



# STATES OF CONTROL: COVID, CUTS AND IMPUNITY

SOUTH ASIA PRESS FREEDOM REPORT 2019-2020



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**Editor:** Laxmi Murthy

**Executive Editor:** Jane Worthington

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Ujjwal Acharya  
Simon Beck  
Sangay Choki  
Sunanda Deshapriya  
Dilrukshi Handunnetti  
Viranjana Herath  
Sabina Inderjit  
Pulack Ghatak  
Ashraf Khan  
Bedabrata Lahkar  
Melanie Morrison  
Hujatullah Mujadidi  
Sukumar Muralidharan  
Moazum Mohamad  
Ifham Niyaz  
Sameera Pillai  
Umesh Pokharel  
Zaheena Rasheed  
Adnan Rehmat  
Geeta Seshu  
Frank de Soyza  
Malini Subramaniam  
Aziz Ahmad Tassal  
Rinzin Wangchuk

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**Cover Photo:** AFP photographer Sajjad Hussain works near India Gate during a government-imposed nationwide lockdown as a preventive measure against the spread of the Covid-19 in New Delhi on April 9, 2020. The Indian government's response to Covid-19 has led to controls on media and journalists being denied access to public interest information.

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

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# FOREWORD

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

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

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

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

This 18<sup>th</sup> annual review of journalism in the region, *States of Control: Covid, cuts and impunity* traverses the complex experience of this region's media – already confronted with religious extremism, authoritarian governments, digital disruption and communication controls. It documents the challenges as well as some of the triumphs. It monitors the attacks, detentions and killings and the ongoing battle against impunity where

journalists continue to campaign for justice.

In the period under review, the IFJ and its affiliates documented 219 violations against the media. This includes 50 jailings or detentions, 19 threats to the lives of journalists, 65 non-fatal attacks, 35 threats against media institutions, 8 gender-based attacks and 82 threats or attacks on rural, regional or minority journalists.

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

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

But, as this report also shows, amid Covid-19, cuts and controls, South Asia's media and the unions and networks that defend it persevered, standing together in solidarity to disrupt authoritarian narratives.

In this war against them and truth, they have continued to push back, defend media rights and stand up against states of control.

**Jane Worthington**  
Director, IFJ Asia-Pacific



# OVERVIEW

Journalists protest the world's longest internet shutdown that has affected the regions of Jammu and Kashmir since August 5, 2019, and remains ongoing in the control of 4G high speed mobile internet.



As the novel coronavirus made a deadly sweep across the globe from the beginning of 2020, governments in South Asia tightened their iron grip over the media and democratic institutions. Even as the viral spread was declared a pandemic, the region saw an equally dangerous spread of fake news, increasing digital controls by governments, restricted access to information, Islamophobia, police high-handedness, amped up surveillance, curbs on movement and detentions. Fundamental freedoms were curbed in the name of a public health crisis, and authoritarian measures implemented, including a clamp down on citizens' rights during a police-enforced lockdown in India and an official 'police curfew' in Sri Lanka.

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

The lack of safety for journalists, highlighted by poor working conditions – many media houses took days and even weeks to procure personal protective equipment (PPEs) for their staff in the midst of lay-offs, salary cuts and forced leave without pay. South Asia's moniker, "the most dangerous place" for journalists continues to be the unfortunate reality. Sixteen media workers lost their lives and a total of 219 violations were recorded, including targeted attacks, threats and legal cases.

## REGIONAL TRENDS

### POLLS AND POLARISATION

In the past year, hyper-nationalist strongmen were reinstated in India and Sri Lanka. Electoral victories predicated on religious

and ethnic polarisation and promises of national security saw the hardening of divisions among communities on religious lines, which spilled over into the media with vicious consequences.

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

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

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

As the UN Special Rapporteur on Freedom of Religion or Belief in his report on Sri Lanka to the 43<sup>rd</sup> session of the UNHRC noted, "The culture of impunity in Sri Lanka has been repeatedly pointed out as one of the main reasons for which religious extremism and hate speech thrive in the country, undermining the rule of law and human rights."



The presidential election in **Afghanistan**, which ended in a fractured outcome was marked by deep divisions and questions about the legitimacy of the Afghan government. The media, rife with competing vested interests from the government to the Taliban, faces a crisis of credibility among the public and a critical survival instinct that leads to wide-ranging self-censorship. High levels of threats, intimidation and attacks on media persons and media houses by the Taliban during and following the protracted peace talks strongly marked the period under review in Afghanistan with some media choosing to quit their jobs than face ongoing serious threats.

## MANUFACTURING CONSENT

Intolerance to dissent marked the year in **India**, with two draconian laws made even more repressive. Amendments to the Unlawful Activities (Prevention) Amendment Act, 2019 (UAPA) and the National Investigation Agency Act (NIA) have direct implications for the media and can impinge upon freedom of speech and expression. Applied indiscriminately across the country and most recently against two Kashmiri journalists, these strengthened counter-terror legislations in addition to existing public security laws with sweeping powers, contribute to self-censorship and control. Besides these, other criminal laws, including defamation suits were slapped on journalists whose stories displeased those in power.

The ironic misuse of the International Covenant on Civil and Political Rights (ICCPR) Act in **Sri Lanka** intended to prohibit incitement of discrimination, hostility or violence on religious grounds was another attack on free speech. Covid-19 also revealed governments' anxiety about investigative reports and had them resorting to measures to control the narrative. Strict legal action was threatened against media organisations that 'criticize', point out 'minor shortcomings/failures' or 'scold/chastise' state officials performing their duties.

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

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

**Above from left:** Farida Nekzad, from the Afghanistan Independent Journalist Association (AIJA), speaks at the IFJ-FES Future Organising and Digital Strategies Meeting in Kathmandu in Nepal in November 2019. CREDIT: JANE WORTHINGTON

FNJ executive members discuss responses to Covid-19 in Nepal in online meetings – the new normal for unions in the region. FNJ developed guidelines for reporting and journalist safety during the pandemic and subsequent lockdown in Nepal. CREDIT: FNJ

Following massive job losses and non-payment of wages crisis, the IFJ conducted an urgent mission to Pakistan in February 2020 led by IFJ Deputy General Secretary, Jeremy Dear, to push for urgent discussions on the crisis confronting the media industry in the country. CREDIT: PFUJ

## DIGITAL DISRUPTION AND WEB CONTROL

South Asia's thriving digital news media has been spurred as much by increasingly accessible and cheaper technology as well as the ongoing dismantling of legacy media. Newsgathering and dissemination have undergone a massive transformation driven by technology as well as changes in readership and revenues. Even as the digital news media scrambles to retain basic tenets of journalism in the emerging scenario, governments resort to newer ways of control.

Surveillance, censorship and control over the digital space in South Asia certainly predated the pandemic, and countries across the region were given more rope to tighten existing regulations. The ghastly Easter Sunday attacks in April 2019 in Sri Lanka resulted in the blockage of access to social media to prevent incitement of communal violence, and a month later, dissemination of 'false news' that could affect communal harmony or state security was criminalised.

In **Pakistan**, the government's move to control the vibrant social media by enacting the Citizen Protection (Against Online Harms) Rules met with outright rejection from social media companies who threatened to pack up and leave rather than succumb to government control.

**India**, the leader in digital control saw a surge in "takedown" requests of content on TikTok and Facebook. From heightened regulation of intermediaries and digital media portals; increased surveillance and access to citizens' data to seeking traceability of end-to-end encryption ostensibly to crack down on 'fake news', frequent and prolonged internet shutdowns and a proposed legislation supposedly to protect personal data, the government has systematically encroached on digital rights.

The Digital Security Act in **Bangladesh** continued to be misused to muzzle critical voices, but a recent challenge in the High Court questioning the constitutionality of this draconian law might have significant implications for freedom of expression in the country.

The dubious distinction of the longest running internet shutdown was the shutdown in Jammu and Kashmir, which



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

began on August 4, 2019. Despite the vital role of the internet in containing the Covid-19 pandemic, full access to high speed internet access continues to be blocked for reasons of “security”.

### TINY DENTS IN IMPUNITY

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

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

In **Pakistan**, the death sentence of British-born Ahmed Omar Saeed Sheikh, who had been convicted by an anti-terrorism court for kidnapping and murdering US journalist Daniel Pearl in 2002 was reversed. The Sindh provincial government promptly filed an appeal in the Supreme Court of Pakistan against the downgrade of Sheikh’s punishment from death to life term and from life-terms to acquittal of Sheikh’s co-accused Salman Saqib and Fahad Nasim. Two days later, the High Court re-arrested the accused pending filing of the appeal against the acquittal.

In the 37 cases of murders and disappearances in **Nepal** since 1997, mostly during the Maoist insurgency, only in five cases of murder has justice been delivered. The long arm of the law finally reached back to the 2007 murder of journalist Birendra Sah and a former Maoist cadre was arrested for his involvement in the murder.

In the **Maldives**, President Solih’s promise to end impunity, bring perpetrators to book, and introduce safety mechanisms seemed to be borne out by not a single murder, disappearance, abduction or physical assault in his year and a half in office. The government-appointed presidential commission to probe the disappearance of journalist Ahmed Rilwan Abdulla in 2014 and the 2017 murder of blogger and digital activist Yameen Rasheed found new evidence to suggest that previous president Abdulla Yameen and his deputy Ahmed Adeeb attempted to scuttle the investigation. Even as the probe drags on and political charges are traded, the affected families await closure and hope for justice.

### ECONOMIC SIEGE

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

Whether it is tiny **Bhutan**, where dire straits have forced seven more newspapers to down their shutters in 2019, or a mammoth country like **India** where the media is in frightening freefall, the media in South Asia walks the edge, trying to maintain the fine balance between financial sustainability and unfettered truth telling. Shored up by government advertisements and corporate revenue, few media houses can afford to displease governments or corporate houses. One fallout of the dependence on government funds is the troubling trend of self-censorship in both state-owned and private media organisations in **Sri Lanka**.

The media in **Pakistan** operates in a difficult environment as a routine. The national economy was tanking, media revenues plummeting, and various media had laid off over 3,000 journalists over 2019-20. The Covid-19 situation has made the situation worse. The government, the largest source of revenue source for the media, stopped the release of advertisements to newspapers and TV channels, including the daily *Dawn* and Geo TV and Jang Group, the largest media company that gave space to voices of dissent and opposition.

The domino effect of non-payment of dues was a severe financial crunch which was passed on to journalists and media staff now burdened by mass layoffs, salary delays and cuts. Untimely deaths of laid off media workers due to stress and hopelessness and the deteriorating working conditions of media workers prompted an IFJ mission to the country in an effort to bring both national and regional governments to the table. A resolution adopted during the mission emphasised job security and decent wages for working journalists as priorities.

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

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

### ACCESS TO INFORMATION

Attempts to shape the narrative characterised all governments in the region. Lack of access to information was particularly sharp in **Afghanistan**, where media outlets united to urge the government to ensure free flow of information, in a scenario where the Taliban too attempts to control the narrative, sometimes in violent ways.

In defiance and frustration at the false promises of real access to information, Afghanistan's media held a protest on February 8 criticising the obstruction of the free flow of information and demanding the government to direct its officials cooperate in information sharing with media.

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

### PROMOTING ETHICS, BRIDGING DIVIDES

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


In **Afghanistan**, the space for women in media remains extremely challenged to the point that social customs and ongoing threats by anti-government elements have ensured that no women journalists now work in at least 12 provinces.

The gaping 'information' divide between trendy urban centres and gnawing poverty and deprivation in rural South Asia is growing, with the media catering to advertisers geared to urban audiences and removed from rural realities. While some niche alternate media focus on the forgotten villages of South Asia, mainstreaming these concerns has been Bhutan's unique response, with awards, grants and workshops for rural communities to promote rural journalism have been concrete actions towards bridging the chasm.

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

While the media in South Asia grapples with the challenges of reporting on the unprecedented lockdown that threatens to have a devastating and irreversible impact on the economy, politics and social relations, civil liberties must not be bypassed.

It is precisely in times of crisis that democratic rights must be protected, fundamental freedoms valued and press freedom promoted. Questioning, dissent and a robust independent media are vital to check that governments do not use the pandemic to encroach upon hard won freedoms and to ensure that our communities come out of the lockdown with their rights intact.



On November 14, 2019 journalist Dilrukshi Handunnetti reflects at the spot in Colombo where her colleague Lasantha Wickrematunge was murdered in 2009. No memorial marks where the Sri Lankan newspaper editor was murdered, one of dozens of victims of "death squads" allegedly linked to a frontrunner in the country's November 16, 2019, presidential election.

CREDIT: SIMON STURDEE / AFP

# THE PANDEMIC AND THE PRESS

Children stand in queue to collect food during the government-imposed nationwide lockdown as a preventive measure against the COVID-19 coronavirus, in Kolkata, India, on April 12, 2020. CREDIT: DIBYANGSHU SARKAR/ AFP

**T**he lockdowns and physical distancing measures put in place in varying degrees of severity in all countries in South Asia had direct implications for the media. From self-protection and workplace safety, lack of protective equipment and training, and reporting amidst physical barriers, journalists in the region learnt quickly and hit the ground running. Journalists did a commendable job of exposing the unfolding humanitarian crisis, encroachment on citizens' rights, policy failures and also stories of touching humanity amidst the crisis. And all this while desperately trying to keep their jobs.

The lockdowns came as a severe blow to the news industry's financial basics. Global signals of peril had been emerging from the early years of the century, as digital media began claiming a larger share of the advertising pie. But most of South Asia was buffered to some degree by growing newspaper readership – a consequence of both increasing literacy and affluence – and the buoyant growth of advertising spending for close to two decades ending 2008. The virus cracked unambiguously exposed the deep fissures in the media industry, whose lack of sustainability came sharply to the fore.

## MEDIA INDUSTRY AT SEA

On April 27, India's Supreme Court admitted a writ petition filed by the National Alliance of Journalists (NAJ), the Delhi Union of Journalists (DUJ) and the Brihanmumbai Union of Journalists (BUJ) demanding an end to job losses and salary cuts in the media industry. Notice was issued to the two apex industry organisations – the Indian Newspapers Society (INS) and the News Broadcasters' Association (NBA) – asking for a response on specific points about job losses and salary cuts.

India's newspaper industry, lulled into a sense of security, chose a revenue model in which the subscriber paid little and advertising contributed 65 to 90 per cent to total revenue.

When advertising first started slowing with rising anxieties over the economic slowdown in China, and then abruptly dried up with the nationwide shutdown, the news industry found itself cut adrift, without any means of negotiating choppy waters. Negotiating the current crisis will involve reversing the course set some three decades back, when the pursuit of profit through maximising advertisement yield became the priority.

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

The Indian Newspaper Society meanwhile has submitted a memorandum to the Indian government, demanding a number of fresh concessions including import duty exemption for newsprint; a two-year exemption from taxation; and an increase of 50 per cent in the rates paid for government advertisements.

Journalists' unions have underlined that the industry should not be allowed to default on its primary responsibility of safeguarding job security and ensuring regular wage payments through the crisis.

In Pakistan however, the digital media led the way in converting what is a media production and operation crisis into an opportunity. One way they did that would be to examine any innovation around what they are doing that others are not, specifically in the context of Covid-19. Mainstream print establishments (facing distribution problems) and even current affairs TV channels which could not generate pre-outbreak levels of field-based content rapidly beefed up their digital operations, reworking their websites and social media accounts to focus on Covid-19 coverage.

## LOCKDOWN OF RIGHTS

India awoke late to the Covid-19 threat, but then went the maximum distance. The public mood was already fearful and the markets had begun to shed value. Following a day-long nationwide “voluntary” curfew on March 22, the Indian Prime Minister addressed the nation at 8 pm on March 24, to announce a complete lockdown all across the country starting within four hours, at the stroke of midnight.

India’s lockdown was the severest in scope, amounting to a complete paralysis of normal life. Yet India’s economic stimulus package to deal with the adverse consequences of economic paralysis was among the most modest, amounting to less than one per cent of GDP, against 3 per cent or above in most countries threatened by the pandemic and 9 per cent in the richer nations.

Via video conference, India’s Prime Minister urged news channel heads, newspaper owners and editorial heads, to communicate key decisions “swiftly and professionally... through easy to grasp language” and also “counter pessimism and panic through positive communication”. This attempt to shape the narrative was not entirely successful.

Media personnel were given permission to move about during the lockdown and over the first few days of the lockdown, the stories that dominated the headlines were of a mass movement of working people, mostly employed in the informal sector in India’s bustling cities. There was also a real possibility that the harvest, by then due in some of India’s most productive agricultural regions, would be disrupted. Reports suggested a mass flight to rural India in which essential norms of social distancing were disregarded and for those who stayed back, living in cramped quarters, recommended precautions against possible infection were even more impractical. These reports brought home a story of a rushed decision, careless about possible human consequences.

At the end of March, a public spirited group of individuals pressed a petition in the Supreme Court, pleading for credible steps to safely evacuate migrant workers from cities and other transit locations where they may be stranded, and to provide essential food and care for them. At the first hearing of the petition, the government denied the existence of a crisis of internal migration and blamed the disruption on “fake news”, amplified through irresponsible media reporting. The government urged the Supreme Court to order that the media only report the official version of events in matters involving the pandemic. While hesitating to go that far, the Supreme Court did enjoin the media to take into account the official version of events in their reporting.

But with their treasuries drained, the Indian media may not be in the best position today to push back against the government’s relentless will to ensure that its version of events alone gains traction among the public.

## DANGEROUS POLARISATION

By end of March, it was revealed that a religious congregation involving a significant number of overseas participants in the Nizamuddin area of Delhi between March 13 and 15 had not fully dispersed. Some of the participants had stayed behind, others had travelled to various parts of the country. Some tested positive for the virus and through contact tracing a trail of infection was found stretching to various parts of India. Official negligence and lacunae in communication were obviously to blame. Overseas participants had all entered on valid visas and none of them were screened on arrival. And even if the local government in Delhi had issued an advisory against large public gatherings on March 14, the police which is controlled by the national government, had failed to enforce the rule.

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

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

## LITTLE PROTECTION

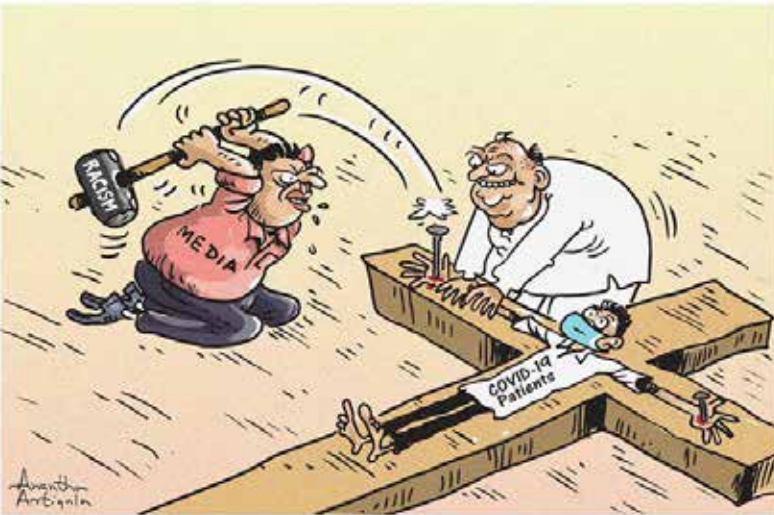
As elsewhere, access to the frontlines against the pandemic is one of the challenges facing media personnel in South Asia where widespread lockdowns, stay-home orders and containment zones restrict physical access. Secure access is another category of problem, since personal protective equipment (PPE) has been in short supply across much of the region. With the scarcity situation dictating that available supplies be reserved for medical care professionals media personnel have often had to disregard necessary safeguards, and journalists in several cities in India contracted the virus. Of 167 journalists in Mumbai covering the pandemic, 53 of them Covid-19 positive. Most of these were reported asymptomatic.

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

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

In Nepal, the Federation of Nepali Journalists (FNJ) issued guidelines on the ‘Dos and don’ts’ of reporting the pandemic, based on WHO guidelines, adapted to the local context. A co-ordination committee headed by the FNJ President monitored the situation in media houses and a Situation Report found that precautionary measures taken by the media houses for the journalist were unsatisfactory: even in the office, the required distance was not maintained and journalists in some of the media houses did not have the necessary protective equipment..

In tandem with Nepal’s Ministry of Health and Population and the Red Cross, the FNJ distributed over 5000 masks, sanitizers, hand gloves and hundreds of press jackets to the journalists



In Sri Lanka, the anti-minority rhetoric whipped up by the Sinhala nationalist media and social media users blaming a particular community for the epidemic prompted the Ministry of Health and Indigenous Medical Services to issue guidelines for reporting Covid-19 CREDIT: AWANTHA ARTIGALA @ AWANTHAARTIGALA

through its provincial committees, district chapters and also through media houses in Kathmandu. FNJ has also coordinated with health and humanitarian organizations to provide health professionals for regular health check-ups.

A common trend is the empowerment of police authorities across the region – officially in a “Police Curfew” in Sri Lanka – which has sharpened an already tense equation between the compulsions of enforcement and the task of extracting and reporting news from beneath the security lockdown. The notice to media organisations issued by the Sri Lanka Police threatening strict legal action against those who ‘criticize’, point out ‘minor shortcomings/failures’ or ‘scold/chastise’ state officials performing their duties does not bode well for critical reporting.

## VIRAL MISINFORMATION

Countries in South Asia face like problems though differently manifest according to internet penetration, literacy deficits and relative levels of poverty. India with its proliferation of “smart-phones”, faces a potential overload of spurious information, while Pakistan with 35 per cent internet penetration has the problem – as a digital rights campaign group put it – that these technologies are “still a luxury for many”.

Misinformation and fake news have gone viral amidst the difficulties of authentic news reporting. Governments across South Asia have issued directives against fake news about Covid-19 and followed up with specific efforts to control the flow of information. India’s first positive case in the southern Indian state of Kerala, was reported “uncooperative” in providing travel details. Contact tracing was done by accessing the individual’s cell phone records. Though the final outcome may have been benign, there are persistent fears about privacy violations and increased surveillance of citizens, especially under regimes that do not set much store by public trust. The use of “electronic fences” and stipulations that quarantined individuals should provide real-time compliance reports by regularly posting “selfies”, have engendered new fears about privacy violations.

Across South Asia, fake news reports proliferated about the viral spread and possible remedies. In Sri Lanka, a Facebook post claiming that hot water and sunlight would kill the virus went viral; in Pakistan, the photograph of a Chinese worker at a hydroelectric project who visited a hospital with a stomach complaint was shared as a Covid-19 case, and in Bangladesh, a

## GOVERNMENTS ACROSS SOUTH ASIA HAVE ISSUED DIRECTIVES AGAINST FAKE NEWS ABOUT COVID-19 AND FOLLOWED UP WITH SPECIFIC EFFORTS TO CONTROL THE FLOW OF INFORMATION.

man was arrested for spreading fake news on the virus. In India, a morphed UNICEF report that hand sanitisers were ineffective in killing the virus was widely circulated, and varieties of “natural” cures forwarded on WhatsApp groups.

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

The other grave concern was the denial of information, thanks to censorship restrictions on communities in conflict. Despite several attempts and petitions to India’s Supreme Court, internet restrictions continued in Kashmir, with a renewed ban on high speed mobile internet. In Bangladesh, an internet blackout and phone restrictions at Rohingya refugee camps obstructed the work of humanitarian groups tackling the Covid-19 threat. This hit nearly 900,000 refugees in Cox’s Bazar and the Bangladeshi host community, as the aid groups’ ability to provide emergency health services and rapidly coordinate essential preventive measures were severely hampered.

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

There were also damaging fake news reports that mimicked government notifications, including a supposed press release dated March 18, purportedly issued by the Prime Minister’s Office (PMO) of India, that restricted entry of Malaysians. Another was a notification purportedly making WhatsApp group moderators liable for messages written or forwarded on their groups.

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

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

# DIGITAL CONTROL

## PATCHY CONNECTIVITY

By March 2020, the total number of internet users in the Asia region was estimated at 2,300 billion, which represents around 50 per cent of the world's internet population, covering 55 per cent of the world's total population.

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

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

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

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

For those who do have digital access, the stranglehold of draconian digital laws further compounds the precarious state of internet freedom. In all of South Asia, there is widespread censorship, takedowns and blocking of content, persecution of journalists and bloggers, the hounding and arrests of citizens who voice opinions on social media platforms and prolonged internet shutdowns in conflict areas or in times of conflict. India, the largest country of South Asia, is also called the internet shutdown capital of the world (See page 16).

Across South Asia, repressive measures are receiving legal and even social sanction as governments enact more and more stringent laws and regulate online content in the name of tackling fake news, protecting national security or, most recently, public health as in the ongoing corona virus pandemic.

## CENSORSHIP AND REGULATORY CONTROLS

In **India**, internet freedom is marred by repeated internet shutdowns, censorship, surveillance and arrests for social media posts.

The Indian Government continued to lead in takedown of content from social media networks and internet sites. In January, video sharing site TikTok released its first transparency report and said that India's takedown requests surpassed those of the United States. Likewise, Facebook's transparency report said there was a sharp spike in "Emergency Requests For User Information" by the Indian Government in 2019. Twitter and Google reported similar data for user information.

