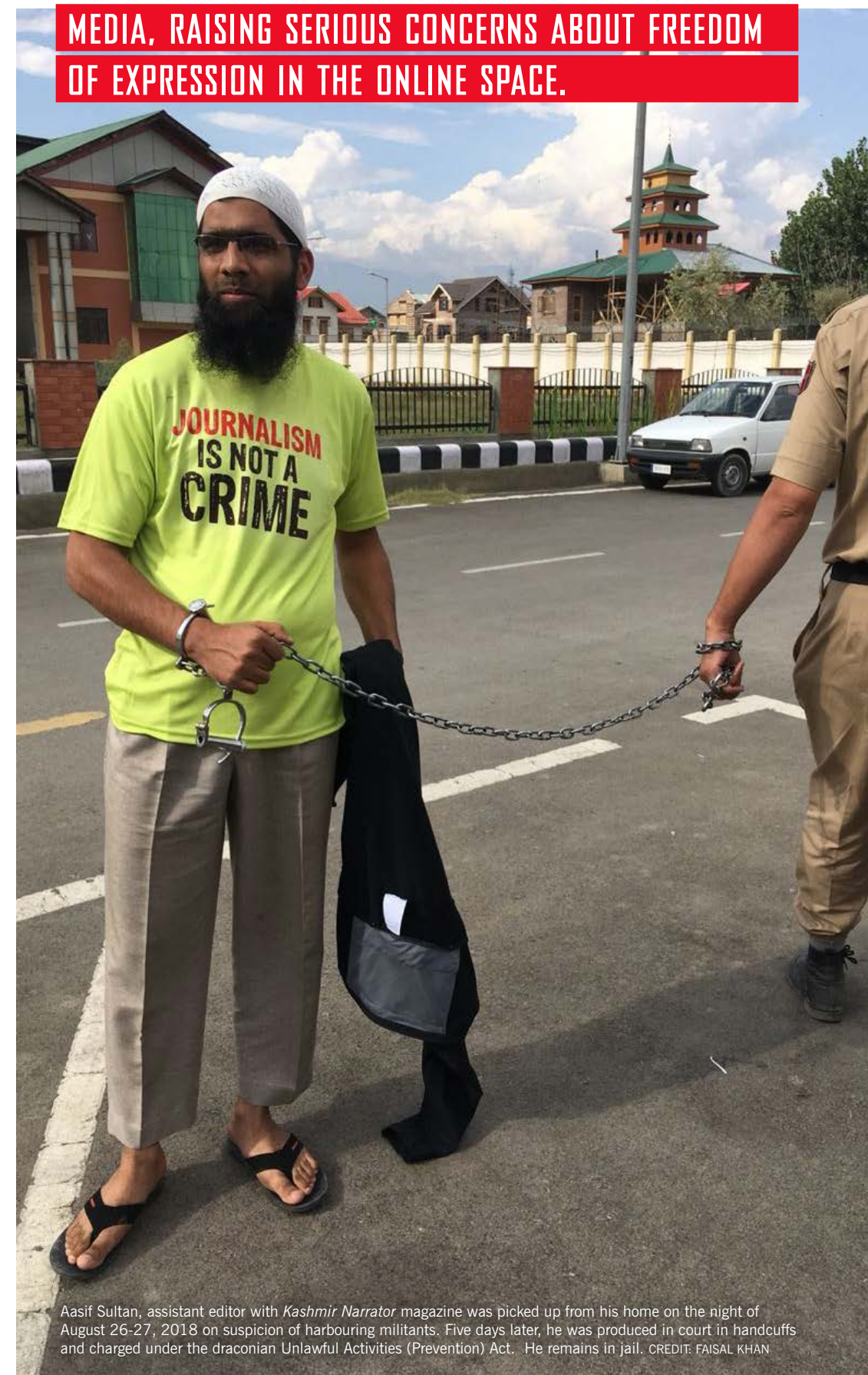
### JOURNALISTS DETAINED 24 HOURS OR LESS

- Borhan Marzi, Afghanistan, 25/7/18
- Siddharthya Roy, India, 21/10/18.
- Kamal Shukla, India, 21/10/18.
- Bhushan Choudhari, India, 21/10/18
- Ananth Kumar, India, 28/11/18
- M.Sriram, India, 28/11/18
- Barsha Shah, Nepal, 13/12/18

### ARREST WARRANTS

- Cyril Almeida, Pakistan, 24/9/18

## INDIA HAS SEEN AN INCREASING NUMBER OF JOURNALISTS ARRESTED OVER THEIR USE OF SOCIAL MEDIA, RAISING SERIOUS CONCERNS ABOUT FREEDOM OF EXPRESSION IN THE ONLINE SPACE.



Aasif Sultan, assistant editor with *Kashmir Narrator* magazine was picked up from his home on the night of August 26-27, 2018 on suspicion of harbouring militants. Five days later, he was produced in court in handcuffs and charged under the draconian Unlawful Activities (Prevention) Act. He remains in jail. CREDIT: FAISAL KHAN



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