The Indian government has also sought to change its intermediary guidelines, to bring online media under the purview of the Registration of Press and Periodicals Bill (2019) and create a regulatory authority for online media sites. It is also set to unleash heightened surveillance and access to citizens' data on grounds of national security, and more recently for public health concerns. India has sought traceability of end-to-end encryption of WhatsApp messages, ostensibly to track fake news, but internet freedom activists believe it will further aid the government to crack down on dissent.

The Personal Data Protection Bill, 2019 with the concomitant Data Protection Authority concentrates power in the hands of



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the central government. The Bill also amends the Information and Technology Act (2000) to delete the provisions related to compensation payable by companies for failure to protect personal data. It came just a month after shocking news of internet snooping of several writers, journalists, activists and advocates emerged in late October 2019. Although it is not confirmed if the snooping by malware Pegasus has been under the direction of the government, questions raised in parliament to seek clarifications were met with opaque response that the government 'had the powers to snoop under Section 69 of the IT Act (2000) as well as under Section 5 of the Indian Telegraph Act (1885) to 'view message in the case of public emergency or in the interest of public safety.'

In **Bangladesh**, the draconian provisions of the recently passed Digital Security Act 2018 were deployed to arrest of writers and activists in May 2019 and again, in March 2020, with the suing of *Manab Zamin* editor-in-chief Mati-ur-Rehman Chowdhury and 31 others on charges of publishing 'false' news and circulating it on social media. The Sampadak Parishad (or Editor's Council of Bangladesh) has said that the Digital Security Act will profoundly affect investigative journalism.

A Sri Lankan security officer looks on as he stands guard at a checkpoint on a roadside in Colombo on May 13, 2019. Sri Lanka imposed a nationwide night curfew on May 13 after anti-Muslim riots spread to at least three districts just north of the capital in a violent new backlash against the Easter suicide bombings. CREDIT: LAKRUWAN WANNIARACHCHI / AFP



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

A writ petition filed by nine persons, including professors of Dhaka University and journalists, is now challenging the Act. In February 2020, the Dhaka High Court issued notice to the government asking why sections 25 and 31 of the Digital Security Act (2018) should not be declared unconstitutional.

Bangladesh’s government has installed technology which could enable the government to block any online content, including Facebook pages or an account in just three minutes. The system was installed under the Cyber Threat Detection and Response project of the department of telecommunications launched in July 2017. So far, the government has blocked around 22,000 sites, mostly containing porn and those facilitating gambling.

**In Pakistan,** internet shutdowns and surveillance are constant. Telecom operators use a Web Monitoring System

(WMS) to monitor social media, while over 800,000 websites and web pages were blocked for a range of reasons, including for hosting content that was allegedly pornographic, blasphemous or expressing sentiments against the state and military.

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

In July, the hashtag #ArrestAntiPakjournalists called for the arrest of journalists in Pakistan, some even calling for hanging. The hashtag was used or forwarded more than 28,000 times. Many users accompanied it with a composite photograph of prominent journalists and TV anchors, some of whom regularly criticise the governing Pakistan Tehreek-e-Insaf (PTI) party

## PAKISTAN ENACTED THE CITIZEN PROTECTION (AGAINST ONLINE HARM) RULES (2020) OSTENSIBLY TO MONITOR CONTENT ON SOCIAL MEDIA RELATED TO "TERRORISM, EXTREMISM, HATE SPEECH, FAKE NEWS, INCITEMENT TO VIOLENCE AND NATIONAL SECURITY."

of Prime Minister Imran Khan and the establishment.

In February, Pakistan enacted the Citizen Protection (Against Online Harm) Rules (2020) ostensibly to monitor content on social media related to "terrorism, extremism, hate speech, fake news, incitement to violence and national security."

The rules, enacted without consultation with stakeholders, give regulators the power to demand the takedown of a wide range of content within 24 hours and open the doors to mass censorship. In response, big internet companies like Google, Facebook and Twitter banded together as the Asia Internet Coalition (AIC) wrote to the Pakistan Prime Minister threatening to withdraw completely from the country.

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

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

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

Under an 'unofficial health emergency' since mid-March due to the novel coronavirus pandemic, the Ministry of Health and Indigenous Medical Services issued guide lines for reporting Covid-19, requesting the media to refrain from mentioning the race or religion of positive individuals, refrain from publishing photographs without consent, and not to report in a manner that "causes hatred among people".



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

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

In February, the Taliban accused the *Khabar* of espionage and intending to "confound people's mind" and "propaganda by foreigner mercenaries". Continued intimidation led to most of the staff quitting their jobs.

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

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

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

In **Bhutan**, the growth of social media users (around 50 per cent of the population) has been at the cost of official 'legacy' media and the resultant loss of professional journalism, fear members of the media community. The strengthening of online presence of the print media was a



**Above from left:** In July, 2019 so-called paid platoons of social media “warriors” launched a vicious hashtag campaign “ArrestAntiPakistan.Journalists” after two broadcast journalists Hamid Mir and Asma Shirazi made critical comments about Prime Minister Khan’s policies.

Demonstrators shout slogans as they take part in a protest in Dhaka on October 21, 2019, a day after deadly clashes when police shot at Bangladeshi Muslims protesting Facebook messages that allegedly defamed the Prophet Mohammed. CREDIT: MUNIR UZ ZAMAN / AFP

way forward, along with Government support in the form of online advertising revenue as well as increasing public media.

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

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

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

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

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

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

The world over, history has shown that governments have not lost any opportunity during situations of conflict and social turmoil, to put in place repressive measures to regulate and control people, including online freedom of expression. Constant vigilance and checks and balance on government overreach that impedes citizens’ digital freedoms is a vital need, especially in times of the global pandemic.



## SWITCHED OFF INTERNET SHUTDOWNS IN SOUTH ASIA

Internet shutdown – or deliberate disruption of any kind of internet or internet-based communication by state or non-state party to control communication or content – has sadly become an increasing trend in South Asia, representing a barometer on press freedom and freedom of expression controls.

Since internet shutdowns started becoming a preferred weapon for authorities to control communication and content, South Asia has remained a hot spot. India is not only the regional but the global leader in shutting down the internet, having recorded 82 shutdowns in the four months of 2020.

Access Now, which runs #KeepItOn, a global campaign against internet shutdowns, in its report said: “Just like in 2018, India tops the list globally of countries that have shut down the internet, with a staggering 121 incidents of shutdowns, including in new states that shut down the internet in an evident attempt to stifle dissenting voices.” The report documented not only an increase in internet shutdowns in 2019, but also a trend toward “sustained and prolonged shutdowns, and targeted internet shutdowns”.

The most notorious shutdown of all is in India-administered Kashmir which has now witnessed the world’s longest

communication shutdown in a democracy. The Indian government imposed the internet shutdown on August 4, 2019, a day before revoking Article 370 of the Constitution of India. The shutdown, though somewhat eased, still continues to stifle life and the work of journalists currently battling the Covid-19 pandemic.

In a testament to the fact that internet shutdowns are a disproportionate deprivation of freedom of expression, the direct impact of which is felt by the media, the parties which approached the Supreme Court to challenge the communications shutdown in Kashmir were principally all media houses such as the *Kashmir Times* or journalists unions such as the Indian Journalists’ Union (IJU) which impleaded in the case. Ironically, the Press Council of India, the body mandated to protect freedom of the press, seeking to intervene in the same case, backed the internet ban citing “national interest and sovereignty” of the country, but later changed its stand after severe criticism.

India also ordered another long internet shutdown in Kargil district of Ladakh in Jammu and Kashmir. According to the Software Freedom Law Center (SFLC India), Kargil faced a

Firefighters and police personnel stand next to burning objects set ablaze during demonstrations against India's Citizenship Amendment Act in Kanpur on December 21, 2019. The controversial law sparked widespread protests, civil unrest and internet shutdowns. CREDIT: STR / AFP

**Right:** Cut off from mobile internet services and with Bangladeshi police seizing their SIM cards, Rohingya refugees sneak out of their camps to buy black market cards and to top up credit. CREDIT: MUNIR UZ ZAMAN / AFP

## BANGLADESH DOWNGRADED MOBILE INTERNET SERVICES IN REFUGEE CAMPS IN COX'S BAZAR DISTRICT AND PENINSULA ADJOINING THE NAF RIVER WHERE ROHINGYA PEOPLE WHO FLED MYANMAR HAVE TAKEN SHELTER.

shutdown of 145 days which was imposed from August 4 until December 27.

India's Supreme Court ordered the government to review all restrictions in Kashmir within a week in January 2020, saying the indefinite suspension of people's rights amounted to an abuse of power. While some communications have been gradually restored, the block on high speed mobile 4G internet in the Kashmir Valley still remains intact.

India also imposed internet shutdowns during protests across the country against the controversial Citizenship Amendment Act (CAA). In December, almost 20 districts in Uttar Pradesh, India's most populous state, witnessed prolonged shutdowns. Around the same time, Delhi, and the North-eastern states of Assam, Tripura and Meghalaya also faced internet shutdowns purportedly to contain violent protests against the CAA. The southern Indian state of Karnataka saw its first-ever shutdown in December when a complete ban on the internet was imposed in two districts following violence during protests against the CAA.

India is not the only country in the region shutting down the internet, as Pakistan, Bangladesh and Sri Lanka have also

implemented internet shutdowns. The NGO Bytes for All in Pakistan recorded at least seven incidents of internet shutdowns since May 2019, whereas Bangladesh recorded at least three and Sri Lanka recorded at least two incidents.

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

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

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

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

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

## KASHMIR: ACCESS DENIED

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

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

The ban dealt a crippling blow to the entire media community as there was no access to information, news gathering, verifying, research or communicating with sources. The heavy deployment of troops, mass arrests of more than 5,000 civilians including three former chief ministers and dozens of legislators, politicians and lawyers caused a sense of foreboding among journalists.

This was the beginning of the clampdown on the media by denying access to ground reporting. Mobile Internet was banned in Jammu, Kashmir and Kargil in Ladakh, and was restored in phases. Mobile phone 2G internet was restored in five districts of Jammu on January 14 and the remaining five districts on January 18. Also, mobile internet was restored in two Kashmir districts, Kupwara and Bandipora on January 18. Subsequently, the internet was restored in Kashmir on January 25. While broadband (fixed line) internet was working in both Jammu and Ladakh, broadband was restored in Kashmir only on March 4, and high-speed mobile internet continues to be banned.

When the Media Facilitation Centre was established, it was largely meant to facilitate reporters who had come from outside the Valley, moving in and around Srinagar in hired cabs, largely reporting the official narrative of "normalcy". In both summer as well as in freezing sub-zero temperatures, through rain and



Soldiers patrolling Kashmir enforcing restrictions after August 5, 2019 when the crippling shutdown began.

snow, journalists had to rush to the media centre to check email and try to respond to playbacks or queries from their respective organisations. About 200 journalists waited for hours to access four to five computers with internet access in a crowded hall under surveillance.

The Supreme Court of India took five long months to decide on a petition filed on August 10, 2019, by *Kashmir Times* executive editor Anuradha Bhasin on the internet ban and restrictions hampering journalists in the Kashmir Valley. Following the Supreme Court order, leased-line internet to tour and travel agencies, hospitals, banks, government offices was restored, but with restrictions, and no social media access was permitted.

Further, four days after the Supreme Court decision, the J&K government restored limited 2G mobile internet in five districts of Jammu and broadband for essential services such as hospitals, banks and government offices. Initially, the government 'whitelisted' only 153 websites for access and gradually extended it to 1,400 websites till internet was restored on March 4, 2020.

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

The restoration of broadband internet notwithstanding, challenges and risks for the media continue. Journalists are organising and putting up a resistance despite the pressures and are continuing to campaign for the restoration of high-speed mobile internet as a basic professional right.

### POSTCARDS FROM KASHMIR: INSIDE THE WORLD'S LONGEST COMMUNICATIONS SHUTDOWN #JOURNALISMMATTERS #KEEPIITON

#### Why IFJ and SAMSAN are campaigning for Kashmir's media:

When the Indian government imposed the internet shutdown in Kashmir on August 5, 2019 journalists in Kashmir struggled with their work and lives. The problems they faced were numerous; ranging from not being able to gather information or to write, publish, print or broadcast news, ultimately leading to job losses and salary cuts, in addition to harassment, controls on movement and the necessity to file

stories from a designated media centre.

In January, India's Supreme Court ordered the government to review all restrictions in Indian-administered Kashmir within a week, saying the indefinite suspension of people's rights amounted to an abuse of power. While some communications have been gradually restored, the block on high speed mobile 4G internet in Kashmir still remains in place. This ban continues to be extended.



The IFJ-SAMSAN campaign "**POSTCARDS FROM KASHMIR**" in April 2020 was aimed to draw the world's attention to the personal stories of journalists impacted by shutdowns and raise awareness on internet controls as an abuse of human rights. It also underscored the critical need for high-speed communications during the Covid-19 pandemic.

# VOICES OF COURAGE

Journalists protest in Kashmir after 100 days without internet.

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

## ANURADHA BHASIN

EXECUTIVE EDITOR, KASHMIR TIMES

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



## HILAL MIR

SENIOR JOURNALIST

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

## JEHANGIR AZIZ BHAT

SENIOR VIDEO JOURNALIST

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

## GOWHAR GEELANI

SENIOR JOURNALIST/POLITICAL COMMENTATOR

When eight million inhabitants of the Kashmir valley were cut off from the rest of the world in the absence of all tools of modern communication, the newspapers chose to write editorials on apricots and cucumbers; op-eds were written on Cambodia and Congo but not on Kashmir. The media became government stenographers, with hardly anyone questioning the administration and authorities. How can a journalist work without being able to communicate, talk to sources, talk to the people to know their perspectives? The news gathering process is made impossible. As a journalist you suffer in myriad ways.



## MUBASHIR BUKHARI

DIGITAL MEDIA EDITOR

On August 5, I was in my village in north Kashmir's Baramulla, 45 kilometers

from Srinagar. I was held up there without any work as troops deployed on streets had imposed restrictions on roads. They did not allow me to proceed towards my workplace. Likewise, there was no means to communicate with my colleagues or offices as mobile phones, landlines and internet were shut. In September, I shifted to New Delhi to run the digital edition from there. But it turned out to be a futile exercise as 90 per cent of our audience was Kashmir based and they were not able to access it without the internet. We could not generate online traffic as nobody was able to see our stories and we returned to the Valley after a month.



## UMAR GANAI

PHOTOJOURNALIST

I have covered massive public protests in 2008, 2010 and 2016 when civilian casualties occurred as

well. But this is the first time I have witnessed such an unprecedented siege when the press was not allowed to do its



work amid the government's claims of normalcy.

We had to travel in the freezing cold to media centre every day and wait for hours to access internet. One day in November, the internet in the media centre got suspended due to heavy snow. Despite coming braving cold and snow to reach media centre, we could not send photos. Similarly, local newspapers too could not publish their editions the next day.

## NUSRAT SIDIQ

REPORTER

I was unable to work for first two months of lockdown and communications shutdown. Though there were stories but I had no means to travel and reach office. In my area, protests were occurring almost everyday but I was not able to report them.

During these months, rumours were doing rounds everywhere but there was no way to verify or confirm things. And I had no choice but believe them to be true.



## ISHFAQ TANTRY

GENERAL SECRETARY, KASHMIR PRESS CLUB

During this period, Kashmir

journalists held protests to press the government to restore the internet. Irrespective of hierarchy, everyone suffered. Journalists were beaten, summoned for their stories and lost jobs during these months.

## AFGHANISTAN

NO PEACE FOR  
THE MEDIA

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

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

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

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

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

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

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

The presidential election in September 2019 was marked by deep divisions and questions about the legitimacy of the Afghan government. In February 2020, incumbent president Ashraf Ghani, was declared winner with just over 50 per cent of the vote, almost five months after voting initially took place. But in an interesting turn of events, CEO Abdullah Abdullah also declared himself the winner, the result being a complex power sharing arrangement with the rival politicians both claiming to be the legitimate leader.



A man walks past a wall painted with an image of US Special Representative for Afghanistan Reconciliation Zalmay Khalilzad and Taliban co-founder Mullah Abdul Ghani Baradar in Kabul on April 5, 2020. Access to information remained a serious issue during the Covid-19 pandemic for Afghan journalists. CREDIT: WAKIL KOHSAR / AFP

The disunity that dominated Afghanistan's election was also reflected in the media community. Vested interests took advantage of divisions and anti-government elements called the media a puppet, accusing them of undermining the customs and traditions of Afghanistan. In the wake of the divisive elections, the Taliban openly threatened media workers. The government also manipulated reporters to its advantage, which in turn caused some sections of the media to lose their credibility among the general public.

## QUIET CONTROL

Between the curbs instigated by the Taliban and control by the authorities, freedom of expression in Afghanistan hangs precariously in the balance. Afghanistan has a vibrant and varied media landscape, with dozens of TV networks, over 100 radio stations and a multitude of privately-owned newspapers.



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

The increased availability of mobile phones, the internet and social media has exposed Afghans to diverse news.

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

Zia Bumiya, head of the South Asian Free Media Association (SAFMA) in Afghanistan, says the Taliban has taken advantage of disunity to keep the Afghan media under pressure. He also

believes that the Afghan government is not truly committed to freedom of the press and imposes laws that threaten or restrict freedom of expression and access to information. The government seems intent on controlling media, for example instructing agencies not to share information with reporters without confirmation from the central government, he said.

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

Shewa Sharq, deputy director of broadcasting in the Ministry of Information and Culture, said that the media would remain free, and that he would not allow anyone to hinder the freedom



Afghan women voters queue to cast their ballot during the presidential election at a polling station on September 28, 2019. The disunity that dominated the election was also reflected in the media community.  
CREDIT: HOSHANG HASHIMI / AFP

of the press. “If the Taliban or anyone within the government is obstructing the freedom of the media, I will stand against them, and I will support the media of any restrictions,” he said.

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

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

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

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

## SHAPING THE NARRATIVE

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

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

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

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

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

A case in point was the first vice-president of Afghanistan Amrullah Saleh who filed a case on February 25 against

Security personnel inspect a damaged Sikh religious complex alongside media representatives following a gun attack in Kabul on March 25, 2020. At least 25 people were killed in the attack, claimed by the Islamic State. CREDIT: STR / AFP



**IN ADDITION TO KILLING AND INJURING JOURNALISTS AND MEDIA EMPLOYEES, THERE WERE ATTACKS ON MEDIA OFFICES, ABDUCTIONS, BEATINGS, DEATH THREATS, IMPRISONMENT, PSYCHOLOGICAL PRESSURE, THREATS AND LACK OF ACCESS TO INFORMATION.**

39 Facebook users who criticised him during the election campaign in 2019. Journalists and media rights organisations said that proper procedure was not followed and the complaints should have been lodged with the Media Offense and Complaints Commission.

## VIOLENCE AND ECONOMIC CONDITIONS

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

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

In addition to killing and injuring journalists and media employees, there were attacks on media offices, abductions, beatings, death threats, imprisonment, psychological pressure, threats and lack of access to information.

According to Nai-Supporting Open Media in Afghanistan, six journalists were abducted, five were beaten, and five others were detained by armed Taliban and other terrorist groups in 2019. Ten complaints of lack of access to information were reported. Two media centres were attacked, and two media centres were also closed due to financial problems. Three journalists were summoned by government officials. The equipment of three journalists was stolen, and the reporters were pressured while on duty. Some other reporters and social

media workers were summoned to the Attorney Office for criticising senior government officials.

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

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

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

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

Multiple media violations against journalists were recorded during the fourth round of

Afghanistan's presidential elections in September 2019. The IFJ and its affiliate AIJA, condemned the attacks on at



Hujatullah Mujadidi, vice president of AIJA, meets with Muhammad Anwar Khan Ishaqzai, governor of Logar, on February 11, 2020, to discuss challenges facing journalists and media. CREDIT: AIJA

least three journalists. AIJA fielded at least ten complaints by journalists regarding access to information, access to voting sites and telecommunications shutdowns.

Among a string of other attacks, AIJA also documented a bomb attack that seriously injured a reporter travelling in a military convoy on November 30, 2019.

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

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

Jamshid Rasouli, a spokesman of Supreme Prosecutor's Office, emphasised that the government's commitment to handling cases of violence against journalists was solid and that as a result of the joint efforts of the government and media committee, no cases of violence against journalists were left unanswered.

According to the Attorney General's Office, 38 people have been arrested in the course of investigating the killings of journalists, of whom over 26 have been sentenced to short prison terms and up to 12 were under investigation and trial.

## MORE VULNERABLE

Women journalists in particular are also not secure and face similar threats and intimidation. Insecurity, psychological and social pressures – including from the family – have caused female journalists to quit their jobs in the media.

Farida Nekzad, head of the Center for the Protection of Afghan Women Journalists (CPAWJ), says; insecurity, social traditions, media financial problems, and sexual harassment are among the factors that have negatively impacted the

working environment of female journalists in the country.

"Unfortunately, threats by the anti-government elements in 12 provinces of Afghanistan - Kunar, Logar, Paktika, Paktia, Helmand, Nuristan, Zabul, Khost, Uruzgan, Nimroz, Maidan Wardak and Panjshir - and social customs have ensured that no female journalist is working anymore in the media in these provinces," she said.

According to information from the Center for the Protection of Afghan Women Journalists (CPAWJ), there are 8,000 media workers in the country, of which around 1,800 are female. While the center has documented that there are 523 private media outlets operating in the country, with almost 200 audio, visual and print media which have had their activities impacted by economic problems and security issues, women are the most vulnerable. Media and civil society groups have launched campaigns for the protection of the rights of female media journalists as a central component of media freedom and the path to peace.

## JOINT ADVOCACY

The Government and Media Joint Committee has taken action on incidents of violence and harassment against journalists. The Committee, operating under the relatively progressive vice-president Sarwar Danish, has also tried to mediate issues between journalists and the government, particularly with regard to arrests and intimidation.

On December 29, when the joint committee presented its annual report on violence against journalists, interior ministry spokesman, Nusrat Rahimi, said Afghanistan had a total of 117 cases of murder of journalists and media staff since 2001. Of those, 32 had been brought to court and 23 perpetrators had been killed as a result of operational operations; There were 55 other cases of explosions and attacks against journalists that were claimed by opposition groups.

The Committee has also sought to review structural and legal reforms, in an effort to advance labour rights. In this respect, there have been significant achievements in pension rights.



Disinfecting of media offices and teaching health and safety methods during Covid-19 at was part of a training conducted by the Independent Journalists' Association (AIJA) in Baghlan province. CREDIT: AIJA

## THE GOVERNMENT HAS BEEN ACCUSED OF HIDING FACTS ABOUT THE NUMBERS AND SPREAD OF THE CORONAVIRUS, AND INCORRECT DATA HAS BEEN SHARED WITH THE MEDIA.

With the exception of Moby Group and Ariana Television in Afghanistan, the rest of the national media do not provide pension entitlements to their employees; neither do their employees have insurance, nor do they provide vocational education. The government has created a pension regulation mechanism for private and non-government organisations. From 2021 it will be mandatory for all media outlets to pay their employees pensions after their retirement.

Collaborative work towards press freedom and journalists' rights continues under the banner of the 'Federation of Journalists' Associations and Media' which was launched in 2013 after a four-year long process of bringing together diverse organisations. Members of the Federation include the Association of Independent Journalists of Afghanistan; National Union of Journalists of Afghanistan; National Union of Journalists and Reporters of Afghanistan; South Asia Free Media Association; South Asian Journalists' Independent Association; Afghan Journalists Defending Committee; Afghanistan Journalists' Protection Committee and NAI the supporter of independent news agencies in Afghanistan; GAHEEZ Cultural and Media Centre; Media Market; Kabul Press Club and Women Journalists' Support Centre.

Interventions were made in the process of law reform, as well as pushing for investigations in cases of violence against journalists and aligning regulations governing the safety and security of journalists with international standards.

### VIRAL MISINFORMATION

The Covid-19 pandemic has had a direct impact on the media in various ways, from working hours to safety concerns. For instance, Tolo News and the Moby group have rejigged working hours to three five-hour shifts in

order to prevent overcrowding inside the building. Facilities have been provided for protection of staff that do work on site, while 40 per cent of the employees work from home. The reduction in news staff due to Covid-19 has reduced the 30 daily news bulletins at Tolo to 20 per day, and the duration too has been reduced. In terms of format, televised debates, interviews and talk shows in studios have been stopped, while for current affairs programs, guests in studios are restricted in number, while Skype interviews have increased.

Advertising too has taken a beating during the pandemic, and the financial situation is grave. However, there are no job losses as yet due to the pandemic.

In the first few months of 2020, access to information remains a serious issue during the Covid-19 pandemic. The government has been accused of hiding facts about the numbers and spread of the coronavirus, and incorrect data has been shared with the media. Infection rates in the areas under the control of the Taliban have been totally ignored and there is no awareness program to inform people about how to protect themselves against Covid-19.

Even during the health crisis, the country's leadership is divided, resulting in a dysfunctional response to the pandemic. The government has failed to provide clear and accurate information, and skirts questions on the severity of the crisis. At the same time, reporters are told to toe the government line, undermining their ability to present timely and accurate information.

As hard-won media freedoms are curtailed by ongoing violence and intimidation, a flawed electoral system, censorship, a faltering peace process and the challenge of living through and reporting on the Covid-19 pandemic, journalists in Afghanistan face a bleak future.

## BANGLADESH

BETWEEN A ROCK  
AND A HARD PLACE

The fragility of the right to freedom of expression in Bangladesh can be well illustrated through the case of Shafiqul Islam Kajol, a photographer and editor of the Bangla daily *Pokkhokal*, who has been missing since March 10, 2020. Kajol is feared to be another name to a growing list of enforced disappearances in the country. Journalists, along with his friends and family in Dhaka went on to stage a series of demonstrations demanding information on his whereabouts and action for an investigation. Kajol's disappearance came just a day after ruling party lawmaker Saifuzzaman Shikhor filed a case against him, along with Matiur Rahman Chowdhury, editor-in-chief of daily *Manab Zamin*, and 30 others under the draconian Digital Security Act on charges of publishing "false information" and circulating it on social media. On March 21, Amnesty International shared CCTV footage recorded the last day Shafiqul was last seen that showed unidentified people approaching his motorbike and appearing to tamper with it.

Another Bangladeshi journalist, Ishan Ibn Reza Fagun, was also killed in the period under review. Local human rights organisation Ain O Salish Kendra recorded a total of 140 cases of harassment against journalists in the ten months from May 2019 to February 2020. Many of the incidents of torture, harassment and threat were committed by ruling party members and law enforcement agencies. The rights body also recorded 18 cases of death threats by government officials, drug dealers, terrorists and anonymous persons over the phone. Additionally, seven journalists became victims of attacks and violence during the Dhaka City Corporation election.

## ENFORCED DISAPPEARANCE

Despite the Bangladesh government's ongoing denial of allegations of enforced disappearances, human rights organisations have repeatedly raised concerns about the practice of unacknowledged detention and enforced disappearances.

Last year, local human rights organisation Odhikar documented at least 34 incidents of suspected enforced disappearance. Eight of those "disappeared" were later found dead, 17 were shown as being arrested while the fate and whereabouts of the other nine remains unknown. The security forces are suspected to have forcibly disappeared over 550 people including many rights activists over the past decade, Odhikar says.

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



Supporters and photographers form a human chain during a demonstration on March 18, 2020, in Dhaka calling on the government to find missing photojournalist and editor Shafiqul Islam Kajol. The editor of *Pokkhokal* disappeared on March 10 after being accused by the ruling Awami League of publishing false information. CREDIT: MUNIR UZ ZAMAN / AFP

## MURDER AND IMPUNITY

The body of online journalist Ishan Ibn Reza Fagun was found near the railway track in Jamalpur on May 22, 2019. Fagun, 22, worked with the online portal *priyo.com* as a sub-editor in the English section and was set to join another news portal *jagonews.com* in June. He was the son of satellite television NTV's journalist Kakon Reza in Sherpur and lived in Dhaka where he was studying alongside his job.

Fagun was travelling by train to his home in the bordering district of Sherpur. His body bore marks of injury in the back of his head, throat and eyes. Ten months on, the police are yet to find any clue or motivation behind his murder.

Since 1991, there have been at least 32 killings of journalists, bloggers and freethinkers in Bangladesh. But the victims in most of these cases are yet to get justice.



**DESPITE THE BANGLADESH GOVERNMENT'S ONGOING DENIAL OF ALLEGATIONS OF ENFORCED DISAPPEARANCES, HUMAN RIGHTS ORGANISATIONS HAVE REPEATEDLY RAISED CONCERNS ABOUT THE PRACTICE OF UNACKNOWLEDGED DETENTION AND ENFORCED DISAPPEARANCES.**

One of the more prominent cases is the Sagar Sarwar and Meherun Runi murders, which never got beyond the investigation stage. The court has postponed the date to submit the investigation report into the murder of the journalist couple more than 66 times. While the names of Sagar Sarwar and Meherun Runi are today the subject of common household talk in the country, few know that Syed Farroque Ahmed of Sreemangal suffered a similar fate. Farooque Ahmed, the editor of *Pubali Barta* - a local publication in Sreemangal - went missing in June 2002. On August 3, 2002, his mutilated body was found on the rail tracks. His case, like too many others, died along with the journalist.

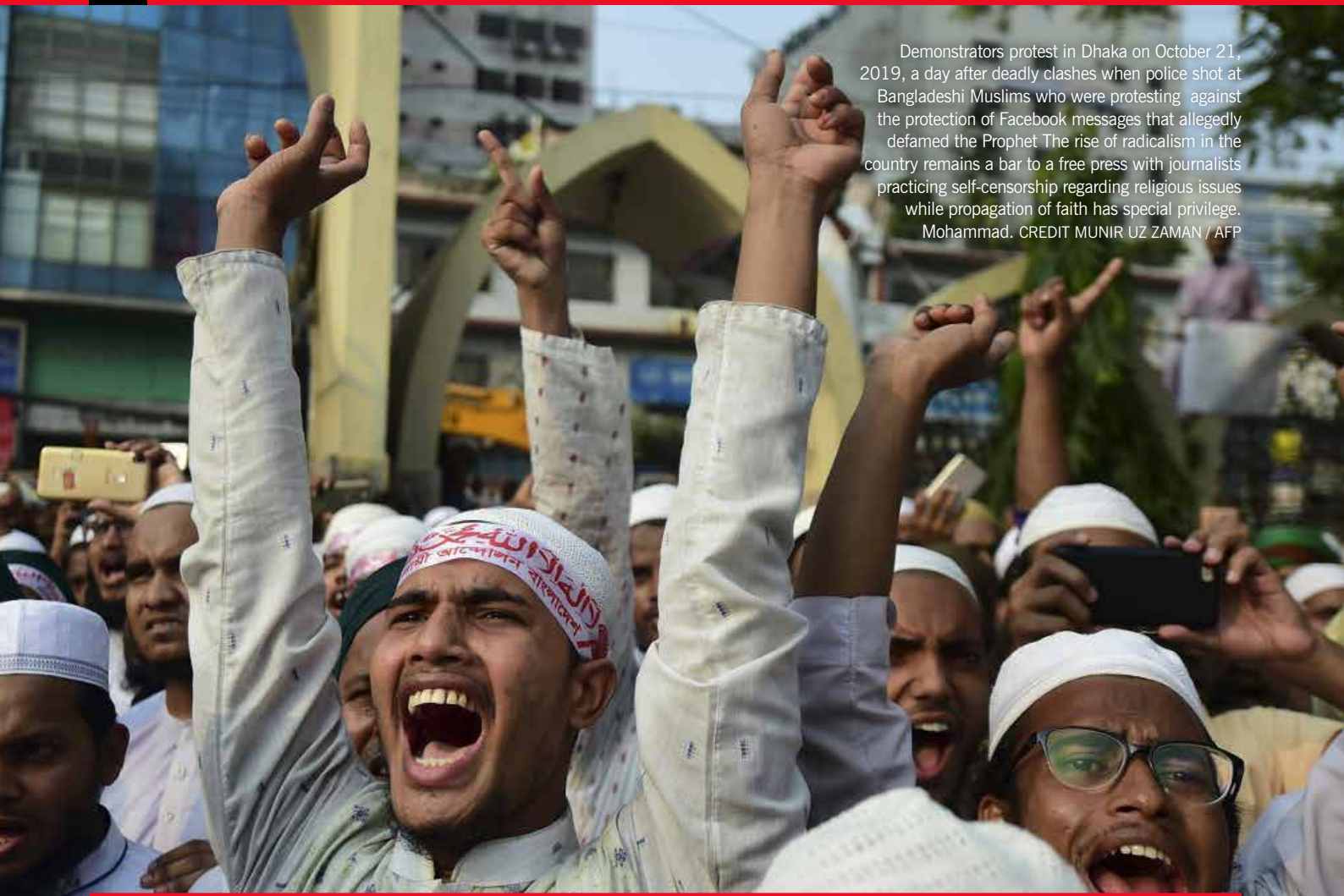
For some media killings, the trials are ongoing year after year, while others are lost at court and pushed aside. Some of their names are known from recent memory, but the further back the

case, the fainter is the recollection.

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

Cases in which investigations were completed still wait for decades for justice to be done. The trial of the murder of Saiful Alam Mukul, editor of the Jashore-based *Daily Runner*, has now been dragging on for 21 years.

In terms of outcomes, there were a few in the period under review. On September 23, 2019, three men were sentenced to life imprisonment for killing journalist Junaid Ahmad in Nabiganj in July 2012.



Demonstrators protest in Dhaka on October 21, 2019, a day after deadly clashes when police shot at Bangladeshi Muslims who were protesting against the protection of Facebook messages that allegedly defamed the Prophet. The rise of radicalism in the country remains a bar to a free press with journalists practicing self-censorship regarding religious issues while propagation of faith has special privilege. Mohammad. CREDIT MUNIR UZ ZAMAN / AFP

**IN A MOVE THAT COULD HAVE SIGNIFICANT IMPLICATIONS FOR FREEDOM OF EXPRESSION, THE HIGH COURT ON FEBRUARY 24, 2020, ISSUED AN ORDER ASKING THE GOVERNMENT TO EXPLAIN WHY SECTIONS 25 AND 31 OF THE DIGITAL SECURITY ACT 2018 SHOULD NOT BE DECLARED UNCONSTITUTIONAL.**

Then on January 30, 2020, the High Court upheld the life imprisonment of five convicts and acquitted four others in the 2005 Gautam Das murder case. On November 17, 2005, Gautam Das, then bureau chief of the Bangla daily *Samakal*, was killed by assailants in his office in Faridpur district.

The Das verdict is only the third verdict delivered since November 30, 2016, when a tribunal sentenced nine men to life imprisonment for the killing of journalist Manik Saha in Khulna in 2004.

It is worth noting that in some cases, the accused were killed in so-called ‘crossfire’ with law enforcement agencies, and the truth of their involvement in the crime will never come to light.

No bloggers were killed in the year under review, as a large number of atheist bloggers have fled Bangladesh, seeking asylum abroad. Others remain in hiding in the country and remain active on social media and blogs using pseudonyms. Secular bloggers and critics of Islam face risks from all quarters including government and militants, as well as by the society and the country’s laws which criminalise expressing opinions that “hurt religious sentiment”.

## DRAGONIAN LAW

Bangladesh’s Digital Security Act (DSA), which passed amidst huge protests in 2018, replaced the previous draconian law namely Information and Communication Technology (ICT) Act 2006. It has now emerged as the menace to freedom of speech and independent journalism in Bangladesh.

“It also contributes towards a growing animosity towards journalists across the country,” said Mahfuz Anam, editor of the *Daily Star*, the largest circulated English daily in Bangladesh.

The DSA law gives security agencies the power to hold individuals indefinitely in pretrial detention. If convicted, they could each face five years to life imprisonment.

More than 1,000 cases, mostly against Facebook users, have been filed under the Digital Security Act (DSA) since 2018, and the cybercrime tribunal has dismissed more than 200 cases for lack of sufficient evidence into the allegations.

Popular folk singer Shariat Boyati was arrested on January 11, 2020, and is facing indefinite detention for stating that music is not forbidden in the Qur’an. He is accused of “hurting religious sentiments” under the DSA.

Journalists sued under the law include daily *Manab Zamin* editor Matiur Rahman Chowdhury and two reporters of the daily, *Daily Sangram* editor Abul Asad and Independent Television's senior reporter Mahbub Alam Lavlu. As many as 29 people including journalist Shafiqul Islam Kajol were implicated in the case, as they shared the *Manab Zamin* story on Facebook and made allegedly derogatory comments against the lawmaker and other influential persons.

On December 13, police arrested Asad after *Daily Sangram*, the de facto mouthpiece of Jamaat-e-Islami Bangladesh party, published an article calling Abdul Quader Molla, a leader of the party executed in 2013 for war crimes, a "martyr." Asad was arrested as protesters ransacked the offices of the *Daily Sangram* over the article, destroying televisions, computers, and furniture. On December 14 he was shown arrested in a case filed under the DSA.

The case under the DSA was filed against Independent Television's senior reporter Mahbub Alam Lavlu by a private citizen on March 12, 2020, on the allegation of spreading false and defamatory news through his YouTube channel.

A second case filed against missing journalist Shafiqul Islam Kajol has become a source of mystery, as it was previously unknown. Three weeks after the journalist went missing, his family learned on March 31 that a second case had been filed against him under DSA on March 10; the same day he went missing. The case was shown to have been filed with Hazaribagh Police Station at around 10:10 pm, about three hours after he was alleged to have gone missing.

In a move that could have significant implications for freedom of expression, the High Court on February 24, 2020, issued an order asking the government to explain why sections 25 and 31 of the Digital Security Act 2018 should not be declared unconstitutional.

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

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

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

## PHYSICAL ATTACKS

Several journalists were attacked, threatened, or had equipment snatched while covering elections in two city corporations in capital Dhaka on February 1, 2020.

In an ominous sign that doesn't bode well for press freedom or democracy, the government tried its best to keep people, especially journalists, away from the city's polling centres. Activists and supporters of the ruling Awami League guarded most of the polling stations and booths and also threatened and attacked journalists in many places. It appeared almost as though police were assigned to help protect the ruling party cadre. Even though journalists were attacked in the presence of the police, no one was arrested.

Indeed, display of the special identity cards issued by the Election Commission for journalists, to be used during the

Monorom Palak, son of journalist Shafiqul Islam Kajol who disappeared in 2020, speaks to media representatives at the National Press Club in Dhaka. Despite the Bangladesh government's ongoing denial of allegations of enforced disappearances, human rights organisations have repeatedly raised concerns about the practice of unacknowledged detention and enforced disappearances. CREDIT: SHAFIQUK ISLAM KAJOL STR / AFP





election-day, became increasingly dangerous. Some journalists invited extra risks by showing their ID cards and were asked to leave the polling stations in many places. Ruling party cadres ensured that no-one could take photos or videos at polling booths. Presence of voters in the election centres was very thin and the opposition party did not show up. Journalists with apprehensions about possible consequences, preferred to stay away. Those who ignored the call of the ruling party men not to record anything, were harassed either verbally or physically.

Mostafizur Rahman Sumon, a young reporter was stabbed in the head, suffering severe injuries. A police complaint was filed by an attacker against three reporters, who sustained injuries. Others were attacked or barred from reporting. These included Sheikh Hasan, chief photographer for Bangla daily *Kaler Kantha*, Zisad Iqbal, a correspondent of the Press Bangla Agency, Faisal Ahmed, a reporter with the *Daily Star*, Mahabub Momtaji, a staff reporter at the Bangla daily *Bangladesh Pratidin*, and Nurul Amin, a reporter for the newspaper *The Business Standard*, Hasnayan Tanvir, a reporter for Maasranga Television, and Saiful Islam, a camera operator for Maasranga Television.

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

The elections weren't the only time media in Bangladesh came under attack. Shelu Akondo, a correspondent with daily *Bangla Bazar Patrika* and journalist of *Daily Polly Kontho Protidin*, was severely beaten and left for dead by a local leader of the Bangladesh Chhatra League, in Northern Jamalpur district on December 18, 2019.

According to the victim's statement, at least five or six people led by Rakib Khan, the district Chhatra League secretary of religious affairs, attacked Akondo with metal bars while he was on a regular evening walk on the banks of the Brahmaputra River. They broke both his legs and fled. Akondo was due to testify against them as a witness in a case related to the May 26, 2019 assault on Mustafa Monju, *Kaler Kantho's* Jamalpur correspondent.

On January 5, two unidentified foreigners and about four local workers of a project under the Khulna Water Supply and Sewerage Authority (KWASA) beat 71 TV Khulna bureau chief Rakib Uddin Pannu and his cameraperson. At the time,

**Above from left:** Shelu Akondo, a correspondent with daily *Bangla Bazar Patrika* and journalist of *Daily Polly Kontho Protidin*, was severely beaten and left for dead by a local leader of the Bangladesh Chhatra League, in Northern Jamalpur district on December 18, 2019. Media rights advocates visit Akanda in a local Hospital in Dhaka in February 2020.

CREDIT: BMSF

Journalist Mustafizur Rahman was seriously injured during a Dhaka City Corporation Election by the ruling party cadres on January 31, 2020.

CREDIT: BMSF

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

they were filming KWASA development work, focusing on irregularities, according to the statement filed by Rakib to Khalishpur police station. On the instruction of an unidentified KWASA official, the attackers tortured Rakib, vandalised his camera and snatched his mobile phone. Traffic inspector Rezaul Bashar is alleged to have joined the attackers and handcuffed him. Rakib was freed after local journalists staged a strong protest against the incident by blockading the Khulna-Jashore road for half an hour.

## OVERREACH OF LAW

In an unprecedented incident, a mobile court under a taskforce of Kurigram district administration ordered the raid on the home of journalist Ariful Islam at midnight on March 14, 2020. Ordered by Magistrate Nazim Uddin, the members of Ansar, a para-police force, allegedly blindfolded him and tied up his hands and feet before shoving him into a car. They tortured Arif, who is a correspondent with online newspaper *Bangla Tribune*. He was then sentenced to one-year imprisonment on charges of possessing narcotics and sent to jail around 1:30 am.

Narrating his experience, Ariful says, "They proceeded to take me to an isolated place and the magistrate kept saying 'Say your prayers now, you are about to meet your maker.' I begged them to spare my life."

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



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

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

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

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

## WEBSITES BLOCKED

Beginning on April 2, the government blocked domestic connections to *BenarNews*, an online affiliate of Radio Free Asia, a US government-funded outlet providing news and information to audiences in Asia.

The move is an apparent attempt to silence critical reporting of Bangladesh's policies around the country's fight against the coronavirus pandemic. Telecommunications Minister Mustafa Jabbar confirmed that a number of sites were blocked by the Bangladesh Telecommunication Regulatory Commission (BTRC), which his ministry oversees.

Earlier, on December 28, 2019, the authorities blocked access to a Sweden-based investigative journalism website after it published a report alleging corruption by an influential

Bangladeshi minister. Access to Poriborton.com and *Bangla. report* were blocked on May 19, 2019 by the government without any explanation.

## REGULATING SOCIAL MEDIA

Of Bangladesh's 165 million population, an estimated 90 million are internet users. Facebook has emerged as the country's powerful media platform with 35 million subscribers, which frequently raises the ire of the country's authorities.

Telecommunications Minister Mustafa Jabbar in October 30, 2019, told the Washington based *BenarNews* that the Bangladesh government was planning to require its citizens to obtain licenses to use social media platforms such as Facebook and YouTube, and had installed software that would enable it to remove online content and control content published on social media sites.

Despite the minister's assurance that the government respected "the people's rights to express themselves, and will continue to do so", experts and activists in Bangladesh fear the misuse of the technology to control people's right to freedom of expression, particularly given the minister also suggested the government should strengthen the draconian Digital Security Act.

On April 4, 2020, Mostafa Zabbar told the daily *Independent* that the government was not happy with Facebook, in part because the social media giant is not complying with its requests to delete posts relating to novel coronavirus spread which the government considers a 'rumour'.

Government agencies, which monitor posts on social media, reportedly sent at least 100 requests to Facebook authorities to delete the posts regarding COVID-19. But they did not get any response from Facebook authorities.

In a meeting with the telecoms minister in September 2019, Facebook officials agreed to appoint a local representative in Bangladesh and pay taxes to the state exchequer. However, a local office did not materialise. Facebook authorities also agreed

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

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

## VIRAL ARRESTS

The government faced criticism on social media for its lax policy to fight the COVID-19 pandemic, at a time when there were numerous rumours circulating about the virus.

In response, the government arrested some of the critics or "wrong propagators" and sued them under DSA. Since mid-March 2020, the authorities have arrested at least a dozen people, including a doctor, opposition activists and students, for their comments about the coronavirus.

On March 25, the government issued a circular assigning 15 officials to monitor each television channel for "rumours" and "propaganda" regarding Covid-19. The next day, the order was withdrawn amidst criticism.

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

## CHALLENGES AMID CORONAVIRUS

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

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

The Newspapers Association of Bangladesh (NOAB), the platform of media owners, issued a statement saying: "Coronavirus cannot be infected by papers," a claim which is yet to be proved scientifically. All the newspapers published the NOAB statement on their front pages daily in a bid to keep their circulation intact. Newspapers hawkers are also in trouble amidst a lockdown situation, with many people not buying papers for fears of getting infected.

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

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

## LIVELIHOODS AT RISK

The main challenge for journalists in Bangladesh in upholding freedom of the press continues to be their livelihoods.

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

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

In 2020, the situation deteriorated even further, with many media outlets terminating journalists' employment to cut costs. At least 25 employees of the country's leading daily newspaper *Prothom Alo*, one of the few financially solvent print media houses in Bangladesh, reportedly quit their jobs.

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

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

Bangladesh's media industry is dominated by the private sector, with more than 1,000 daily newspapers, 33 television channels, and 25 FM Radio stations. Around 10 television stations are currently waiting to enter the market. But less than 10 per cent of the current newspapers maintain the government-declared wage structure in paying their employees.

## WOMEN IN MEDIA

In 1987, Bangladesh had 34 women journalists compared to 900 men working in 242 newspapers, according to a survey by Press Institute of Bangladesh (PIB).

Leading online newspaper Bdnews24.com reported in July 2018 that the number of male journalists rose to 2,432 while the number of female journalists rose to 310 working in 3,263 media houses in Dhaka. With women still making up only 13 per cent of journalists, the situation has not changed significantly in over three decades. The situation is almost unchanged in 2020. There are some female reporters in the district levels also but participation of women in the profession is still negligible.

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

BD News quoted prominent Ekattor TV reporter Farzana Rupa as saying, "In fact, the character of newsroom is not women friendly. I started my day at eight in the morning, worked throughout the day and will go back home at around 1.30 am or 2 am. Under this circumstance day care centre, an arrangement to stay organised, a clean washroom and a breastfeeding corner are the facilities that women in media require, but the newsrooms have none."

More than 11 years after the High Court on May 15, 2009,

## SINCE MID-MARCH 2020, THE AUTHORITIES HAVE ARRESTED AT LEAST A DOZEN PEOPLE, INCLUDING A DOCTOR, OPPOSITION ACTIVISTS AND STUDENTS, FOR THEIR COMMENTS ABOUT THE CORONAVIRUS.

A garment factory labourer wearing a facemask in Asulia on April 7, 2020, during a government-imposed lockdown to prevent the spread of Covid-19. Yet too few media houses facilitated the supply of personal protective equipment for journalists and many used the pandemic as an opportunity to terminate staff. CREDIT: MUNIR UZ ZAMAN / AFP

issued directives including formation of a complaint cell comprising five members in all academic institutions and offices to stop sexual harassment, not a single media house has followed the order.

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

Another study by Plan International Bangladesh and University of Liberal Arts Bangladesh (ULAB) released in March 2020, finds news items related to women's affairs get very little space in newspapers but photographs get a lot more prominence. Only seven to nine per cent of news items are about women but photographs get twice the space. News items related to women chiefly related to crime, abuse or torture, lawsuits and entertainment.

The study found that photographs about women's issues get 14-18 per cent space of all photographs. Magazines publish news on arts, cinema, lifestyle and crimes. But news or photographs on women leadership, their success stories, reproductive health and education and other aspects of their life did not get prominence. On the other hand, men were presented as politicians and development activists in the community level. It is clear there is far to go before achieving gender balance in representation in the media.

### FACING FEAR

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

In a report, the European Journalism Center said the Bangladeshi media industry, especially the television sector, remains highly dominated by the country's political parties. This in effect means that the primary objective of Bangladesh's media is often not to make a profit but rather to show political loyalties or serve a political purpose.



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

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

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

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

## BHUTAN

## INFORMATION DIVIDE

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

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

The last newspaper to fold in early 2019 was *Druk Neytshul*, a private Dzongkha language weekly newspaper. In the same year, *Gyalchi Sarshog*, another private Dzongkha weekly, suspended its publication for several months. "The surviving private newspapers are shadows of their former selves," Bhutan Media Foundation's executive director, Needrup Zangpo lamented.

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

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

In 1999, Bhutan introduced the internet. Seven years later, the popularity of internet usage picked up so much that the traditional news media began to lose their market, both in terms of readership and advertising revenue. Social and online media, like in other parts of the world, took over and overnight the very concept of information gathering, processing and dissemination changed. The role of journalism has been taken over by the social media. The traditional mainstream media thus found itself on the fringe, without a clue as to how to negotiate the transition.

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

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

We are also seeing the tell-tale signs of an ominous 'information divide' between rural and urban Bhutan. Dictated by dire financial realities, media houses, except Bhutan's daily newspaper, *Kuensel*, have pulled out correspondents from the agrarian belts of Bhutan where the majority of the people live. Today, in a bid to cut costs, most of the newspapers do not reach the far-flung villages. The impact of this move has been that



A Buddhist monk inside the Gantey Buddhist Monastery in Wangdue Phodrang province in Bhutan on December 7, 2019. The remote kingdom is nestled in the Himalayas between powerful neighbours, India and China and has a fragile media industry at the crossroads. Analysts say media sustainability needs to be addressed urgently because the future of Bhutanese democracy itself is at stake. CREDIT: LILLIAN SUWANRUMPHA / AFP

the rural population has not only lost its voice in the making of national policies but is also deprived of the information it needs to take part in the overall democratic discourse.

In order to address this challenge, the Journalists Association of Bhutan (JAB) launched a rural reporting grant in 2019, with the objective of enhancing coverage of news and issues from rural pockets of the country. In addition, the award was instituted to promote rural journalism, and community media workshops were held to improve coverage of rural issues in mainstream media and also to create a link between rural communities and broader media coverage.

## EXODUS OF JOURNALISTS

As media houses were in financial doldrums, the overall quality of journalism suffered. The Bhutanese media has lost some of its finest reporters and editors. To fill the gap, news organisations

**WE ARE ALSO SEEING THE  
TELL-TALE SIGNS OF AN OMINOUS  
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began hiring inexperienced young university graduates but, as expected, the quality of reporting went downhill as did overall news content. Today, the industry lies in tatters, and no one has any idea how to resuscitate it.

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

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

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



Most rural Bhutanese people are semi-literate and are mostly unreached by mainstream media and government agencies. The Journalist Association of Bhutan (JAB) conducted a series of community media workshops aimed at enhancing media knowledge for rural people, who comprise 70 per cent of the population.

CREDIT: SANGAY CHOKI



## THE ADVANTAGE OF BEING A SMALL AND CLOSE-KNIT SOCIETY AND BHUTANESE JOURNALISTS HAVING FRIENDS AND RELATIVES TO RELY ON FOR TIP OFFS IS ALSO BACKFIRING, AS 'AUTHORITIES' TRY TO HUNT DOWN OFFICIALS WITH RELATIVES WORKING IN THE MEDIA.

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

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

These clauses, however, would remain unfulfilled if Bhutanese society cannot find ways to build an enabling environment for the growth of a pluralistic, independent and vibrant news media.

Members of the public generally think that the media lacks independence and professional maturity. Bhutan Information and Media Impact Study 2017 conducted by the Department of Information and Media (most current findings), the media users reported “severe lack of media independence” although around 81 per cent of households reported that media had enhanced transparency, accountability and efficiency of the government compared to before.

### ACCESS TO INFORMATION

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

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

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

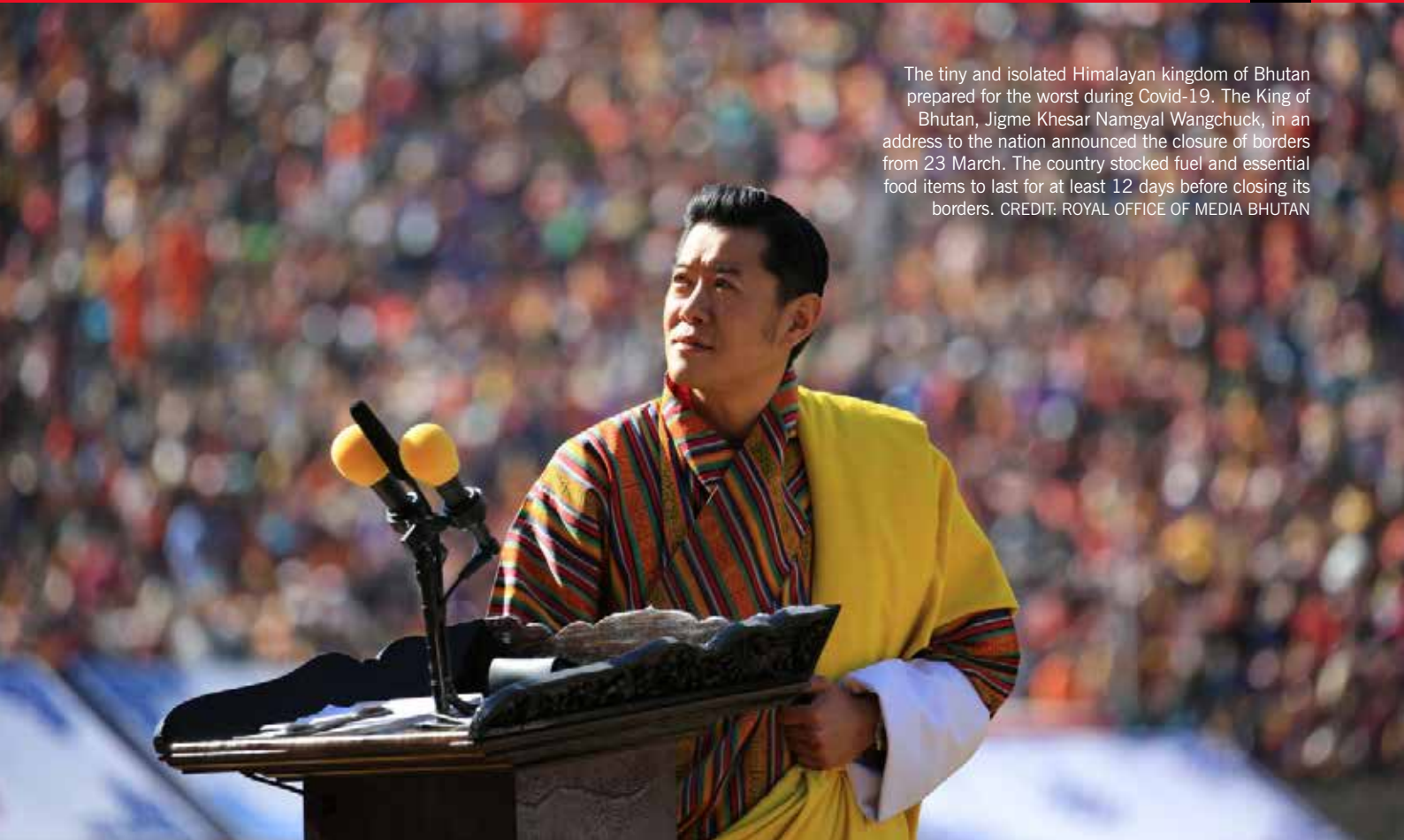
It is an unprecedented and unique move, the cabinet of the ruling government makes itself available to the press every month to answer questions and clarify doubts about actions and omissions of the government. Such an interaction goes to show that greater transparency benefits all players involved.

The government gets a chance to make itself heard and clarify doubts that might be lingering in the minds of the public and journalists; and journalists and the public, in turn, get a clearer picture of what is going on, resulting in more accurate reporting.

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

The improvement in ranking should encourage those in the media to continue carrying out their primary duty of informing

The tiny and isolated Himalayan kingdom of Bhutan prepared for the worst during Covid-19. The King of Bhutan, Jigme Khesar Namgyal Wangchuck, in an address to the nation announced the closure of borders from 23 March. The country stocked fuel and essential food items to last for at least 12 days before closing its borders. CREDIT: ROYAL OFFICE OF MEDIA BHUTAN



the people. The improved ranking will also encourage policymakers to appreciate the role, no matter how small, the Bhutanese media is playing and allow its press to function freely and responsibly.

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

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

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

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

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

## SELF-CENSORSHIP

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

Some working journalists say that it is necessary to exercise self-censorship for the greater social good. They claim a fear

of embarrassment or potential career damage as a factor for avoiding newsworthy stories like corruption involving high-profile public officials.

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

## OPPORTUNITIES

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

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

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

In terms of institutional set-up, the Bhutanese media is well-placed, with institutions such as the Department of Information and Media; Bhutan Media Foundation; Journalists' Association of Bhutan; Bhutan Centre for Media and Democracy and the Bhutan Media and Communication Centre. They are all dedicated to the development of the media and if they join forces, collaboration could provide an opportunity for substantial support to help haul the media out of its current precarious state.



INDIA

## THE STATE CLOSES IN

The victory of the Bharatiya Janata Party-led National Democratic Alliance (NDA) for a second term with a thumping majority in the May 2019 general election appeared to be a validation of hyper-nationalism that dominated India's electoral campaign and had serious implications for freedom of expression in the country. A polarising narrative that had begun to take form since the BJP-led government's first term now solidified. Derogatory terms – 'sickular', 'libtard', 'newstrader', 'presstitute' – for liberal or secular voices, or indeed anyone who questioned the government began to dominate social media and even mainstream news channels. This vilification included journalists and media houses considered to be "anti-government".

Soon after coming to power in May 2019, the government amended two repressive laws – the Unlawful Activities (Prevention) Amendment Act, 2019 (UAPA) and National Investigation Agency Act (NIA) – that have direct implications for the media. The amendment to the UAPA conferred greater powers on the central government while the hawkish NIA empowers it to take over cases within the purview of states, which weakens the devolution of powers in the federal structure. The amendment to the UAPA can be used to infringe upon freedom of speech and expression and has contributed to a high

level of self-censorship in the country.

On April 18, Kashmiri photojournalist Masrat Zahra and a few days later, journalist and author Gowhar Geelani were slapped with the UAPA for posting work on Facebook, while down south in Telangana state, N Venugopal, a senior journalist and editor of Telugu monthly journal *Veekshanam* was implicated under the UAPA for his alleged support to the banned Communist Party of India (Maoist) party.

Dealing a body blow to an empowering tool for journalists was an amendment in July 2019 to the Right to Information Act, 2005. The RTI (Amendment) Bill 2019 dilutes the power and autonomy of the Central Information Commissioner and the State Information Commissioner by amending the salaries and tenures of the information commissioners. Journalists have produced several landmark investigative stories by accessing information under RTI and weakening the Act could directly impact the power of such exposés in future.

A major legal amendment in keeping with the BJP's political mandate was the scrapping of Article 370 and Article 35A of the Indian Constitution that gave special status to Jammu and Kashmir, and the passing of the Jammu and Kashmir Reorganization Act which split the state of Jammu and Kashmir into two union territories (UT of J&K and UT of Ladakh) and was



Police personnel stop members of the Communist Party of India from burning an effigy representing union home minister, Amit Shah in Hyderabad on February 27, 2020. The minister was accused of stoking communal violence which led to numerous shutdowns and restrictions on access to information throughout India.

CREDIT: NOAH SEELAM / AFP

## THE BRUTAL VIOLENCE IN NORTH-EAST DELHI WHICH CONTINUED FOR 72 HOURS, INCLUDED ARSON, LOOT AND ATTACKS WHICH LEFT 53 PERSONS DEAD AND OVER 200 INJURED.

channel news program, was beaten when he refused to hand over his phone. Yousouf said he had police permission to report but as he stepped out, police asked for his phone, and when refused he was beaten. The phone was smashed and his press card taken away.

Ujwal Roy and Sarabjeet Singh, from Asia News International (ANI), were also assaulted by police for covering the same protest. Zee News camera person Jaideep was assaulted and his camera damaged. Asianet News reporter Dinesh R and video journalist Wasim Sayeed were also attacked for covering the students' protest. Mathrubhumi News reporter Arun Shankar and cameraperson Vaishakh Jayapalan were attacked as they covered police attacking students. The police also destroyed their video camera.

The December attacks against journalists were still being taken stock of, when the Jawaharlal Nehru University (JNU) in Delhi came under brutal attack allegedly by the student wing of the BJP in early January 2020. Over a dozen journalists from prominent media houses covering the event were harassed and heckled by mobs and even detained by the police.

Scroll.in's Rohan Venkataramakrishnan was recording the attacks taking place at the university when several right-wing activists shouted, surrounded, shoved and hit him on the head. Aaj Tak and India Today's reporter was similarly attacked breaking his mic and calling him 'Naxali' and 'Jihadi'. The mob attack was in the presence of the police. The Hindu's reporter, Siddharth Ravi, was asked to leave once he identified himself as a journalist; Ayush Tiwari from digital news portal *Newslaundry* was surrounded by the mob demanding that he chant "Bharat Mata ki Jai" ("Hail Mother India", a nationalist slogan).

After the students' protest erupted out of the campus and onto the streets, civil society activists and members of the public also joined in. Zee News reporters Jitendra Sharma, Neeraj Gaur and camera person Qamar Khan covering the protest, were also among those attacked by the protesters. The dubious role of police came to light as journalists reported of detention by the police. While Sanjay Jha of the Telegraph and SK Pande, a senior journalist and president of Delhi Union of Journalists (DUJ) were violently attacked, others such as Rajesh Kumar, Parthiv Kumar, Shivesh Garg, Arvind Singh were forcibly taken away to an unknown destination. Basant Kumar of *Newslaundry* was also detained by the police in Delhi as he was covering an event.

Several states like Karnataka, Gujarat, Meghalaya, West Bengal, Tripura, Arunachal Pradesh, Assam and Delhi were clamped down with Section 144, which prohibits assembly of more than four persons, as well as internet shutdowns to restrict news flow on anti-CAA agitation.

Ismael Zoarez, a reporter with Kannada newspaper Vartha Bharati, was caned by Karnataka police while reporting police brutalities against anti-CAA protesters. Identifying him as a Muslim, police threatened to 'tear off his beard'. Mubashir Khurram, a journalist with Siasat was detained by Hyderabad police while covering a flash protest against the CAA. The Hindu corresponded, Omar Rashid, was detained and tortured for

preceded by a complete communication shutdown. (See page 16)

Another controversial piece of legislation passed on December 12, was the Citizenship Amendment Act (CAA) that fast tracks citizenship to persecuted religious minorities from Afghanistan, Bangladesh and Pakistan. The persecuted communities include Hindu, Sikh, Christians, Parsis and Buddhist, but the Act excludes Muslims. The passage of the CAA unleashed a string of protests by students and common citizens across the country against its violation of the provision of a secular Constitution.

## COVERING PROTESTS

Harsh clampdowns on protests against the CAA left several students injured in Jamia Millia Islamia in Delhi. Over two violent days, ten journalists and photojournalists covering the student protests were beaten by the police despite identifying themselves as press, and many had their phones and cameras damaged. Shaheen Abdulla, associate creative editor of Delhi-based digital news platform Maktoob was 'mercilessly beaten by a group of ten policemen; he was not spared despite showing his press card. **BBC journalist Bushra Sheikh** was pulled by her hair and hit with a baton while her phone was taken away and broken. The same day, Shariq Adeel Yousouf from Pal Pal News, a YouTube

## DEROGATORY TERMS — ‘SICKULAR’, ‘LIBTARD’, ‘NEWSTRADER’, ‘PRESSTITUTE’— FOR LIBERAL OR SECULAR VOICES, OR INDEED ANYONE WHO QUESTIONED THE GOVERNMENT BEGAN TO DOMINATE SOCIAL MEDIA AND EVEN MAINSTREAM NEWS CHANNELS.

two hours before being released by Uttar Pradesh police after his editors intervened. His Kashmiri identity became suspect with the police, who repeatedly asked him where the other Kashmiris were hiding and threatened that they would tear off his beard and thrash him. Seven journalists from major Malayalam channels were detained by the Karnataka police as they came to Mangalore city to cover the news of death of two anti-CAA protestors. Their live reporting from the scene was disrupted, despite showing their press cards and accreditation. The journalists were made to sit inside a police vehicle, some on the floor, for over four hours. Their phones and cameras were also confiscated and they were allowed to leave only after being detained for seven hours.

### MAYHEM IN THE CAPITAL

As the date for the hotly-contested election in the state capital Delhi, scheduled for February 8 neared, the city witnessed a vicious and polarised campaign between those protesting against the CAA and those in favour of it. After the Aam Aadmi Party swept back into power, the polarisation intensified. What followed on the second day of a visit from US president Donald Trump on February 23 was unprecedented violence along communal lines. The brutal violence in north-east Delhi which continued for 72 hours, included arson, loot and attacks which left 53 persons dead and over 200 injured. Journalists reporting on the conflagration once again came under attack and were prevented from recording the unfolding violence, polarised on religious lines.

Republic in Peril, a report by the Committee Against Assault on Journalists, chronicles 18 journalists attacked as they were covering the riots that erupted in February. The journalists came under attack not only for carrying out their profession, but also on the basis of the media house they represented and sadly, also on the basis of their religious identity. Electronic journalists with their large cameras faced great difficulty in recording the incidents without being noticed as journalists. Attackers even went as far as shooting: Akash Napa, representing JK24x7 News, was shot at by a mob while he was reporting the riots in the Maujpur locality in Delhi. NDTV's Saurabh Shukla and Arvind Gunasekar were surrounded by a group of CAA supporters as they were filming a religious place being vandalised and burnt at Gokulpuri. The two were brutally punched and kicked amidst chants of “Jai Shri Ram” (Glory to Lord Ram) insisting that Gunasekar delete all the footage from his phone. After Shukla was forced to insist that both of them were Hindus, they were let go, but only after deleting the footage from Gunasekar's phone. Gunasekar also lost three teeth and a lot of blood due to the beating. CNN News18's Runjhun Sharma, who was reporting along with Shukla and Gunasekar, was also heckled by the rioters demanding that the journalists reveal their religious identity. As the mob became aggressive, Sharma narrates ‘they folded their hands and pleaded to let them go’. Indian Express reporter Shivnarayan Rajpurohit found himself surrounded by the mob, his spectacles removed and crushed, his phone taken away, his diary thrown into a heap along with some items which were set ablaze. Telling him that he had been allowed to survive only

because he was Hindu, they asked him to leave immediately. Anindya Chattopadhyay, of the Times of India, was taken

aback when a group of men approached him and offered to put a tilak (vermillion mark of an upper caste Hindu) on his forehead saying, ‘this would make his work easier’. But as he took pictures of a building set on fire, they chased him and repeatedly asked if he was a Hindu and threatened that they would take off his pants to confirm (circumcision is considered to be a sign of being Muslim). After much pleading they let him go.

Mobs also threatened to thrash Anvit Srivastav, a reporter with Hindustan Times, if he did not prove his religious identity, insisting on some religious symbol like a sacred thread or pendant. They refused to identify him with his ID card until others intervened and let him go. His colleagues Soumya Pillai and Fareeha Ifthikar were surrounded by a mob and chased away. Sushil Manav from Janchowk had it worse. The mob let go only after they stripped him to identify he was a Hindu, forced him to chant Hindu hymns and beat him with rods. Hindustan Times photographer, Sanchit Khanna, covering the riots at Karawal, saw his motorcycle set ablaze by a mob. Another group cornered him and deleted the pictures he had taken of the violence.

Women journalists shared their accounts of not being spared by the mob. NDTV reporter Mariyam Alavi was hit on her back while reporting on the attacks. In a poignant testimony, independent journalist Ismat Ara said: “I was scared they would catch and harass me for being a journalist, molest me for being a girl, and lynch me for being a Muslim if they found out my identity”.

Tanushree Pandey from India Today was held by her waist and shoulders by a crowd of ten men who demanded that she put off her camera before pushing her away. Sreya Chatterjee, of News X, faced a hostile situation when a mob stopped her from reporting and threatened to beat all reporters she was with as they were Hindus and should not record these events. Parvina Purkayastha, a reporter from *Times Now*, was shaken as a group of men approached her with wooden sticks to beat her until she pleaded with them to let her go. *Scroll.in*'s Vijayta Lalwani was heckled by a group of men chanting “Jai Shree Ram” and “Bharat Mata ki Jai” threatening them not to take videos or photographs.

The International Federation of Journalists (IFJ) and its affiliates the Indian Journalists Union (IJU) and National Union of Journalists India (NUJ-I) condemned the violence against the media and demanded compensation for the injured journalists as well as damaged equipment. The Press Council of India, the Press Club of India, and Indian Women Press Corps (IWPC) also strongly condemned the role played by the police which amounted to a direct assault on press freedom. No action has been initiated against any police personnel, nor has there been an apology from the concerned department or ministry, rather the home minister praised police for successfully containing the riot and not allowing it to spread beyond a 3km radius.

### HARASSMENT AND ATTACKS

In addition to the attacks on close to 40 journalists from December 2019 to February 2020 in Delhi alone, other attacks also took place across the country during the period.



Protesters shout slogans during a demonstration against India's new citizenship law in Allahabad on December 19, 2019. Indians defied bans on assembly in cities nationwide as anger swelled against a citizenship law seen as discriminatory against Muslims, following days of protests, clashes and riots that left six dead. Credit: SANJAY KANOJIA / AFP

Alarmingly, the perpetrators in several cases were allegedly police personnel themselves. Amit Sharma, a journalist with News 24, was brutally beaten and abused by railway police when covering news of train derailment in June 2019 in Dhimanpur, Uttar Pradesh. "I was locked up, stripped and they urinated upon right into my mouth," Sharma had said. Sharma was subsequently released after several journalists protested at the police station.

In Guwahati, Assam police personnel entered the office of a private TV news channel, Prag News, and beat up its staffers without provocation.

In November, authorities barricaded entry routes toward one of the Valley's renowned shrines Hazrat Naqashband Sahib in Srinagar's downtown area and denied permission to devotees to offer annual traditional mass prayer (Khojje Digar) there. When journalists reached the location, a police official held freelance photojournalist Muzamil Mattoo by his neck and assaulted him. Srinagar-based reporters Anees Zargar and Azaan Javaid were roughed up by the police on December 7 when they went to a neighbourhood in Srinagar to cover stone-throwing protests. Police and paramilitary forces were deployed around the protest site and as the reporters were leaving, police snatched their phones and beat them up. The police ordered an inquiry into the assault and the reporters submitted their testimonies, but action is yet to follow. Javaid was berated by senior police officers when he went to collect his phone and was removed from a police WhatsApp group, formed by the police to keep journalists posted as means to deprive him of access to news.

On March 4, two video journalists Qayoom Khan and Qisar Mir were stopped from carrying out their professional duties in south Kashmir's Pulwama. Their camera and mobile phones were snatched by a police official and returned after five hours. The journalists said work stored on their equipment was erased by police. Besides brute force, the authorities in India also used other forms of harassment and intimidation. Senior journalist Peerzada Ashiq who reports from Kashmir for The Hindu was summoned by the Jammu and Kashmir police on September 1 to

Srinagar's Kothibagh police station. There he was questioned and pressured to reveal the source of a story about mass arrests in the valley. Quoting official documents, he had reported that a total of 3,200 persons, including 1,500 youth, were arrested in the first three weeks of August 2019. He was once again summoned and questioned over a news report, which the police termed as "fake news" and filed a first information report (FIR) against him on April 20, 2020.

Basharat Masood, Srinagar bureau chief at Indian Express, and Hakeem Irfan, who reports from Kashmir for the Economic Times, were both summoned to the counter insurgency headquarters of the police in Srinagar on November 30. They were grilled by police officials about their stories and asked to divulge their sources and also asked how they got the official document about the internet shutdown in the Valley. On December 23, Basharat Masood and Safwat Zargar of news website Scroll.in were stopped by the police at Handwara in Kupwara district of Kashmir while on assignment. They were taken to the office of the superintendent of police, Handwara, where they were questioned and accused of increasing provocation through their reporting.

Senior journalist Naseer Ganai, of *Outlook* magazine, along with journalist Haroon Nabi were summoned to the police's counterinsurgency headquarters in Srinagar on February 8. There they were grilled for reporting a statement issued by the separatist group the Jammu and Kashmir Liberation Front, and were asked to reveal the email ID from which they had received the statement. Their phones and laptops were also seized.

The principal correspondent with New Indian Express was slapped by a senior police officer for recording an incident of police highhandedness in Bangalore, Karnataka. Attacks on journalists were also perpetrated by local mafia and goons, many of whom were supported by local politicians.

Pratap Patra, of *Samaj* Daily, was attacked by sand mining mafia for covering news on illegal sand mining in Balasore, Odisha. Similarly, Gopal Chatterjee, a correspondent with *Anand Bazaar Patrika*, in West Bengal was allegedly attacked by sand mining



Movement restrictions were imposed by authorities in Jammu and Kashmir following India's revocation of Article 370 and Article 35A of the Indian Constitution, removing the special autonomy of Jammu and Kashmir. The controls severely impacted media's ability to report.

mafia when crude bombs were thrown at his residence.

Two journalists in Tumkur, Karnataka, were attacked and their cameras smashed by employees of a pharmaceutical company for reporting on environmental hazards created by the company in the locality after a boiler burst in the factory leading to sickness amongst children and elders. Supporters of self-styled god woman, Radhe Maa, kidnapped and attacked local journalist Jitendra Sharma for asking some questions in a press meet she held in Panipat, Haryana.

Three journalists from Andhra Pradesh, Nagarjuna Reddy, Avula Manohar of Mahaa News and N Dolendra Prasad, editor of Telugu weekly Zaminryot, were attacked in three separate incidents. The attacks were by the members of legislative assembly (MLA) and their supporters for writing on their corrupt practices.

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

In Bihar, Pradeep Mandal, a reporter with Hindi daily *Dainik Jagran*, narrowly escaped when shot at by two miscreants. The two attackers are suspected to be the traffickers against whom Mandal had reported and who police subsequently arrested.

Most shockingly, displaying complete ignorance of the duties of the press especially during the government-imposed Covid-19

lockdown, many journalists were attacked by police for 'non-compliance of the lockdown'. Navin Kumar, from Aaj Tak News was beaten as he was reaching his office in Noida Delhi. His car keys were taken away, he was pushed inside a van and his wallet and purse were taken away. He was beaten inside the van as people gathered to see what was happening. Ravi Reddy, bureau chief of The Hindu was verbally abused and forcefully pushed inside the car. Andhra Jyothi's political bureau chief, Mendu Srinivas, and Mohammed Hussain, a reporter with Siasat, faced similar hostility when returning from work during the lockdown.

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

## JOURNALISTS KILLED

During the year, several journalists met an untimely death, but it has not always been possible to conclusively link their deaths to their profession. In some cases however, it emerges that the deceased journalists paid the ultimate price for journalism. The brutal murder of K Satyanarayana, a journalist based in Andhra Pradesh, was initially made out as an internal feud. However, the history of his reporting work for the last 20 odd years and the threats unleashed by the newly-formed government in the state suggests a direct link to his profession. Six suspects were arrested but were released on bail within the month. The MLA's name, which was included in the FIR, has been removed by the police. The Press Council of India dropped the proceedings after getting a report from State Chief Secretary and Director General of Police. A writ to initiate a probe with the Central Bureau of Investigation (CBI) has been filed by Satyanarayana's brother 'as he has no faith of a fair investigation' by the state government.

Another journalist from Madhya Pradesh, Chakresh Jain

## UNDER THE GARB OF RESTRICTING 'FAKE NEWS' OVER SOCIAL MEDIA, INTERNET SHUTDOWNS BECAME A WAY FOR THE GOVERNMENTS, BOTH CENTRAL AND STATE, TO RESTRICT NEWS NOT JUST IN KASHMIR BUT IN OTHER STATES TOO.

was doused with petrol and killed by local Janpad Panchayat administration official Aman Choudhary and two accomplices. IFJ condemned the brutal attack and sought thorough investigation into the killing and justice for the family. Kerala journalist K Mohammed Basheer died after being accidentally run over by a car driven by a senior administrative officer in an inebriated condition. As the investigation is still dragging its feet, the suspended IAS officer was reinstated as joint secretary in the health department by the Kerala government.

### JOURNALISTS DETAINED

In the reporting period several journalists were taken into custody for varying periods of time. Doddipalya Narasimhamurthy, an independent journalist and secretary of the Bengaluru-based Gauri Media Trust – formed in the name of journalist Gauri Lankesh who was murdered in 2017 – was arrested on charges filed against him in 1994 accusing him of being a 'Naxalite'. Revathi P, chief executive officer of Mojo TV in Telangana, was arrested over a six-month-old case which seemed to have been ramped up to stop her from protesting against the hostile take-over of her channel by people close to the ruling political party of Telangana State. Mojo TV was reportedly resented by the Chief Minister for airing controversial programmes and there were efforts over the preceding six months to curb editorial independence. In a similar move, Ravi Prakash, CEO of news channel TV9 and founder of the online Tolivelugu, was arrested in a case of financial fraud. However, staff of Tolivelugu say that the arrest was a consequence of his refusal to take down two controversial interviews.

A few days before the announcement of the abrogation of Article 370 in August 2019, Qazi Shibli, editor of website Kashmiriyat, was asked to report at the police station and not allowed to return home. He was booked under the Public Safety Act (1978) for posting articles and tweets in his website giving details of army movements in the state. He was released after nine months, on April 23. Aasif Sultan of Kashmir Narrator, arrested in August 2018 under the UAPA, continues to be denied bail and kept in detention.

When Irfan Malik working with a daily *Greater Kashmir* from south Kashmir's Tral was picked from his residence in a midnight raid on August 14, due to the complete communication shutdown, the media community was unaware of his detention until his parents travelled more than 40 kilometres to convey the news to journalists in Srinagar. He was released from custody after journalists lodged a protest with government officials during a presser, but no reason was given for his arrest.

### VIRTUAL UNREALITY

Placing physical obstacles in gathering news, especially by police and their supported vigilante groups on one side of the balance was one thing, but what tipped the scale was unprecedented internet shutdowns. The past year's shutdown in Kashmir was witness to the longest internet shutdown in any democracy.

After a blackout of 213 days, in January the government restored internet in J&K, but internet access was allowed only after the internet protocol and Media Access Control (Mac) was paired, thus exposing the user to online surveillance. Mobile internet is restricted to 2G, and the low speed also restricted

sharing videos and pictures including accessing online news.

Under the garb of restricting 'fake news' over social media, internet shutdowns became a way for the governments, both central and state, to restrict news not just in Kashmir but in other states, including the North-East. In complete contradiction to the democratic vision that India upholds, the country topped the list of global countries that practice internet shutdowns. Globally, 67 per cent of all documented internet shutdowns were reported from India bringing down along with news transmission, the economy as well with an estimated loss of INR 24.5 million (USD 1.6 million) every hour. (See internet shutdown table on p92)

In a direct clampdown of news, the Ministry of Information and Broadcasting on March 6 banned two news channels – Asianet News and Media One – for coverage of the Delhi riots. It said the channels 'highlighted the attack on places of worship and siding towards a particular community' and that the channels 'seem to be critical toward Delhi police and RSS [Rashtriya Swayamsevak Sangh, a Hindu nationalist body]'. The IJU termed the ban "a brazen attack on press freedom and the citizen's right to information" and stressed that "...deeds and not words will give confidence to both the media and the people." After major protests, the ban was lifted after 48 hours.

### REGULATION AND CONTROL

The country saw a phenomenal growth of digital media in the past year, but the growth went hand in hand with curbs. In August last year, the Cabinet brought digital media ventures under a Foreign Direct Investment (FDI) cap of 26 per cent, which until then enjoyed no restrictions. FDI caps have so far been applicable only to print media (26 per cent) and news broadcast television companies (49 per cent). The restrictions are viewed by media ventures as an 'effort to regulate the content at digital news outlets'. In addition to the 75 per cent reduction in FDI, the clearance is to be sought by the government which the other media outlets are exempted. In November, the Ministry of Information and Broadcasting came up with the draft Registration of Press and Periodicals (RPP) Bill (2019), which by repealing the earlier Registrar of Newspapers of India, introduced several clauses that are ambiguous yet authoritative.

The bill also includes registration of publishers of news digital media without clearly defining 'digital media'. In November, the government introduced the Personal Data Protection Bill (2019), which purports to provide protection of personal data of individuals by establishing a Data Protection Authority. However Section 35 of the bill concentrates power in the hands of the central government and specifically makes it a party, judge and adjudicator, without any checks and balances. Another form of control of independent media houses was to slap them with charges of financial irregularity.

The intolerance of the ruling dispensation to critical reporting is well demonstrated in the case of the news channel, NDTV 24x7. In the most recent incident, in August 2019 the Central Bureau of Investigation (CBI) charged NDTV promoters leading journalists Radhika Roy and Prannoy Roy, for violating FDI rules for allegedly routing foreign funds between 2004 and 2010 through 32 shell firms set up in several tax haven countries. The IT department, alleging money laundering of Rs 405 crore (USD 53million), in 2007 had sought reassessment of tax returns. In a big relief to the channel, the Supreme Court turned down

## THE RECENT LOCKDOWN PUT IN FORCE FROM MARCH 24 TO TACKLE THE COVID-19 OUTBREAK IN INDIA HAS HIT MEDIA HOUSES ALREADY REELING UNDER FINANCIAL CRISES,

the request in April 2020 as the matter was settled several years back. However, two days later the Union Finance Minister slapped a fresh notice of tax reassessment under specific clause dealing with foreign assets. The battle against persecution for the channel's fearless reporting will be a prolonged one.

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

### INTERNATIONAL IMAGE MANAGEMENT

The past year witnessed heavy-handed steps by the government to manage its international image, characterised by brooking no criticism. Aatish Taseer, an Indian born foreign correspondent for Time magazine, was stripped of his Overseas Indian Citizenship (OIC) 90 days after a scathing cover story called Divider-in-Chief on the Prime Minister. Taseer was stripped of his citizenship for allegedly concealing the fact that his father was of Pakistan origin, an allegation denied by Taseer as his father's Pakistan origin is clearly stated in all his official documents. In a more recent incident, the Ministry of External Affairs (MEA) received a complaint from a private individual asking for the immediate deportation of *Wall Street Journal* South Asia bureau chief, Eric Bellman, for alleged "misreporting on Delhi riots, particularly in the matter of the killing of Intelligence Bureau officer Ankit Sharma." However, no action was taken on this request.

In January, Amazon's founder, chief executive officer and president, Jeff Bezos, returned after a three-day visit in India with not a single senior government official engaging with him. His request for a meeting with the prime minister was turned down. The 'perceived' snub was apparently due to the Bezos-owned *Washington Post* articles critical of several of the Modi government's policy decisions, especially on the recent developments in Jammu and Kashmir.

### JOBS LOSSES, PAY CUTS

As news media struggled to stay alive amidst government crackdown, several news media outlets downed their shutters for lack of resources and changing readership behaviour.

*Daily News and Analysis* (DNA) announced closure of its print editions in Mumbai and Ahmedabad promising to set up its digital venture. Similarly, Deccan Chronicle shut down five editions in Mumbai, Bengaluru and Kolkata. The staff – reduced from 100 to less than five – was reportedly not paid for six months.

Six months into its existence, Tiranga TV, a channel owned by congress leader Kapil Sibal and his wife closed shop in July.

Nearly 200 employees were abandoned without six-months' worth of salary. Senior journalist, Barkha Dutt has sued the company for the arbitrary closure seeking compensation. Digital news portal Scroll.in, retrenched 16 of its staff soon after the elections in May 2019. Two months' pay was offered as severance before seeking their resignations.

On the regional front, *Cauvery News* closed down in Tamil Nadu in October. No prior notice was offered to the 146 employees. Instead, one month's salary was promised citing financial difficulties and the promise that the operation would go digital. Staff were not allowed to enter the office. Employees went on a week-long strike until the management promised to pay salaries and hold talks. It is still unverified whether all the employees were honoured with due wages.

Following the internet shutdown in J&K in August, fledgling news websites functioning out of Kashmir were forced to suspend their operations. This led to a loss of revenue and drastically dipped their online rankings. Many journalists, especially those working in digital portals of newspapers lost their jobs and salaries were cut. *Greater Kashmir*, *Rising Kashmir* and *Kashmir Reader* were among the prominent local papers which laid off staff and reduced salaries of working journalists amid this frustrating situation. Salary cuts ranging from 20 to 40 per cent were arbitrarily made across the board.

Jobs with media houses have not only become unpredictable, journalists laid off rarely challenge their retrenchment in court. Added to this are changes in labour laws governing journalists that will further deter them from approaching the court.

Amidst severe criticism from trade unions, the government on August 8 passed the Code on Wages and introduced the Code on Occupational Safety, Health and Working Conditions Bill (2019) (OSHWC), which together merged 44 labour laws. While the amalgamation of various acts under the two codes has been criticised to have been drawn favouring companies rather than the labour force, it is equally damaging for working journalists. Two laws enacted to protect working journalists - the Working Journalists and Other Newspaper Employees (Conditions of Service) And Miscellaneous Provisions Act (1955) and Working Journalist (Fixation of rates of wages) Act (1958) – stand to be subsumed under OSHWC. Instead of amending existing laws applicable only to print journalists, the code dropped Section 3(2) of the Working Journalists Act that safeguarded retrenchment of working journalists in print media. If the bill gets passed and the Working Journalists Act is repealed, journalists will lose safeguards against arbitrary retrenchment, a recurring phenomenon in media houses.

The IJU joined the nation-wide protests and together with the Confederation of Newspapers and News Agencies Employees' Unions and met the Labour Minister and made a submission before the Standing Committee of Parliament.

The recent lockdown put in force from March 24 to tackle the Covid-19 outbreak in India has hit media houses already reeling under financial crises. Soon after the announcement, people across the country suspended buying print papers for several reasons, including fear of infection, suspension of transport services and resident societies refusing entry to newspaper vendors.

Although the government asked all states to allow uninterrupted operation of print and electronic media, the Maharashtra government announced suspension of newspaper services until March 31. Printing and distribution were resumed



Journalists protest the ongoing communications blockade in Kashmir after 100 days without the internet in Srinagar on November 12, 2019.

from April 1. But the damage was done. As circulation dipped, loss in advertising revenues followed closely, leading to layoffs and salary cuts.

Sakal Media Group, Maharashtra's leading media group laid off 15 senior employees, mostly from the editorial division. This, despite an order from the Maharashtra government asking employers not to lay off workers or cut their wages during the lockdown. A public interest litigation against the job losses and pay cuts was filed in the Supreme Court on April 16 by the National Alliance of Journalists and others.

Another large media house, The Indian Express, sought 'sacrifices' from the staff of a 'temporary' salary cut of up to 30 per cent. Alongside, predicting enhanced news viewership, Arnab Goswami, the editor of Republic TV and president of the News Broadcasters Federation, has appealed to the advertising fraternity to stand by them. The Indian Newspaper Society has asked the government for an urgent stimulus package for print industry. The coronavirus outbreak and the consequent lockdown will deeply impact an already battered economy and this certainly does not augur well for the media given the impending revenue losses through advertisements.

## STICKY FLOORS AND GLASS CEILINGS

The extent of job losses among women journalists and media personnel is not available but given existing biases the picture might not be pretty.

A 2019 quantitative study by *Newslandry* in partnership with UN Women, Gender Inequality in Indian Media, finds skewed gender representation in leadership positions. The study also notes that in print media there are fewer articles published by women writers and coverage of gender issues continues to stagger. However, digital media records better presence of women (35 per cent) as compared to print media (English: 25 per cent and Hindi: 17 per cent). This has direct impact on women's bylines. Digital media has 40 per cent compared to English newspapers with 27 per cent and Hindi newspapers with 5 per cent. According to the study, television news channels have a

low appearance of women (16 per cent in English; 8 per cent in Hindi). In the face of adversities and insecurities with online threats and trolling, 2019 also saw remarkable quality in the reporting by women journalists, many of whom are independent journalists.

Low representation of women in the media workforce could be a reflection of the respect they receive in publishing/media houses. The #MeToo movement that took the entire nation by storm was joined by senior journalists exposing an unsafe environment. The lack of institutional mechanisms of redress for survivors of sexual harassment at the workplace was revealed in a study released on March 8 by the Network of Women in Media, India (NWMI) and Gender at Work. The survey of 456 media women working in print, electronic, radio and online media found that over a third (36 per cent) of all respondents reported having experienced sexual harassment at their workplaces. Of the respondents who experienced sexual harassment at work, more than half (53 per cent) did not report it to anyone. Of those who approached the internal committee with a complaint, 70 per cent were not "completely satisfied" with the outcome. The study also highlighted the importance of awareness in prevention of sexual harassment. Respondents who said their organisation did not have a mechanism to deal with sexual harassment, almost half (47 per cent) had faced sexual harassment. Given the lack of faith in institutional mechanisms, it is no surprise that women took to social media to make disclosures about sexual harassment.

## SILENCE AFTER THE STORM

The wave of disclosures of sexual harassment in the media and entertainment industry in India in September and October 2018 was met with fierce push-back from men who had been named. The year saw defamation – both criminal and civil – being used against journalists to silence them. Many of the women who called out their harassers using the hashtag #MeToo were embroiled in lengthy and costly legal cases. The most high-profile was the case of criminal defamation filed by journalist



A motorist in Chennai rides past graffiti painted on a road to raise awareness about the government-imposed lockdown and the preventative measures against the coronavirus on April 13, 2020. CREDIT: ARUN SANKAR / AFP

turned politician MJ Akbar against Priya Ramani, the first woman journalist to publicly accuse him of predatory behaviour amounting to sexual harassment. The case is ongoing in Delhi, with Ramani having had to travel from another city several times in the year to attend court hearings.

Poet and filmmaker Leena Manimekalai who was slapped with a criminal defamation case by Tamil film director Susi Ganesan in 2018, was also extensively 'slut shamed' on social media and had her character dragged through the mud. Repeated court hearings have forced her to miss the very first screening of her new documentary. Journalist Surabhi Vaya faces a civil defamation of Rs 100 million crore (USD 6.4million) for her post on social media accusing painter and film maker Pravin Mishra of assault.

A civil defamation suit for INR 50 million (USD 3.2million) was filed by an artist Subodh Gupta against an anonymous Instagram account, Scene and Herd. In the case of Subodh Gupta, the Delhi High Court's order of September 2019, restraining the account from further postings, ordering removal of all posts related to Gupta as well as seeking identification of the 'defendant' in a sealed envelope. Responding to the court direction to take down 18 news articles on the subject, Google said that such action would have a "chilling effect on free speech." The Indian Journalists Union had filed an application to implead in the matter as the case raised questions of public importance, including the need to have extensive discussions on sexual harassment in a free, frank and responsible manner in the public domain and in the media, without threat of litigation that can have a chilling effect on such cases. It argued that journalists cannot be prevented from reporting on allegations against public figures merely because the source of the information is anonymous. Although the judge was not inclined to implead IJU in the case, he agreed there can be no de-indexing of news reports based on a private notice by the plaintiff, Subodh Gupta. An out of court settlement was reached in February 2020, but it is clear that such retaliatory lawsuits deter women from speaking out and naming their harassers.

Attempts to obliterate women's voices by the filing of 'take down' notices to prevent media houses from covering cases of sexual harassment continued through the year.

Tejasvi Surya, contesting as a BJP candidate for Lok Sabha elections from Karnataka's Bengaluru South, obtained a temporary injunction order barring 49 media outlets including newspapers, television channels and social media platforms from publishing news about alleged sexual harassment that he considered "false or malicious". The High Court set aside the gag order in April 2019, but the trend continued.

In February 2020, several articles about complaints of alleged molestation made against lawyer Soumya Dasgupta, son of BJP MP Swapan Dasgupta and journalist Reshmi Dasgupta 'disappeared' from the online space, in response to legal notices. The reluctance of women speaking out about sexual harassment to disclose their identity because of fear of retaliation and further victimisation by powerful perpetrators is not unfounded, since reporting stories of sexual harassment seemed to have once more been trumped by concerns over lawsuits.

## THE LEGAL GAG

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

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

In another clampdown on investigative reporting, the UP government filed an FIR against Pawan Jaiswal, a journalist with

## THE CORONAVIRUS OUTBREAK AND THE CONSEQUENT LOCKDOWN WILL DEEPLY IMPACT AN ALREADY BATTERED ECONOMY AND THIS CERTAINLY DOES NOT AUGUR WELL FOR THE MEDIA GIVEN THE IMPENDING REVENUE LOSSES THROUGH ADVERTISEMENTS.

Hindi *Jansandesh*. Jaiswal had shot a video showing children sitting on the floor and eating rotis with salt at a primary government school in Mirzapur. After the video blew the lid over the UP government's flagship mid-day meal scheme, the Block Education Officer filed a complaint against Pawan, and two others, including a representative of the local village head accusing them of "criminal conspiracy to defame the UP government."

In similar outrage over the government's image, police in Uklana district of Haryana police filed an FIR against Anop Kundhu of STV Haryana News, for showing spoiled wheat lying in the open at the centre of the Food & Supplies Department. The FIR followed a complaint registered by a department official claiming the news to be "false" and accusing Kundhu of "spoiling the image of the department and the official."

One more instance of overreach was the FIR filed against Vishweshwar Bhat, the editor-in-chief of Vishwavani. This pertained to a report published against Nikhil Kumaraswamy, a film star as well as son of then Chief Minister H D Kumaraswamy, who lost elections to an independent woman candidate.

Individuals filing defamation charges against journalists and media houses are bad enough, but when governments issue gag orders, the matter is more than serious. In Andhra Pradesh, the government that came to power after the May 2019 state elections, issued a government order (GO) in October. The order empowers departmental secretaries 'to lodge complaint and file defamation cases' against publishers and editors. The order notes that it is to deter print, electronic and social media from 'tarnishing the image of government and government officials by spreading 'false, baseless and defamatory news with malafide interest'.

There was a hue and cry from journalists union and the Press Council of India took suo moto notice of it. The order stands deferred as the Andhra High Court, where it was challenged, had sent it back to the PCI to adjudicate. On a similar note, the Rajasthan government also passed a law - Rajasthan Court Fees and Litigation (Amendment) Bill (2020) by voice vote in March, purportedly to make it affordable to move the court for defamation. While members of opposition parties called the law unnecessary as it would only overburden the courts with cases, journalists feared this could be easily used against them. The Act is likely to instil fear in local stringers and reporters who are likely to self-censor.

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

In its submission to a public interest litigation the union government made it appear that the panic among the migrant labourers was due to spread of "fake news" and sought the court's direction that 'no electronic/print media/web portal or social media shall print/publish or telecast anything without first ascertaining the factual position from the government, 'as it will harm the entire nation'. Although the Supreme Court denied the centre's call for prior censorship and reinforced holding free discussion on the pandemic, it directed the media to 'refer and publish official version of developments'.

The court also ordered for imposition of Section 54 of the

Disaster Management Act (2005) that provided for punishment extendable up to one year imprisonment to anyone who circulates false news and imposition of section 188 under Indian Penal Code to be pressed against those who disobey the orders of the government.

A day after the court's order, Uttar Pradesh's government filed cases under sections 188 (disobedience to order) and 505(2) statements creating or promoting enmity, hatred or ill-will between classes) and section 66D (cheating by personation by using computer resource) of the IT Act of the Indian Penal Code against Siddharth Varadarajan, founding editor of news portal The Wire. The objection was to an article published on March 31 which referred to the chief minister holding a religious ceremony despite the call for lockdown. The Editors Guild of India commented that such cases filed against the media are 'acts of intimidation'. A protest statement signed by more than 3,500 journalists, academics and human rights activists, expressed shock at the action of the UP government and police in filing criminal charges for an "entirely factual story on Covid-19 and religious events". "This attack on media freedom, especially during the Covid-19 crisis, endangers not just free speech, but the public's right to information," the statement said.

Given the polarised narrative over the Covid-19 crisis, vilification of minorities and open Islamophobia in many sections of the media, especially the electronic media, it is all the more important for independent journalism to flourish. Sadly, the credibility of the media has taken a nosedive and making it all the more critical for journalists to introspect and for unions to put sharp focus on IFJ's Global Charter of Ethics for Journalists.

### FAR TO GO

While 2019 may have shown drastic reduction in the number of journalists killed as compared to the previous year, the press freedom situation continued to deteriorate. Attacks against journalists increased, along with an impunity that does not bode well for the future.

A positive step was the state government's introduction of the bill in November in the state of Chhattisgarh - Chhattisgarh Protection of Mediapersons Bill. This is the second state, after Maharashtra, which passed the Maharashtra Media Persons and Media Institutions (Prevention of Violence and Damage or Loss to Property) Bill (2017). The Chhattisgarh Bill, in the process of incorporating suggestions offered by several journalists, was welcomed by journalists. Unfortunately, the bill ignores citizen journalists who are at the frontline gathering news and therefore vulnerable to attacks. In a welcome move, member of parliament and national spokesperson of congress, Rajeev Gowda, brought up the matter of journalists' safety in the parliament in March seeking a law to ensure safety of journalists, which is a long-pending demand by journalists' unions. It remains to be seen whether the move finds support in the parliament.

Safety of journalists while reporting will be a major concern in the coming year, given the volatile political situation, exacerbated by job losses, salary cuts and hazards of reporting a public health crisis. Addressing these vulnerabilities will be a major challenge for those committed to protecting press freedom in India.

## THE MALDIVES PROMISES TO KEEP

**T**he glittering string of more than a thousand coral islands that dot the Indian Ocean with their unparalleled beauty belies a history of stringent curbs and controls over free expression and association. A country with a population of just 400,000 and having an impressive per capita income of USD 8,049, high-end tourism-reliant Maldives appears as paradise to the world outside.

For so long, the undisturbed image of emerald isles had offered an effective smokescreen for a nation that kept a dark secrets: a media industry held under autocratic control of the executive, and a divisive political legacy that is reflected to date with lacerations that run deep.

In November 2018, Maldives ousted the autocratic former president Abdulla Yameen Abdul Gayoom through a humiliating electoral defeat and elected a liberal democrat, Ibrahim Mohamed Solih, as the country's seventh president.

Solih's Maldivian Democratic Party (MDP)-led joint opposition sought a mandate to strengthen fundamental freedoms by restoring civil liberties through democratic reforms. The April 2019 landslide victory in the parliamentary elections completed the nation's political transition. In its first year in office, the government took several important steps to restore public faith in a process of democratisation.

As many Asian states took a collective nosedive with regard to freedom of expression and assembly, imposing more curbs and controls over traditional media and stifling internet freedom, Solih's rise to power marked a significant shift from a dictatorship that battered the media into silence to an elected government largely tolerant of dissent.

Local and international observers have welcomed the manner in which the Maldives broke away from its repressive past, recording significant progress in the global freedom of expression indices in just a year.

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

Following the political changes, several firsts were recorded that augur well for a country that for much of its history had known only a limited version of free expression. A significant step during the Solih administration was the attempt to check police violence, a powerful tool of suppression used against political opponents and dissenting voices during Yameen's rule.

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

Despite these positive steps, there is criticism that rights organisations have been barred from attending court proceedings. There is also disenchantment among journalists that besides the defects in the delivery of justice, the state lacked



Journalist and blogger Ahmed Rilwan Abdulla was last seen on August 8, 2014. The Presidential Commission Investigating Murders and Enforced Disappearances in September 2019 conclusively found his murder was carried out by a local affiliate of the terror outfit, Al-Qaeda.

mechanisms to compensate victim families.

The media – in terms of both ownership and content – was long kept under the iron fist of founding president Maumoon Abdul Gayoom. Apart from the brief democratic window when Mohamed Nasheed briefly served as president (2008 to 2012), there was once again a significant decline under Abdulla Yameen (2013 to 2018). The Maldivian media – barring a few exceptions – has not had the opportunity to practice public-spirited journalism or adhere to international standards.

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

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

President Solih now has to make good his promises by ending impunity, bringing perpetrators to book, introducing safety



**MALDIVIAN MEDIA HOUSES HAVE BEEN ALIGNED WITH POLITICAL ENTITIES AND ENGAGED IN POLITICAL AGENDA-SETTING. IT IS NO DOUBT DIFFICULT TO OPERATE IN A LANDSCAPE THAT DOES NOT ALWAYS RECOGNISE THE ROLE AND RESPONSIBILITY OF THE MEDIA.**

mechanisms, laying strong foundations for media pluralism, transparent and accountable ownership and promoting media literacy and professionalism. To break free from the past in a decisive manner, the government must urgently invest in the industry and demonstrate a genuine commitment to build capacities.

### **DIFFERENT STEPS, DIFFICULT STEPS**

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

Despite the sense of freedom under the new dispensation and increased engagement and expression of dissent, journalists continue to practice self-censorship and skirt around religion

for fear of reprisals from the state and religious fundamentalists. While there is a marked improvement in the media climate, secularism is still an uncomfortable topic for the majority of media practitioners, with the memory of Rilwan and Rasheed serving as powerful reminders of the possible repercussions if they dare to publicly discuss matters of faith.

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

The 2019 Country Reports on Human Rights Practices by the US Department of State meanwhile, has claimed that the

## DESPITE THE PROBE, THERE IS NO CLOSURE IN SIGHT FOR THE FAMILIES OF THE MURDERED. RILWAN'S FAMILY HAS BEEN MAKING REPEATED CALLS TO PUNISH THE CRIMINALS, BUT THE PROBE HAS NOT LED TO CHARGING THE CULPRITS.

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

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

### A SUSTAINED LEGACY OF IMPUNITY

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

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

On July 11, the Maldivian Democracy Network (MDN) urged the Criminal Court of Maldives to uphold its obligation to conduct a fair and transparent hearing in line with the Maldivian Constitution and the International Covenant on Civil and Political Rights (ICCPR). MDN representatives were denied entry as observers at the eighth hearing of Rasheed's case.

At the next hearing on July 31, a secret witness for the prosecution informed the court that the plan to kill Rasheed was hatched in November 2016, with the suspects accusing him of “insulting Islam and therefore [he] deserved death.” During the hearing, the same witness purportedly identified the three defendants as the men he saw at the crime scene: Ismail Haisham Rasheed and Ahmed Zihan Ismail, the two men who were seen coming out of Rasheed's home while a third person acted as a lookout, perched on a motorbike

Maldives's former president Abdulla Yameen arrives at a criminal court on November 28, 2019. Yameen was sentenced to five years in prison for money laundering after a corruption probe into the former strongman's rule of the luxury tourist destination which has seen increasing radicalisation and Islamic militancy taking root. CREDIT: AHMED SHURAU / AFP





outside Yameen's house.

According to Husnu Al Suood, chairperson of the Commission on Disappearances and Deaths, the commission's nine-month investigation found that then-president Abdulla Yameen tried to "divert the focus" of the police investigation, while his former deputy, Ahmed Adeeb, attempted to obstruct justice. The commission also concluded that the gang had a "hit list" which included other activists and government critics.

Despite the probe, there is no closure in sight for the families of the murdered. Rilwan's family has been making repeated calls to punish the criminals, but the probe has not led to charging the culprits.

## RELIGION SETS THE AGENDA

Though instances of physical intimidation were absent, promotion of secularism appears to draw extreme responses, from the authorities as well as radical elements.

Reports have emerged on how those promoting religious freedom and secularism were being brought under severe pressure, with several human rights defenders receiving death threats online, a form of violence that goes unmonitored in the Maldives.

In January this year, *Maldives Independent*, formerly *Minivan News* suspended operations. The online platform was an influential voice promoting democracy and human rights in the country since 2004. In its wake, *Minivan Radio*, once anchored from Colombo by exiled journalists, also closed operations because the premises had to be vacated, but local associates said that political pressure had been exerted to shut the station down.

Historically, the democratisation of the Maldivian media landscape has taken shape in the digital space where young bloggers and online activists grew in influence, in defiance of both the state and the traditional media. Both Rilwan and Rasheed were two social media influencers who provided leadership to powerful online engagements promoting religious

freedom and secularism. If it was hard then, it remains hard still, to discuss religion and not have to pay a price.

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

## ARCHAIC LEGAL FRAMEWORK

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

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

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

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



## ONLINE THREATS

Maldives applies stringent controls over reporting on religion while content that is considered anti-Islamic continues to face strong resistance, a practice continued by the new government.

With many new entrants to the field, the country's media sector's evolution has largely taken place in the digital space, with the emergence of influential bloggers breaking barriers.

Soon after the election of Solih, in June 2019, UN Special Rapporteur in the field of cultural rights, Karima Bennouna, visited the Maldives and voiced concerns over "extremist positions being advocated, including online and by teachers, and of people being harassed and threatened by those motivated by fundamentalist ideology." She noted that such intimidation shrank the space for freedom of expression and that "those who speak out against fundamentalism, including in the fields of arts and culture, need unequivocal support and for their safety to be ensured urgently."

Amplifying the points made by the UN Special Rapporteur, the US Department of State in the *Country Reports on Human Rights Practices for 2019* highlighted the unique censorship model that exists in the Maldives. The report noted that the Maldivian Constitution prohibits utterances contrary to tenets of Islam or challenges the government's religious position that creates grounds for self-censorship.

In August, Maldives Customs Service confiscated 109 books from a public book fair for "content that violated principles of Islam" though charges were not pressed.

On August 8, the Observatory for the Protection of Human Rights Defenders, a partnership of the International Federation for Human Rights (FIDH) and the World Organisation against Torture (OMCT), wrote an open letter to President Solih, calling for meaningful steps to prevent increasing online threats to human rights defenders.

The Observatory stated that it had received information that at least 15 human rights defenders, including journalists,

Maldives' president Ibrahim Mohamed Solih next to vice president, Faisal Naseem and former president Mohamed Nasheed in Male city on February 17, 2020. To break free from its repressive recent history in a decisive manner, the government must urgently invest in the media industry and demonstrate a genuine commitment to build its capacities. CREDIT: AHMED SHURAU / AFP

lawyers and NGO workers had been subjected to repeated acts of harassment and intimidation online since the new government took office in November 2018. It stated: "We are particularly troubled by the lack of action by law enforcement agencies to investigate and respond to threats and death threats against human rights defenders. Coupled with a lack of condemnation by your administration, this impunity emboldens extremists who have little hesitation to turn their words into action."

On September 1, police arrested a person for criticising the tenets of Islam via his Twitter account, days after receiving death threats for "irreligious" comments via social media.

In a separate incident, journalist Aishath Aniya received death threats for criticising the design of a new mosque in the city of Male'. Maldivian police also claimed that 15 similar complaints have been received and seven had to be abandoned due to lack of evidence.

Amidst growing criticism over condoning online violence targeting liberal secularists, President Solih appointed a committee to find solutions to dealing with debate and criticism regarding religious issues.

## SHRINKING SPACE

The new government's popularity took a beating when it banned a reputed human rights organisation, Maldivian Democracy Network (MDN), in November over a human rights report produced by them in 2015 that delved into the

## THE MALDIVIAN CONSTITUTION PROHIBITS UTTERANCES CONTRARY TO TENETS OF ISLAM OR CHALLENGES THE GOVERNMENT'S RELIGIOUS POSITION THAT CREATES GROUNDS FOR SELF-CENSORSHIP.

radicalisation of Maldivian society. The closure came against the backdrop of threats to the MDN's staff, including its director, Shahinda Ismail, from religious hardliners, Amnesty International said in a media release.

A month later, on November 5, the Maldivian Ministry of Youth, Sports and Community Empowerment – which regulates the activities of NGOs – announced the decision to shut down the operations of MDN. The decision was linked to a 2015 report published by the NGO looking at radicalisation in the Maldives. “The new Maldivian government was supposed to mark a break with the island nation's repressive past. The decision to shut down the MDN's operations, however, shows that time-worn tactics to intimidate human rights defenders and shrink space for civil society remain a threat,” Amnesty International said.

Significantly, the current government includes former prisoners of conscience whose release Amnesty International and MDN had campaigned for, it further noted.

### MISSING THE GLASS CEILING

Among the key weaknesses in the Maldivian media sector is the absence of prominent women journalists, mechanisms to mainstream gender or women journalists' collectives able to advance the gender agenda.

While there are more and more women entering journalism in the Maldives, there are hardly any women who lead organisations or hold leadership positions. Most women remain at the entry and mid-level, where they invariably encounter a glass ceiling and fail to advance their careers beyond a point.

In 2019, a baseline study on building a gendered media in the Maldives by Addu Women's Association (AWA), conducted in collaboration with UNESCO and South Asia Women's Network (SWAN) was released to the public. The first such study in the Maldives, it identified critical areas that required several important interventions.

Launching the report in Male at the World Press Freedom Day 2019 celebrations, AWA's co-founder Dr Mariyam Shakeela said: “Very few women occupy decision-making positions in the country's media as well as advertising agencies, though they carried much weight, especially in mid-level administrative positions. Working structures, norms and practices reflected gender biases and there were institutional and structural disadvantages for women's succession in media.”

While wage disparities and common entry level concerns were not recorded, the study recognised several constraints for women's advancement in the industry and to influence content. In recent years, there had been attempts by women journalists to form themselves into a formal association, but going forward, women journalists say that there needs to be an understanding of common issues that impede their growth and an agenda to mainstream women's voices and help develop their careers.

“Key to achieving success as effective networks is institutional support,” says media entrepreneur Shim Ahmed, who is CEO and chief editor of *aonews.mv*, the first online news media outlet in the city of Addu. According to her, it is not only a question of women journalists, but the entire sector. “In the Maldives, journalists have to be organized, both men and women. Part of the problem is that we lack the experience of being organized as professional associations, such a trade unions or collectives that

can influence an agenda. This is one of our weakest points and makes it difficult to campaign on issues,” said Ahmed.

### THE WAY FORWARD

Global attention was drawn to the human rights conditions prevailing in the Maldives by opposition politicians working in collaboration with the international media. Until then, the gross rights abuses and violence that targeted journalists were little known to the outside world.

To highlight these issues, there were massive campaigns at the global and South Asia level, demanding justice for both Rilwan and Rasheed, two high-profile murders that shook the world's conscience and brought out the Maldivian reality. Many Maldivian activists and bloggers had gone into exile, mostly in neighbouring countries such as India and Sri Lanka, gathering momentum for a massive campaign to push democratic changes in the Maldives and to demand justice for the slain.

A key takeaway from the global movement to overhaul the system and drive systemic change is the power of systematic collaborative campaigning at a global and regional scale. The unprecedented global attention also paved the way for a judicial process that sought to ensure justice for both Rilwan and Yameen.

While the judicial process continues to bring closure to Rasheed's case and many activists and journalists who had fled the Maldives fearing death and reprisals have now returned home, practitioners feel that, beyond the initial invite, there should be a proactive approach to bringing the exiled community back home.

For this to become reality, conditions should be further improved. “As long as we practice self-censorship and avoid publicly saying anything about faith, some won't be comfortable. It must be possible for people to discuss faith in the public interest, especially when religion informs policy and legal systems,” noted a Colombo-based exiled activist who preferred to remain anonymous.

An area that still needs considerable work is the prevention of online hate that targets secular activists, who claim they continue to receive death threats.

To prevent repeats, Maldivian human right defenders say there should be a robust monitoring mechanism that detects violations and upholds the constitutionally guaranteed right of free expression and assembly. For this, they say, progressive legal reforms, policies and mechanisms that can amplify the constitutionally guaranteed media freedom are necessary.

“One important step is to bring the industry to reflect international best practices,” says Ahmed Zahir, editor-in-chief of *Sun Online* and former president of the Maldives Journalists' Association (MJA).

At the industry level, several other challenges remain. For decades, the Maldivian media has operated in collaboration with the political entities and reflecting those political ideologies. To ensure the industry's expansion on par with international standards, both transparency and independence are key.

In the aftermath of reintroducing democracy to the Maldives, the Solih administration will do well to take steps to ensure transparency in ownership, introduce measures to depoliticise media outlets and to lay long-term plans to foster a truly independent media culture complete with media literacy.

## NEPAL

## CREEPING CONTROL

For more than two decades, Nepal's political arena was in turmoil, and this instability was thought to be the key cause of the precarious state of press freedom and violation of journalist's rights. In the last two years, as transitional politics seemingly settled, the media community realised that this was not the case, and that their struggle for the fundamental rights of freedom of expression and journalist's rights is perennial.

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

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

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

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

## QUANTITY AND QUALITY BOOM

Nepal is a small country but the number of media operating across the districts in several languages is comparatively high. There are more than 200 television stations, more than 700 FM radio stations, and more than 7,000 newspapers across the nation. Almost 2,000 online news websites are registered with the government.

The advertising market is worth approximately NRs. 12 billion (approximately USD 100 million) per annum with more than one-third of the pie to newspapers and nearly one-fourth of the total going to television. Radio and online media outlets claim advertisement revenue worth half-a-billion each annually. Although the advertisement chunk to the online media is not very substantial, online media start-ups are flying high, with many new platforms emerging and drawing in established journalists, especially from the print media. The buzz of online media has created a fast-moving media market and journalists are switching jobs more often than ever.



## SAFETY OF JOURNALISTS

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

Since May 2019, FNJ monitoring recorded 45 verified incidents of press freedom violations. Significant violations included arrests (22 incidents), misconduct towards journalists on duty (18 incidents), attacks (17 incidents) and threats (10 incidents). These incidents led to a situation where journalists

Amidst the nation-wide lockdown imposed to prevent the spread of Covid-19, mules carry empty gas cylinders near Namche Bazar in the Everest Region on March 24, 2020. The lockdown in Nepal has seen a drastic increase in media rights violations, salary cuts and media closures. CREDIT: PRAKASH MATHEMA / AFP

**THE GOVERNMENT DID NOT MAKE SUFFICIENT EFFORT TO PROTECT THE SAFETY AND INDEPENDENCE OF THE MEDIA AND RARELY PROSECUTED INDIVIDUALS WHO ATTACKED JOURNALISTS ACROSS THE COUNTRY.**


had to carry out their professional duties with some level of self-censorship.

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

The journalist received threats from various unknown numbers and he was informed that some groups were ‘tracking his movements’ and ‘planning to vandalise his office and assault

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

An incident of how media and journalists are devalued in Nepal involved the Chinese Embassy in Kathmandu after the *Kathmandu Post* daily on February 18, 2020 published a syndicated column arguing that the Chinese system of governance exacerbated the Covid-19 outbreak with an illustration of a 100 yuan note altered to show communist China’s founder Mao Zedong wearing a face mask. The Chinese



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

## THE MEDIA COUNCIL BILL AND THE INFORMATION TECHNOLOGY MANAGEMENT BILL ARE TWO SUCH EXAMPLES OF INCREASED STATE CONTROL.

Embassy in Kathmandu issued a press statement not only registering its dissatisfaction over the content but went on to cross the diplomatic line to personally attack the then editor-in-chief Anup Kaphle. The statement added: “The Chinese Embassy in Nepal has made solemn representations to the newspaper and himself and reserves the right of further action.” This enraged civil society and the media community and editors all stood by Kaphle to condemn the Chinese Embassy’s statement.

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

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

### TINY STEPS TOWARDS ACCOUNTABILITY

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

A positive development in 2020 was the arrest of one of the murderers of journalist Birendra Sah 12 years after the crime. Narendra Phaujdar aka Kundan Phaujdar a former Maoist cadre was arrested for his involvement in the 2007 murder of Sah. The journalist was kidnapped by an unidentified group on October 7, 2007 and his body was found 34 days later. Among five individuals involved in the murder, one has completed the jail term, another is serving his sentence and two are still at large.

### NEW MEDIA, OLD CONTROLS

The internet has become a new and powerful avenue of citizen’s voices, and social media is often setting the agenda for mainstream media and ensuring accountability from government and its agencies. The government has a confusing policy regarding use of social media: while it wants to reach more and more of the public using social media to disseminate information and create a platform for citizens to engage



Hundreds of members of the indigenous Newar community stage a torch protest in Patan on June 14, against the Guthi Bill which they say will destroy the ancient religion and culture of Nepal. The protesters demanded that the government withdraw the bill from the Parliament. CREDIT: PRAKASH MATHEMA / AFP

with governments to acquire services, it also wants to control opinions on social media. The government has not only issued notices to the government-employed teachers and civil servants to refrain from criticising the government in social media, but ministers, and also the prime minister, have repeatedly expressed their dissatisfaction with opinions being expressed on social media.

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

## STILL INVISIBLE

There is still a long road to travel for women journalists in Nepal. A report by Freedom Forum Nepal, which analysed 21 provincial newspapers for inclusion of women in their content from July to September 2019 found that women are almost invisible in the newspapers. The report recorded only five per cent of women

have news bylines and only 12 per cent are news sources. Clearly, a lot remains to be done to increase the representation of women in the Nepali media.

The issue of online harassment, especially of woman journalists, and trolling to silence critical voices on social media is an emergent issue. Nitu Pandit, the chairperson of Sancharika Samuha, women journalists' union, says, "On the internet, negative personal comments are overshadowing opinions on gender, especially those by actresses, women journalists and activists. The comments questioning personal character amount to censoring women's opinions."

## WAGE STRUGGLES AROUND

On January 30, 2020, journalists working for *Nagarik* and *Republica* dailies, including associate editor Tilak Pathak,

submitted a memorandum to publishers urging the payment of salaries. The letter, which was leaked to the social media stated that they hadn't received their salaries for three months, and some district correspondents hadn't received salaries for up to 10 months. They threatened to stop working if they were not paid within 10 days.

January 30 was also the deadline given by the journalists at *Karobar* daily to the management to meaningfully conclude talks with their union regarding their salaries and benefits.

These two cases are not new in Nepal's media industry. The crisis was averted as the journalists did not go on strike in either of the publication houses, but the incidents show the difficult situation for journalists in Nepal.

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

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

On March 28, 2020, FNJ chair Govinda Acharya issued a statement to mark the federation's establishment day in which he stated that the FNJ would continue to put pressure on the government for the complete implementation of the Working Journalists' Act.



FNJ members protest against Nepal's Media Council Bill with other civil society leaders and human rights activists. CREDIT: FNJ

## THE LEGAL ENVIRONMENT

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

The restrictive provisions in proposed laws has drawn flak from not only IFJ-affiliated FNJ and NPU but also from other media rights organisations, civil society organisations and international agencies.

The UNESCO urged Nepali policymakers to adopt policies to provide a conducive environment for media freedom. In a statement on World Radio Day on February 13, 2020, the UNESCO Office in Kathmandu said that 'it is necessary for people to be able to express themselves without fear.'

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

Last year, two controversial bills were heavily criticised by the media rights organisations. One of the bills, the Information Technology Management Bill – passed by the Development and Technology Committee of House of Representative (HoR) on December 29, 2019 – threatens freedom of speech online. Among the key concerns around the Information Technology Management Bill includes provisions to impose fines of up to NRs 1.5 million (approximately USD 12,500) or jail terms up to five years for posting content on social media that in the eyes of government may pose a threat to the "country's sovereignty, security, unity or harmony". The bill also includes mandatory



The Kathmandu Post's publication of a syndicated column in February arguing that China's system of governance exacerbated the coronavirus outbreak with an illustration of a 100 yuan note altered to show communist China's founder Mao Zedong wearing a face mask, prompted a strong China backlash in Nepal which was resisted by media and unions.

provisions for social media companies to be registered in Nepal. If not, the use of their services will be banned.

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

The bill passed through the committee despite the main opposition party's disagreement and will now be presented to the full house for approval. Since the ruling party has a nearly two-third majority in the parliament, it is likely to be passed without further changes.

The Media Council Bill was equally problematic. Among the controversial provisions, the provision to conducting licensing examination for journalists by the Council and up to Rs 1 million (USD 8,300) fine against journalists, editors and publishers if they breached the code of conduct was removed

## THE GOVERNMENT SHOWED NO BACKTRACKING AS IT INTRODUCED, ONE AFTER ANOTHER, LAWS THAT UNDERMINED THE FREEDOM OF THE PRESS, FREEDOM OF EXPRESSION AS WELL AS INTERNET FREEDOM.

when the bill passed through the Upper House. These provisions were dropped at the last minute after prolonged opposition by the FNJ and NPU as well as other civil society organisations and the opposition party.

However, the bill which now needs to be endorsed by the lower house, proposes a Media Council in which the majority of members will be government appointed thereby undermining its role as an autonomous body to support journalism in the country. The media stakeholders view the Media Council more as a government agency to control them rather than a body to ensure responsible journalism.

### BACKDOOR CENSORSHIP

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

On April 1, 2020, *kathmandupress* – a news portal on social media claimed that news had disappeared from the website without its knowledge. The ‘disappeared’ news alleged that the Prime Minister’s IT consultant Ali Asgar, and sons of his chief adviser and deputy PM were involved in a corruption scandal in the procurement of health equipment. It was later revealed that Shiran Technologies, which developed and hosted the news portal, used backdoor access to delete the news. The

company apologised, citing a communication error after FNJ, NPU and a group of editors issued statements denouncing the company and demanding an investigation. The publication also said that it was denied access to the site for a few hours and was given access only after threatening of legal action. The company is a subsidiary of a bigger company co-owned by Asgar, and *kathmandupress* claimed that the news was deleted deliberately on his instructions.

### CONDITIONAL FREEDOM

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

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

The coming year will witness a struggle for press freedom as the government will continue to attempt to control the Nepali media, particularly social media.



FNJ Protests against Media Council Bill forming 1.5km long human chain



## PAKISTAN DOWN BUT NOT OUT

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

Measures taken by the government appeared to be aimed at gagging the minuscule free media, by perpetual clipping of its wings. Many believe that the recent censorship, intimidation and arm twisting of journalists and media has been worse than the decade under the dictatorial regime of General Zia-ul Haq in 1977.

### MURDERS AND ATTACKS, WITH IMPUNITY

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

A recent murder was that of Aziz Memon, a 56-year old journalist in Naushahro Feroze in Sindh province. Tragically, his frantic appeals on social media for safety could not save his life. Memon's body was found floating in a canal on February 16, 2020. According to witnesses who saw his body, Memon had been strangled with a wire before being drowned in the canal. However, the official autopsy report confirmed that he was murdered.

Weeks before his murder, Memon who worked with the Sindhi language channel KTN News and Sindhi-language

**MANY BELIEVE THAT THE RECENT CENSORSHIP, INTIMIDATION AND ARM TWISTING OF JOURNALISTS AND MEDIA HAS BEEN WORSE THAN THE DECADE UNDER THE DICTATORIAL REGIME OF GENERAL ZIA-UL HAQ IN 1977.**

Pakistani Prime Minister Imran Khan during the 74<sup>th</sup> Session of the General Assembly at UN Headquarters in New York on September 27, 2019. Measures taken by the Khan government appear to be aimed at gagging the minuscule free media, by perpetual clipping of its wings. CREDIT: TIMOTHY A. CLARY / AFP

*Daily Kawish* had fled to capital Islamabad, from Mehrabpur, his hometown. In a video message from Islamabad, Memon claimed that police were threatening him at the behest of a local politician of the Pakistan People's Party (PPP). He alleged that death threats were being hurled at him because of a story he broke on the KTN TV channel that showed the politician in bad light. Days later, his murder irrefutably validated his allegations.

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

In yet another gory murder, Javedullah Khan, bureau chief of the Urdu daily *Ausaf*, was shot by unidentified gunmen on February 25, 2020 in the Swat Valley in northern Pakistan.

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

Zafar Abbas, a journalist associated with 7 News was murdered after being kidnapped and kept in captivity for five days. Police did not heed complaints of his kidnapping and swung into action only after Abbas' body was found dumped inside a dry well on September 16, 2019. Ali Sher Rajpar, 36, working for Sindhi language daily *Awami Awaz*, was shot dead on May 4, 2019 outside Pad Eidan Press Club, in southern Sindh province. Investigations revealed animosity towards Rajpar, who was a bold and vocal journalist. The perpetrator was arrested.

Mirza Waseem Baig, a reporter with 92 TV channel was shot dead outside his home on August 30, 2019. He was covering a local criminal gang involved in extortion in Sarai Alamgir, a bustling town in eastern Punjab province.

Muhammad Bilal Khan, a 22-year-old blogger and freelance journalist, known for his critical stances on Pakistan's powerful Inter-Services Intelligence Agency (ISI) and the military establishment, and murdered in Islamabad on June 23, 2019. He received an anonymous phone call and was asked to come to the nearby woods where unknown assailants fatally slew him with a dagger.

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

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


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

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

## BRAZEN ATTACKS

Journalists also encountered physical assaults and abuse during the year.

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



Khawja Naveed, the defence lawyer of Omar Sheikh, speaks to media representatives after the court commuted Sheikh's death sentence on April 2, 2020 in Karachi. Sheikh was previously given a death sentence for the 2002 killing of American journalist Daniel Pearl. CREDIT: ASIF HASSAN / AFP

**IN A SHOCKING JUDGEMENT ON APRIL 2, 2020, PROVINCIAL SINDH HIGH COURT COMMUTED THE DEATH SENTENCE OF BRITISH-BORN AHMED OMAR SAEED SHEIKH, WHO HAD BEEN CONVICTED BY AN ANTI-TERRORISM COURT FOR KIDNAPPING AND MURDERING US JOURNALIST DANIEL PEARL IN 2002.**

However, no legal action was taken against the politician. The lack of accountability reinforced an atmosphere of impunity and in January 2020, Fawad Chaudhry, minister of the Khan cabinet slapped Mubashir Luqman, a TV anchor, for his comments on a political issue.

In Faisalabad, the third largest city of Pakistan, on July 23, 2019 lawyers kidnapped and savagely beat up two journalists of 24 TV Channel who were covering a protest by lawyers.

Several journalists were injured when the police in Pakistan-administered Kashmir, raided, fired tear gas shells and charged journalists with batons in the Muzaffarabad Press Club in October 2019. The raid came when leaders of Jammu Kashmir Peoples National Alliance were scheduled to hold a press conference.

In July, two journalists in the eastern Punjab province were assaulted in separate incidents. Shaikh Rizwan, a reporter working for Urdu daily *Khabsrain* in Sargodha town was badly beaten up by local land mafia. Bashir Malik, associated with 24 TV Channel in Khushab town of the province was also beaten.

The home of Shahid Sultan, reporter with *Jang*, was raided in May. In the raid during the wee hours, the police held the journalist and his two sons at gun point, searched his home in the garrison city of Rawalpindi without authorisation and then mysteriously left.

## TABOO TOPICS

In continuation of the previous year's arbitrary measures, censorship was intensified by the regulatory bodies as well as the establishment through formal and informal tactics.

In July, 2019 so-called paid platoons of social media "warriors" launched a vicious hashtag campaign "ArrestAntiPakistanJournalists," after two broadcast journalists Hamid Mir and Asma Shirazi made critical comments about Prime Minister Khan's policies.

Through the year, all the mainstream media, especially the electronic media, regularly received 'advisories' from the Pakistan Electronic Media Regulatory Authority (PEMRA), widely believed to be emanating from military intelligence, the Inter Services Public Relations wing.

Besides day to day instructions, certain issues were deemed to be off-limits for the media. There has been a permanent ban on covering rallies and activities of the Pakhtun Tahafuz (protection) Movement (PTM), a group of ethnic Pakhtuns that emerged in recent years to protect basic rights and stop the high-handedness of the security forces in the North Western region of Pakistan. Having complete control on the local media, the military establishment has reportedly been pressurising the foreign media as well to stop coverage of the PTM.

In the western province of Balochistan, the ethnic Baloch, struggling for broader autonomy of the province and securing

# PRESS FREEDOM DAY

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MEDIA FOR DEMOCRACY  
JOURNALISM AND EDUCATION



Pakistani journalist, Hamid Mir, journalist and members of the jury, speaks during the Guillermo Cano World Press Freedom Prize ceremony in Ethiopia on May 2, 2019. Mir has been increasingly victimised under Imran Khan's government and in anti-media campaigns. CREDIT: ADUARDO SOTERAS / AFP

their rights, have also been banned in the media. Most parts of the province have been inaccessible for the foreign as well as local media to do independent stories.

Altaf Hussain, the founder leader of Muttahida Qaumi Movement (MQM), that ruled Pakistan's Karachi for three decades was also banned in coverage by all media, print, online and electronic.

In another form of censorship, Dawn TV transmissions remained off air in vast swathes of the cantonment residential areas, which administration is run by the retired or serving military personnel. Hawkers were also barred from distributing Dawn newspapers in many parts of the country.

In Karachi, on January 9, 2020, plain-clothed personnel raided a publishing house, Maktaba-e-Danyal, and confiscated all the copies of Urdu translation of the award-winning English novel 'A Case of Exploding Mangoes.' Mohammad Hanif, a senior journalist and writer, had authored the satirical book about military dictator Zia-ul Haq, who was killed in an air crash in 1988, which the book attributed to explosives planted in the mango boxes aboard. Those conducting the raid identified themselves as ISI personnel and took away all the copies of the book. The raid left Hanif feeling "anxious, angry and above all helpless," as he was quoted in the media.

Enforced disappearance of political and right activists has also been a taboo topic for the local media. Hundreds of Pakistani political and rights activists have been 'missing' for years and the court cases continue at snail pace.

In another glaring example of censorship, an interview of former Pakistani president Asif Ali Zardari was taken off air on July 5, 2019, at the eleventh hour. Hamid Mir, the veteran journalist who interviewed Zardari for Geo TV was later invited to 'Zara Hat Ka', a Dawn TV current affair programme to

explain the circumstances led to the interview ban but the hosts of 'Zara Hat Ka' were also told not to interview Mir.

On July 6, several TV channels were taken off air after they broadcast the live speech of Maryam Nawaz Sharif, the daughter of former prime minister Nawaz Sharif and leader of Pakistan Muslim League, the main opposition party of the country.

In the same month Geo TV transmissions were taken off air in many parts of the country and the number of transmissions were reduced during prime minister Imran Khan visit to the US.

In November, PEMRA issued notifications to all the TV channels ordering them to ban their current affair programs hosts and anchors from making critical comments or expressing their views.

## TIGHTENING THE LEGAL LOOSE

In what was believed to be an attempt to clamp down on media, Nasrullah Chaudhry, a local journalist, was sentenced to five years' imprisonment under the Anti-terrorist Act. Chaudhry was arrested in November 2019 following a raid of his house by the security forces. The prosecution charged him with possessing prohibited jihadi literature. The IFJ demanded that the government refrain from using court processes to silence independent media. On April 9, 2020, the Sindh High Court acquitted Nasrullah Chaudhry and ordered his immediate release from jail.

While the government of Imran Khan has been taking every opportunity to curb the media under the existing legal framework, it has been actively engaged in forging new media laws that could further tighten its grip on the media.

At a press conference by Pakistan's information minister Firdous Ashiq Awan on September 17, the government made

## WHILE THE GOVERNMENT OF IMRAN KHAN HAS BEEN TAKING EVERY OPPORTUNITY TO CURB THE MEDIA UNDER THE EXISTING LEGAL FRAMEWORK, IT HAS BEEN ACTIVELY ENGAGED IN FORGING NEW MEDIA LAWS THAT COULD FURTHER TIGHTEN ITS GRIP ON THE MEDIA.

public its intention to set up speedy media courts and replace the existing regulatory bodies by a single body named the Pakistan Media Regulatory Authority.

The journalist community fiercely opposed the proposal. The draft of the law was directly submitted to the cabinet without circulating it among stakeholders, including journalists. The cabinet report included more stringent clauses aimed at curtailing free speech, access to information and controlling social media. Besides PFUJ, civil society and rights groups also opposed the idea. The draft seems to have been put on the back burner but not totally shelved.

In February the cabinet of the government approved a law to curb the vibrant social media in the country. The Citizen Protection (Against Online Harms) Rules required all the social media companies including YouTube, Facebook, Twitter, and TikTok to necessarily register their offices in Islamabad within three months.

Key clauses of the proposed law included:

- a. Establishment of an office of a national coordinator responsible for content, regulation, advising the government and engaging with the social media companies.
- b. Social media platforms would be required to remove any unlawful content pointed out to them in writing or electronically, within 24 hours and in emergency cases within six hours.
- c. If the company fails to abide by the provision, all platforms, applications and services run by the company may be blocked or face penalty of five million rupees (USD 32,000).
- d. The companies would be bound to provide to the regulator the decrypted, readable content and any other information about the users on the demand of the authorities.
- e. Social media companies will have to establish their registered offices in Islamabad.

The government had to retreat on the implementation. However, it has constituted a committee in March that would redraw the law in consultation with representatives of the social media companies. Journalists have no representation on the committee.

The Asia Internet Coalition (AIC) that represents Google, Amazon, Facebook and Twitter among others, rejected outright the Citizen Protection (Against Online Harms) Rules saying they would rather wind up their operations in Pakistan.

The PFUJ also rejected the new law, denouncing the government action through statements and protest actions.

In yet another attack, the government made Pakistan Media Council dysfunctional by sacking dozens of its employees in early March. The Council, having a fair representation of the journalist community, members of civil society and government functionaries, although toothless, did provide some support for journalists in protecting their rights.

### GROWING ECONOMIC CRISIS

An economic siege of the media was conducted by the government – the largest revenue source for both the electronic and print media – by stopping the release of advertisements to newspapers and TV channels. *Dawn* newspaper, Pakistan's

most prestigious and independent English daily was denied government advertisements, which deprived the newspaper of a large part of its revenue, inflicting serious financial hardships on journalists and media workers. The economic squeeze followed after *Dawn* published news regarding the country's powerful military establishment's role in imparting diktats to the civilian government.

So it was with Geo TV and Jang Group of newspapers, the largest media company that managed to give space to voices of dissent and opposition, thus displeasing the government and military establishment.

In retaliation, the government held back payment of about 5.6 billion rupees (USD 33 million) which it owed to the newspapers and TV channels. Non-payment of dues created a severe cash flow problem for media organisations which they cold-bloodedly passed on to hard-pressed journalists and other media employees through lay-offs and pay cuts.

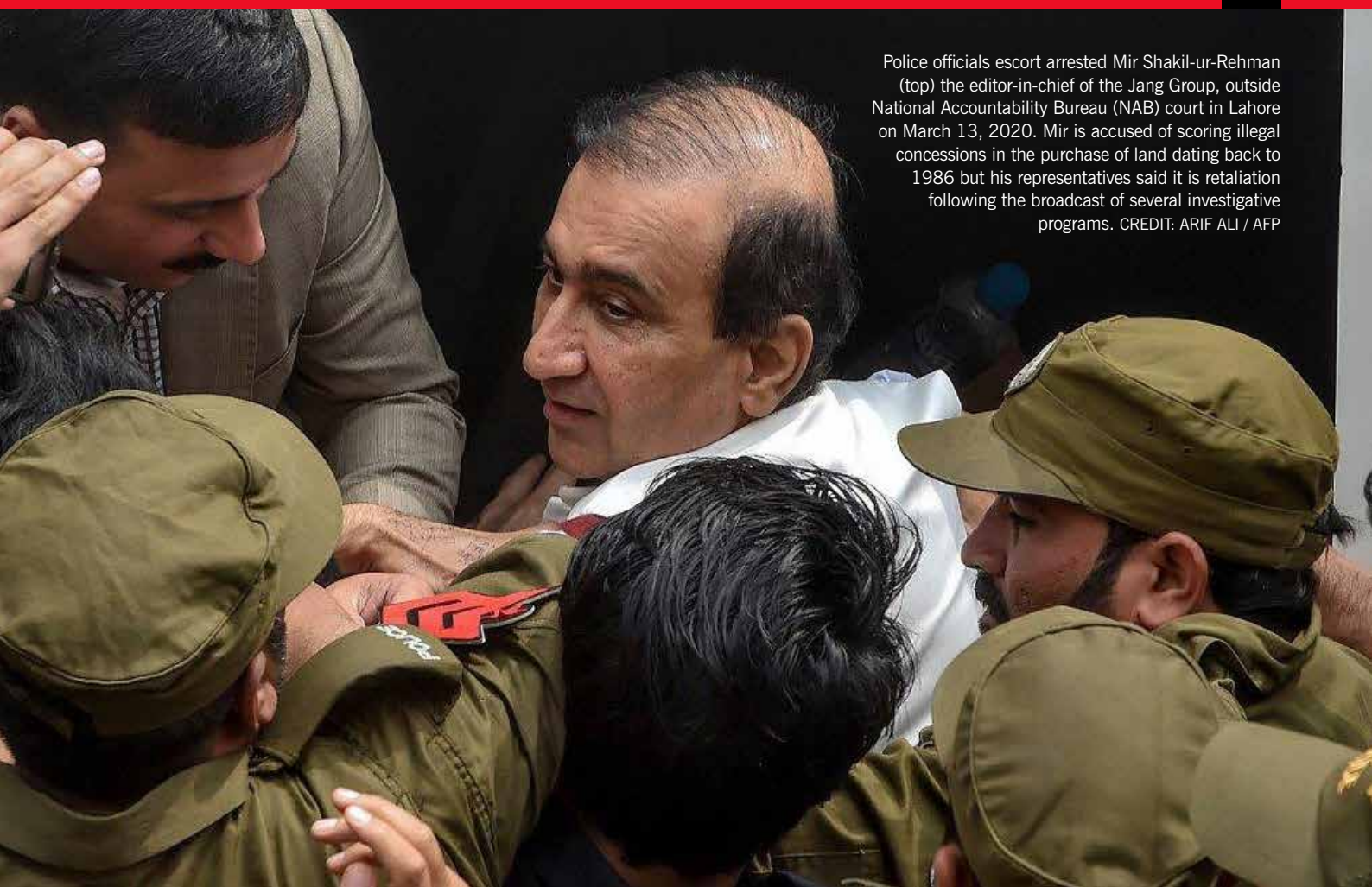
This intervention posed multiple challenges to journalists and the larger community of media workers desperately trying to save their jobs, survive massive salary cuts and months-long backlog of payments. The media houses also competed in not paying salaries in a timely manner; almost 90 per cent of the media houses and newspapers were owing at least three months' pay.

Untimely deaths of working journalists were reported during the year which could be linked to the non-payment of wages and the resulting stress of paying their bills, school fees and feeding their families. On May 29, Idress Bakhtiar, a seasoned journalist, associated with Geo TV, died after months of being laid off. Fasi ur Rehman, a 47-year journalist of Geo TV, Islamabad, died in February 2020 of a heart attack as salaries were still pending. Hasan Mansoor, a senior journalist associated with daily *Dawn*, died of heart failure at the age of 54.

NewsOne TV channel was among one such media house, holding back its employees' salaries from three to six months. In some cases, the resulting financial stress was lethal. One tragic example is that of SM Irfan, a dynamic reporter in his 30s, who suddenly died leaving his wife and children in a dire financial crisis. PFUJ local leaders staged a protest outside the NewsOne office to condemn Irfan's death. The management was compelled to enter into an agreement with the PFUJ leaders and its employees, immediately paying dues to Irfan's family and releasing the salaries of the other employees.

Frequent layoffs, which marred the media industry in 2018 continued this year as many media houses and newspapers fired hundreds of journalists. The number of the fired journalists and workers in the Jang and Geo group touched almost 1000 but it could be higher as many were employed through 'the third-party contract' a tactic by the owners to flout the direct employment obligations. The management of Geo TV, owned by the Jang Group, the largest Pakistani media house has failed to pay salaries for up to three months. Protests by the PFUJ seemed to be falling on deaf ears. The dire situation also impacted the struggle for press freedom by the journalist community.

The media community was somewhat divided on its stand against the arrest of Mir Shakil-ur-Rehman, owner and editor-in-chief of the Jang group, who has been under remand



Police officials escort arrested Mir Shakil-ur-Rehman (top) the editor-in-chief of the Jang Group, outside National Accountability Bureau (NAB) court in Lahore on March 13, 2020. Mir is accused of scoring illegal concessions in the purchase of land dating back to 1986 but his representatives said it is retaliation following the broadcast of several investigative programs. CREDIT: ARIF ALI / AFP

of the National Accountability Bureau (NAB), official anti-corruption agency. Rehman's arrest on March 12, 2020, in a property dispute case dating back to 1986, is seen as a part of the government attempts to clip press freedom. But struggling working journalists want salaries to be paid and exploitative employment conditions at the Jang Group to end even as they protest against Rehman's arrest. The group had closed down several of its publications, affecting scores of media workers.

Nawaiwaqt Group, the oldest media house of the country, shut down its Waqt TV channel, rendering all its staff jobless. It also laid off dozens of employees from *Nawaiwaqt* Urdu daily and did not pay their dues. About one thousand journalists and media staff were struggling to get justice from the courts of law but in vain. PFUJ staged several protests in solidarity with the employees, many of whom were in a very bad financial condition.

The comparatively new company Bol TV, laid off more than 600 employees. Bol TV management went to the extent of filing cases against the protesting employees under the Anti-Terrorism Act of Pakistan. All of them were denied their dues but the management had to pay the dues to about half of the employees on the intervention of the court.

Express Media Group, ARY Group and several other organisations also followed the course and terminated the services of many dozens of employees.

*Ummat*, an Urdu daily has been failing to pay salaries to its employees for around a year. The beleaguered staff of the defaulting media organisations too often choose not to pursue action in court for fear of losing their jobs altogether. They also refrain from joining protest calls from unions for the same reason.

To add to the mounting wage problems, most working journalists have been denied their rights of forming their union

to elect combined bargaining agent (CBA). Among hundreds of newspapers and media houses only two CBAs exist in Jang Group and Dawn Newspapers. Absence and weakening of existing unions has created an environment that has left journalists in the hands of powerful media owners, who largely dictate their terms of employment.

PFUJ and its affiliate regional unions in the big cities try to fill in the gap of CBAs. The union fought for more than a decade for the revision of wages under the constitutional Wage Award Commission. After a laborious and protracted union struggle, the notification regarding new wages under the Wage Award Commission was issued in February 2020.

In light of the deteriorating working conditions of media workers in the country, "Mission Pakistan 2020", IFJ deputy secretary general Jeremy Dear made a visit to Lahore and Karachi in February to gain first-hand knowledge of the issues of working journalists and media workers.

Unpaid salaries, unlawful downsizing, security and impunity were the focus of the IFJ's five-day mission. In meetings with provincial government ministers, regional governors, editors, officials of the Council of Pakistan News Paper Editors (CPNE) officials and senior journalists and journalists' union representatives from more than 20 cities, the IFJ reiterated PFUJ's demands for urgent action to resolve the pay crisis and to stop thousands of 'unlawful' job cuts in media houses.

A resolution adopted during the IFJ mission emphasised the right to freedom of expression; ending impunity for killings and attacks of journalists; and the all-important issue of job security and decent wages for working journalists. The possibility of taking up the issue of international agencies such as the UN and ILO was also discussed. Overall, the Mission served to strengthen international solidarity with working journalists and media workers of Pakistan.



Demonstrators attend an anti-Imran Khan protest rally in Quetta on July 25, 2019, observing “Black Day”, one year after the election that elected Imran Khan, Prime Minister of Pakistan.  
CREDIT: BANARAS KHAN / AFP

**A RESOLUTION ADOPTED DURING THE IFJ MISSION EMPHASISED THE RIGHT TO FREEDOM OF EXPRESSION; ENDING IMPUNITY FOR KILLINGS AND ATTACKS OF JOURNALISTS; AND THE ALL-IMPORTANT ISSUE OF JOB SECURITY AND DECENT WAGES FOR WORKING JOURNALISTS.**

## INSECURE AND UNSAFE

Women journalists at media houses are visibly discriminated. They not only draw lower salaries than their male colleagues but also have to endure sexual harassment at the workplace. Some media houses have formally set up a mandatory committee to protect women media workers from sexual harassment but many do not know about the very existence of such committees.

The vernacular media has grown in leaps and bounds in Pakistan in the past two decades but its freedom is restricted and they work in extremely precarious conditions.

The government of former prime minister Nawaz Sharif had drafted a law for the protection of journalists but it could not be tabled in the parliament and approved. The present government has also drawn up a draft bill in recent weeks but how seriously it would pursue turning it into a law, is yet to be seen.

The proposed ‘Protection of Journalists and Media Professionals Act, 2020’ aims to protect every journalist’s right to life and security which is guaranteed in Article 9, of the Constitution of Pakistan. Appropriate action is to be taken if any journalist is subjected to ill treatment.

The draft also suggests that to maintain independence, impartiality and freedom of journalists and media professionals, the government would take steps to ensure that existing or future counter terrorism or national security laws are not utilised arbitrarily to hinder the work and safety of journalists.

The formation of a Commission for the Protection

of Journalist and Media Professionals (CPJMP) has also been suggested, comprising a judge of the Supreme Court as chairman; four members nominated by the PFUJ, a representative of the National Press Club Islamabad and an ex officio representative from the Human Rights Ministry.

Too often Pakistan’s media houses did not given concern to imparting hostile environment training to journalists working in difficult areas. They continued to deploy journalists covering the most sensitive stories of Covid-19 in early 2020, with at least three journalists reported as being infected with the coronavirus in March and one death by April.

A random telephone survey revealed that media organisations had left staff with minimal protective measures, which rendered journalists vulnerable to the pandemic.

In the office of the Centuries Publication, owner of Express TV and newspaper, arrangements were made for screening entrants for any fever, while sanitising liquids and surgical masks were placed in the premises. The masks were not meant to prevent virus but filter dust and smoke. The screening team was put in place to ensure that if someone had a temperature above normal 97 F, he or she was told to go back home. A cameraman was tested suffering more than 100 degree (F) fever, but was allowed to work on his insistence because he was more concerned about losing the job than being caught by Covid-19.

At Ab Takk TV, a producer was fired for not coming to work due to ill health. The management placed sanitizers at different spots but did not cancel the practise of bio-metric recording of attendance which could potentially be a prime source of the



Parents and relatives of Pakistani students stuck in Wuhan, China, video call their children during a protest in Islamabad on February 19, 2020. The families demanded that the Pakistan government increase its efforts to evacuate citizens from Wuhan, where the Covid-19 outbreak began.

CREDIT: AAMIR QURESHI / AFP

virus. No personal protective equipment (PPE) was issued to journalists and staff, though working shifts were reshuffled to loosely comply with the protective measure.

ARY TV channels, one of the largest media houses in the country was lax about providing PPE, especially, to the field staff, though they managed to fumigate the office premises. Several reporters registered the management with complaints of inhuman working conditions amid the pandemic but of no use.

After a successful dialogue with the PFUJ, Punjab Information Minister Fayyazul Hassan Chohan on April 10, 2020, announced a relief package for media workers in the wake of the massive industry fallout that followed the Covid-19 pandemic. The provincial information ministry has now agreed to pay a monthly pension of Rs 10,000 (USD 60) and Rs1 million (USD 5,980) in relief to the family of a journalist who dies due to Covid-19. The government will also pay Rs 100,000 (USD 600) to any journalist who contracts Covid-19.

Masks and protective gear will also be provided to newspaper hawkers. In response to the pandemic, the Punjab government announced it will give tax exemptions to media houses to clear pending dues so that they don't have to face financial losses due to the ongoing coronavirus situation. It is hoped that the relief of tax exemption and payment of dues would also reach media workers.

## LOCKED DOWN AND CENSORED

The prevailing hostile circumstances pose a very serious question to the future of the free media in the country. The media in Pakistan has remained vibrant since independence in 1947 from the British Raj. The media has bravely faced three military dictatorships and imposition of emergencies by

civilian governments. Nevertheless, the present years have been considered the most hostile for the free media in the country.

The global coronavirus pandemic has brought fresh challenges to the media in Pakistan. There is built-in censorship amid the mandatory social distancing norms and physical lockdown during which journalists have restricted mobility and most are working from their homes. Reporters are forced to rely on official version alone, without sufficient scope for verification in an opaque system of governance. For instance, there are thousands of members of the missionary group Tablighi Jamaat, who had gathered in mid-March at Raiwind, the main congregation facility and headquarters of the Jamaat in Punjab province. They then dispersed all over the country. The numbers of those involved is said to be around 25,000, but in the initial days of the pandemic, there was no clear picture or official information about the whereabouts of all those who attended the gathering in Raiwind. Rumours and fake news took the place of verified information. Some newspapers reported that a member of the ruling PTI was arrested in Chitral, a remote town in Pakistan's north, for spreading fake news on social media.

Voices questioning the government have frequently been snubbed. Prime Minister Khan in a press conference on March 24, 2020, dismissed a journalist's question regarding his government's inefficient response to the emergency in the country. Instead of replying to the question Khan boasted about his government's 'media friendly' policy, claiming that the journalist would have faced a libel case and his organisation would have been shut down, had this question been asked in a Western country.

Governments must realise that critical questions, factual accuracy and ethical journalism are powerful tools in battling misinformation and vital to containing the pandemic.

## SRI LANKA

DEMOCRACY  
UNDER THREAT

The year 2019 was marred by the Easter Sunday Attacks. On April 21, the jihadist group National Thowheeth Jama'ath set off suicide bombs in three churches as well as hotels in Sri Lanka killing over 240 Christian worshippers. Following these bombings, large-scale retaliatory violence was unleashed against the Muslim communities in Sri Lanka. Organised violent mobs destroyed businesses, vehicles and houses, and took one life.

The bombings and the mob violence that followed had lasting implications on human rights. Calls for strengthening national security returned. The new and amplified wave of nationalism established Sinhala-Buddhist supremacy and Islamophobia as decisive political factors.

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

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

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

Barring a few exceptions, Sinhala media is dominated by Sinhala-Buddhist supremacist ideology and is openly and aggressively pro-government. With the rise of militarisation of civilian life, the military and Sinhala Buddhist groups have come to wield enormous power in Sri Lanka.

Journalists, local media organisations and human rights organisations anticipate drastic changes following the general election of 2020. The president has called for a two-third support in the parliament in order to abolish the 19th Amendment to the Constitution which placed checks and balances on the powers of the executive president and established independent commissions integral for democratic governance. A paper published by the Centre for Policy Alternatives in March 2020 summed up the situation in Sri Lanka: "The prospects for democracy and reconciliation in the immediate future are bleak but the multiple challenges may also galvanise democratic forces to come together to counter and challenge. Post-independence

Supporters of Sri Lanka Podujana Peramuna party presidential candidate Gotabhaya Rajapaksa attend a rally in Homagama on November 13, 2019. Rajapaksa was elected in November on a platform of national security. Strengthening democracy and human rights did not feature in his campaign. CREDIT: JEWEL SAMAD / AFP



Sri Lanka has witnessed the resilience of civil society, judiciary, media and others, sometimes under extremely trying circumstances."

## DEVELOPMENTS IN THE MEDIA INDUSTRY

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

As part of a long-standing demand, the Federation of Media Employees Trade Unions (FMETU) recommended the conversion

**POST-INDEPENDENCE SRI LANKA HAS WITNESSED THE RESILIENCE OF CIVIL SOCIETY, JUDICIARY, MEDIA AND OTHERS, SOMETIMES UNDER EXTREMELY TRYING CIRCUMSTANCES.**



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

Polarisation of the media in Sri Lanka along ethnic and language lines continued. In addition, biased election reporting

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

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

## THE CULTURE OF IMPUNITY IN SRI LANKA HAS BEEN REPEATEDLY POINTED OUT AS ONE OF THE MAIN REASONS FOR WHICH RELIGIOUS EXTREMISM AND HATE SPEECH THRIVE IN THE COUNTRY, UNDERMINING THE RULE OF LAW AND HUMAN RIGHTS.

ensure that their journalists conform to the interests of the owners, including their commercial interests.

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

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

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

Facebook has been repeatedly accused of inaction over incitement of communal tensions in Sri Lanka, but there have been no significant steps taken to address this concern. Following the Easter Sunday attacks, social media platforms, including Facebook, were blocked for a week in an attempt to curb the spread of fake news and communal tensions. Notwithstanding the opportunity it provides for informed discussions and challenging the dominant narrative, social media in Sri Lanka, particularly in local languages, has become a platform for hate speech and misinformation.

### SAFETY OF JOURNALISTS AND MEDIA OUTLETS

No killings or disappearances of journalists were reported from Sri Lanka in the period under review. However, there were numerous incidents of interrogation, intimidation, and arrest of journalists. Journalists were obstructed from reporting on at least two occasions. In July 2019, a Muslim journalist was denied entry into a temple in Kandy. Journalist MN Aminullah, working for the state-owned media house Lake House attended the meeting to provide media coverage based on an invitation from the Sri Lanka Air Force. A foreign journalist was denied access to Iranaitheevu island by the Navy in January 2020.

Numerous incidents of threats and attacks against journalists were reported. Inform Human Rights Documentation Centre documents that there have been eight incidents in January alone. In one incident, seven journalists in Batticaloa received death threats. In another incident, a journalist in Chilaw was assaulted by a group linked to local politicians after he reported on an unauthorised filling of a paddy field.

Following the Easter Sunday attacks, Muslim journalists became victims of discrimination, hate speech, and heightened

surveillance. The severity of hate speech on social media has become a cause for serious concern in Sri Lanka. Journalist Azzam Ameen was subjected to online harassment on social media by organised groups who flooded his platforms with hate speech and racist comments. Targeted for his Muslim identity, Ameen faced continued harassment despite his clarification that all his reports were based on facts.

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

“The culture of impunity in Sri Lanka has been repeatedly pointed out as one of the main reasons for which religious extremism and hate speech thrive in the country, undermining the rule of law and human rights,” noted the UN Special Rapporteur on Freedom of Religion or Belief in his report on Sri Lanka to the 43<sup>rd</sup> session of the UNHRC. He urged media and social media platforms to enforce community standards and invest more resources to monitor and respond to incitement to hatred or violence while protecting freedom of expression and access to information.

When the current president’s brother Mahinda Rajapaksa ruled the country, at least 14 media workers were killed in Sri Lanka. More than 20 journalists left the country due to death threats. Others have been arbitrarily arrested, tortured, and disappeared while in custody of the security forces.

Observing the anxiety that many journalists now face after the 2019 presidential election, Victor Ivan, a senior journalist and founding editor of Sinhala weekly newspaper *Ravaya*, said that many journalists now feel threatened and feared that no one would stand by journalists, dissidents and civil society.

### MISUSE OF THE ICCPR ACT

Misuse of the International Covenant on Civil and Political Rights (ICCPR) Act to curb free speech emerged as a key challenge to freedom of expression in Sri Lanka. Section 3 of the ICCPR Act, 2007 prohibits incitement of discrimination, hostility or violence through advocating national, racial or religious hatred.

In June, the Organised Crime Division attempted to take action against journalist Kusal Perera under the ICCPR Act over an article in the *Daily Mirror* titled ‘From Islamic terrorism to marauding Sinhala Buddhist violence’. However, the immediate uproar, including by IFJ affiliates, against this caused the police to drop the plan to interrogate him.

Award-winning dramatist, radio playwright, film producer and director Malaka Devapriya was summoned to the Organised Crimes Prevention Division of the Police on October 18 following a complaint made against one of his dramas broadcast on the national radio station in 2018. The complainant,



A man reads a newspaper with a headline on Sri Lanka's dissolution of parliament in Colombo on March 3, 2020.  
CREDIT: LAKRUWAN WANNIARACHCHI / AFP

a Buddhist monk, alleged that the title of the drama was a blasphemous distortion of Buddhist terminology. Police filed a case under the ICCPR Act.

In an interesting turn of the tables, Derana CEO and Gotabaya Rajapaksa loyalist Dilith Jayaweera was also charged with violating the ICCPR Act. An address he delivered at a book launch irked Buddhist monks.

In September, the Human Rights Commission of the Sri Lanka (HRCSL), in a letter addressed to the acting inspector general of the police, observed that the ICCPR Act had not been enforced in a 'consistent and an even-handed manner'. The letter was accompanied by a legal analysis of Section 3 of the Act in light of relevant international jurisprudence and the recommendations of the HRCSL.

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

## INTERROGATION, INTIMIDATION AND ARRESTS

The months before the presidential election witnessed several arrests. A journalist from the *Thinakaran* newspaper was arrested on May 9 for being in possession of newspaper cuttings featuring the leader of National Thowheeth Jama'ath (NTJ) who was responsible for the Easter Sunday attacks. A few days later, on

May 13, Mohommed Rizvi Maharroof was arrested under the incorrect assumption that he possessed CDs with promotional material of the NTJ.

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

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

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

Following the presidential election, independent journalists and critical online media came under pressure. Individual journalists were intimidated and a set of leaflets carrying death



Activists from the Free Media Movement (FMM) hold candles and placards during a vigil organised to pay tribute to journalists killed while doing their jobs, in Colombo on January 28, 2020. CREDIT: LAKRUWAN WANNIARACHCHI / AFP

threats against seven Tamil journalists in Batticaloa were left at the Batticaloa Press Club and a nearby bus stop.

Surveillance of journalists also increased and the digital media was particularly targeted. On November 22, Sri Lankan police visited and interrogated Sakthivelpillai Prakash, the editor of the Tamil-language newspaper *Thinnapuyal*. The police also demanded details of all reporters and correspondents. Sanjay Dhanushka, a journalist who manages the video channel at *TheLeader.lk news*, was summoned and questioned by the Criminal Investigation Department (CID) for several hours. *Newshub.lk* reported that their office in Nugegoda was searched by the police on November 26, upon a false complaint that the company had in its possession defamatory material targeting a presidential candidate. Thushara Vitharana, the editor of the *Voicetube.lk*, was summoned for questioning by the CID. She was interrogated for two hours.

The director of Vavuniya-based Tamil language newspaper *Thinappuya*, Sakthivelpillai Prakash, his wife, and another editor were summoned by the TID on March 2, following the paper's coverage of the UN Human Rights Council in Geneva.

## EXPANDING ONLINE MEDIA

Sri Lanka has a rapidly expanding vibrant alternative media culture online. There are numerous internet-based radio and video channels as well. Livestreaming via Facebook has become a popular method to reach out to large audiences online. While mainstream private and state media increasingly follow the dictates of the government, opposition political parties and civil society groups have taken to the online space.

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

There are two journalists associations working with web-based media: Professional Web Journalists' Association (FWJA)

and Internet Media Action (IMA). FWJA has its own *Guidelines for Web media*. In 2019, IMA, together with other civil society organisations drafted a 'Social Media Declaration'. Signatories pledged their commitment to eradicate discrimination based on race, religion caste, sexual and work to end gender-based violence, violations of rights of the child, content inciting hate or violence, threats and intimidation, misinformation, and data theft among other issues.

The FMM and FMETU, in collaboration with the International Federation of Journalists (IFJ), each conducted workshops with digital journalists in December 2019. At the workshops, digital journalists discussed various the challenges they encounter and recognised the need to be organised as an immediate step towards addressing these challenges.

## CHANGES IN THE LEGAL ENVIRONMENT

Immediately following the Easter Sunday attacks in April 2019, the Sri Lankan government blocked access to social media to prevent incitement of communal violence. The government warned that laws under emergency regulations would be strictly enforced against persons and groups using any media to spread rumours, false propaganda or misinformation.

In late May, the cabinet approved amendments to the penal code and criminal procedure code, criminalising the dissemination of 'false news' if it was deemed to affect 'communal harmony' or 'state security'. The amendment used broad and vague terminology and carried a fine of LKR 1,000,000 (USD 5,000) and/or a five-year prison sentence for offenders. In the backdrop of the police misusing the ICCPR Act to restrict freedom of expression, concerns were raised regarding the amendments. In a letter to the minister of justice and prison reforms, FMM expressed its concern that the proposed legal amendments could seriously threaten freedom of expression and media freedom in the country.

Meanwhile, the government has reached the final stages of drafting a Cyber Security Act to prevent the publishing

A Sri Lankan security personnel stands guard at a checkpoint in Colombo on May 13, 2019 after Sri Lanka imposed a nationwide lockdown. CREDIT: LAKRUWAN WANNIARACHCHI / AFO



## HINDRANCES TO THE RIGHT OF MEDIA WORKERS TO ORGANIZE AND FORM UNIONS CONTINUE IN PRIVATE MEDIA ORGANISATIONS. PROVINCIAL JOURNALISTS WHO PLAY A PRIMARY ROLE IN PRINT AND ELECTRONIC MEDIA ARE STILL NOT ENTITLED TO LABOUR RIGHTS

of defamatory posts and comments on social media. The draft act establishes a mechanism for immediate removal of posts with ethnic or religious sensitivities that could spread hatred on social media. Under the new mechanism, a Digital Infrastructure Protection Agency (DIPA) will be set up as an apex body for all cyber security related affairs including credit card fraud, online sexual exploitation, hacking, and intellectual property theft, cyber terrorism, and processing of unauthorised information.

### RIGHT TO ASSOCIATION

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

The impact of the change is already being felt. In March 2020, NGOs in Mullaitivu District were ordered by the District Additional Secretary to minimise empowerment programmes such as trainings on women's rights, child rights, human rights, and land rights, as well as to minimise the setting up and strengthening of self-help groups.

Operations of the Consortium of Non-Governmental Organisations in Ampara district have been disrupted by the frequent inspections and questionings by the TID. In July, the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association expressed concern at the numerous accounts of surveillance, including online surveillance, used

to monitor the activities of civil society and intimidate those dissenting peacefully. He also noted the continuing concerns over the Prevention of Terrorism Act which challenges the enjoyment of the freedom of peaceful assembly and association.

Likewise, the UN Special Rapporteur on freedom of religion or belief who visited Sri Lanka in August called upon the state to combat violent extremism while ensuring that any strategies to prevent violent extremism or counter terrorism are in compliance with international human rights law

In an effort to monitor and contain dissent, in February 2020, the government established an 'Agitation Area' reserved for protests near Galle Face Green in Colombo.

*Hindrances to the right of media workers to organize and form unions continue in private media organisations. Provincial journalists who play a primary role in print and electronic media are still not entitled to labour rights such as the Employees Trust Fund or Employees Provident Fund.*

*Ensuring a free media culture is not achievable without bringing in a system of providing those provincial full-time journalists with a letter of appointment, a reasonable wage and assurance of their rights. The recommendations of the government-appointed committee set up in 2018, chaired by Director General of Information comprising of the Secretary to the Ministry of Finance and Media and Labour Commissioner have yet to be implemented.*

### TOWARDS MEDIA REFORM

The year witnessed several joint initiatives. Journalists' organisations in Sri Lanka including IFJ affiliates came together to commemorate 'Black January' on January 28. They called on the new president to end impunity and secure justice for outstanding unsolved cases of assault, murder, and disappearance of journalists and media workers.



Fulfilling a long overdue demand by organisations working on press freedom, the government decided to open the Committee on Public Enterprises (CoPE) to media on August 9. Appreciating this historical step, the FMM recalled that from the inception it had been advocating for transparency. In order to strengthen freedom of expression in Sri Lanka and promote media reform, the FMM set up a website containing primary documents related to media reform in Sri Lanka from 1948.

In a significant move towards strengthening journalists' rights as well ethical and professional journalism, the Sri Lanka Working Journalists Association (SLWJA); the Free Media Movement (FMM); the Federation of Media Employees Trade Unions (FMETU), Sri Lanka Tamil Media Alliance (SLTMA), Sri Lanka Muslim Media Forum (SLMMF) and Young Journalists Association (YJA) together drew up and adopted a 'Rights and Responsibilities Charter'.

Adopted on September 8, the charter lays down ten rights including labour rights, the right to association and organisation and the right to know. The ten responsibilities include adherence to journalistic tenets of fairness, accuracy, balance in accordance with ethical codes laid out by the IFJ and the Sri Lanka Press Complaints Commission.

Media organisations also reiterated their recommendation to abolish the Sri Lanka Press Council and strengthening of the Sri Lanka Press Institute and the Sri Lanka Press Complaints Commission.

On March 23, in a joint statement, six media organisations in Sri Lanka called on media institutions to implement safety precautions in the newsrooms as well as while covering the Covid-19 pandemic.

## STILL SEEKING JUSTICE: IMPUNITY UPDATE

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

Just two weeks before of the presidential election on November 7, Cabinet of Ministers approved a proposal to compensate 78 journalists subjected to harassment and persecution during 2005-2015, with amounts ranging from Rs 200,000 to Rs 1.5million (USD1,000 – USD7,700). There was no time to implement this cabinet decision.

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

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

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

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

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

On November 7, the Attorney General filed indictments



## SRI LANKA ITSELF, AS WELL AS THE DEMOCRATIC RIGHTS OF THE PEOPLE ARE AT A CRITICAL CROSSROAD. THE CORONA VIRUS PANDEMIC HAS EXACERBATED THE SITUATION. MEDIA AND JOURNALISTS ARE FACED WITH NEW CHALLENGES OF REPORTING THE EPIDEMIC IN A BALANCED WAY

**From far left:** Freelance journalist Lasantha Wijeratne was attacked on November 14 by a group of unidentified armed men who stormed into his house in Habaraduwa in the wee hours of the morning. Wijeratne was slashed with a sharp weapon, threatened and beaten. Before the incident, Wijeratne had released a book on corruption which allegedly criticised Gotabaya Rajapaksa, one of the front-runners of the presidential race.

A municipal worker sprays disinfectant solution on AFP photographer Lakruwan Wanniarachchi, in Colombo on March 31, in efforts to prevent the spread of Covid-19. CREDIT: AFP

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

A major breakthrough was made in the probe into the assault on former editor Upali Tennakoon in early July 2019. Fingerprints found on Tennakoon's vehicle on the day of the assault were linked to an army officer accused of being involved in the attack. Upali Tennakoon was assaulted on January 23, 2009, in an apparent attempt to kill him by assailants on motor bikes. Both Tennakoon and his wife were injured during the attack.

### CRUCIAL CROSSROAD

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

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

Sinhala nationalist media including a majority of social media users launched anti-minority rhetoric by blaming a particular community for the epidemic. In this context the Ministry of Health and Indigenous Medical Services issued guidelines for

reporting Covid-19, requesting the media not to mention race or religion of infected persons or of those who die of it; not to publish photographs or show videos of infected persons without their permission and not to report in a manner that causes hatred among people.

On April 1, the media division of the Sri Lanka's Police, upon the instructions of the Acting Inspector General of Police (IGP), issued a notice addressed to all media organisations that strict legal action will be taken against those who 'criticize', point out 'minor shortcomings/failures' or 'scold/chastise' state officials performing their duties.

In a statement, seven journalists' organisations expressed their concern about the IGP's directive and said that it should not be a hindrance to free expression online. Civil society too reacted sharply and said that the move "adversely impacts on the freedom of expression, in particular the expression of dissent. This constitutionally guaranteed freedom is key to holding the state to account for its actions, and questioning the action or inaction of state officials is the civic duty of every citizen, and is fundamental to ensuring a healthy and functioning democracy... Moreover, there is no provision in law that authorizes the arrest of those 'criticizing' the state. Hence, we are deeply perturbed by your instructions to the DIG of CID and all island OICs to 'strictly use the law' against such persons, to arrest them, produce them in court, and to take further legal action, as it could constitute extra-legal action that results in arbitrary arrest and detention." The signatories called upon the Acting IGP to "revoke the said directive and use existing legal provisions to deal with any action that would constitute an offense."

In order to defend and protect freedom expression in the coming years, Sri Lankan press freedom organisations need to strengthen solidarity locally and internationally. The post-Covid-19 situation will see economic hardships accompanied by strong-arm politics. Proliferation of social and digital media will challenge ethical journalism increasingly. The path ahead must be guided by uncompromising principles of ethical journalism.

# MEDIA RIGHTS MONITORING: BACKBONE OF PRESS FREEDOM ADVOCACY IN SOUTH ASIA

The release of Nepali journalist Jitendra Maharjan from detention on April 30, 2019, was a happy outcome based on years of campaigning for journalists' rights, built on a solid foundation of media rights monitoring in Nepal. The editor of the weekly *Nhugu Jwajalapa*, published from Kirtipur, Kathmandu had been arrested on April 9, 2019, on allegations of involvement in organised crime and proximity to a banned political outfit. Released after a Supreme Court order on April 21, his freedom was short-lived as he was rearrested the same day on similar charges. It was not the first time that Maharjan had been targeted, having gone through a similar experience in 2017.

Through his ordeal, Maharjan was supported by the Federation of Nepali Journalists (FNJ), which filed a habeas corpus petition in the Supreme Court on his behalf. The Federation, which represents journalists across Nepal, played an instrumental role in supporting him after being informed of his arrest by Maharjan's friends and colleagues. After conducting an independent inquiry, the FNJ released a statement on Maharjan's plight, lobbied for his release and also approached the courts. "We realised that filing a case in the Supreme Court was the only option," says Janmadev Jaishi, the FNJ's central committee member assigned to take the case forward.

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

With 52 journalists jailed and detained in the past year in South Asia and hundreds more attacked and threatened, a robust monitoring system to defend and protect journalists from being targeted for their work, harassed or intimidated is crucial.

Recognising this vital need, the IFJ launched training on media rights monitoring since the mid- 2000s. In the years since, journalists and their unions in Nepal, Pakistan, Sri Lanka, Afghanistan, Bangladesh and India have undergone training to enhance knowledge of their rights and to better equip them in the fight to defend themselves, both individually and collectively.

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

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

A decade and a half after the launch of its media rights monitoring programs, IFJ research (supported by UNESCO) in 2019-20 has begun to review how media rights can be defended and protected in a changed media environment in Nepal, Sri Lanka, India and Maldives, highlighting common threads and issues as well as unique features in each country.

## THE LEGAL FOUNDATION

Most South Asian countries except Bhutan have guaranteed media freedom by being party to International Covenant on Civil and Political Rights (ICCPR). Article 19 of the ICCPR recognises the right to freedom of expression. In addition, all eight countries of the South Asia including Bhutan have expressly guaranteed freedom of speech and expression in their constitutions and in some cases, specific laws. The UNESCO has also introduced the UN Plan of Action on the Safety of

Journalists which has focused efforts in countries including Pakistan and Sri Lanka. These national and international frameworks provide a basis for strong media rights monitoring mechanisms and advocacy to protect and promote the rights of journalists and media in South Asia.

## KEY MEDIA RIGHTS VIOLATIONS IN SOUTH ASIA

Killing, abduction, arrest/detainment, attack, censorship, economic pressure, harassment, internet shutdown, legal harassment, attacks and intimidation of media institutions are some of the most common media rights violations in South Asia. In a majority of cases, the state and its law enforcement and security agencies are major violators.

The first stage of country research in early 2020 suggests that there is still direct involvement of politicians and the local administration in violation of media rights in all four target countries of the IFJ's research. Journalists are also targeted based on their religious, ethnic or gender identity.

Recently, during coverage of the protests against the Citizenship Amendment Act in India, journalists were frequently attacked based on their religious identity.

In Sri Lanka, journalists from Tamil communities continue to face more violence than other journalists, while provincial journalists are some of the more vulnerable to violations by the police, military and political players with direct or indirect connections with the government. They are also more likely to be killed as a result of their work.

Another dangerous trend in South Asia is use of criminal gangs to intimidate journalists and media houses, for example in the Maldives. "Even with strong local advocacy, the Maldives has failed to bring a single perpetrator to justice", observes IFJ Maldives researcher Ifham Niyaz.

## CURRENT STATUS OF MEDIA RIGHTS MONITORING

### (A) NON-GOVERNMENTAL MEDIA MONITORS

Media rights monitoring in South Asia is largely carried out by journalists' trade unions, media associations, NGOs and other independent bodies. Even in countries where government bodies are mandated to conduct media rights monitoring, they have not always done so. For instance, although the Maldives Media Council is mandated by law to monitor any restrictions/limitations placed on freedom of expression, the IFJ field research revealed it has yet to deliver on this.

Journalists' trade unions and organisations have largely been able to take a leading role in media monitoring in Sri Lanka, Nepal and India – due to the strong direct connections to working journalists as members of their organisations. The Sri Lanka Working Journalists Association (SLWJA), the Free Media Movement (FMM), and the Federation of Media Employees Trade Unions in Sri Lanka (FMETU) are key organisations that have monitored the situation for media closely in Sri Lanka over a sustained period, including during the country's long-running conflict. Other organisations conducting monitoring and advocacy include the Young Journalists Association (YJA), Journalists for Democracy (JDS), the Tamil Media Alliance, the Muslim Media Forum and South Asian Women in Media although their focus is more sector specific. This apart, Internet Media Action, the Professional Web Journalist Association, the Jaffna Press Club, Vavuniya Press Club, Batticaloa Press Club, and Journalists of Mathara monitor media rights violations.

In Nepal, the Federation of Nepali Journalists, Nepal Press



**From left:** Arunachal Press Club express solidarity with journalists who have suffered at the hands of police brutality at Prag News Channel office and the government censorship of *Pratidin Times* (Assam) on December 14, 2019 in Itanagar, India.

Female journalists protest the delay into investigating the disappearance a year earlier of local Maldives journalist Ahmed Rilwan Abdulla on August 8, 2015. In 2019, investigators confirmed Rilwan was killed by a local affiliate of Al-Qaeda.

Article in *The Kathmandu Post* on the Federation of Nepali Journalists' petition in the Supreme Court of Nepal demanding the release of eight arrested journalists on December 6, 2017.

Union and Freedom Forum are the key monitors for media and rights violations. Additionally, the Working Women Journalists (WWJ), the Federation of Nepali Indigenous Nationalities Journalists (FONIJ), the Informal Sector Service Center (INSEC), Media Action Nepal, the Sancharika Samuha, and Jagaran Media Center (JMC) also monitor. Sancharika Samuha has been one of the strongest monitors on gender rights violations in the media for many years. The National Human Rights Commission (NHRC) and Nepal Bar Association (NBA) also regularly raise concerns.

In India, the Indian Journalists Union, the National Union of Journalists and other media trade unions conduct media rights monitoring. In addition, the Forum for Media Professionals, Editors Guild, Free Speech Collective, the Commonwealth Human Rights Initiative also monitor violations. Press clubs located in different parts of the country issue releases. The Press Council of India, empowered to take suo moto notice of violations of journalists' rights, has seldom stepped up on the side of the powerless.

An important regional platform is the South Asia Media Solidarity Network (SAMSAN), established jointly by IFJ member unions in South Asia over nearly two decades ago and a driver on the creation of media rights monitoring training programs together with IFJ. Since 2014, the IFJ and SAMSAN have jointly run the SAMSAN Digital Hub for campaigns, statements and media alerts by members of the network in different languages, functioning as a effective clearing house on media rights for the region. Among its key features, is a media rights violation map which documents violations across the region by year, type and date.

In addition, other international media rights monitoring platforms in addition to the IFJ that monitor the region include Committee to Protect Journalists (CPJ) and Reporters Sans Frontiers (RSF).

## (B) DECISION-MAKING RESPONSES TO MEDIA RIGHTS MONITORING

Decision-making practice on the media rights monitoring differs per organisation, but most practice a decentralised approach and engage in collective decision-making. For

example, the FNJ after receiving information from its district chapters, verifies information and tables the issue at the central committee meeting where decisions are taken about issuing releases and pursuing advocacy initiatives. It is important to note that the FNJ's district chapters are heavily involved in this collective process and have also been trained to systematically collect data on violations through trainings held over almost two decades. De-centralised data collection has been possible due to strong district chapters and their emphasis on local media rights monitoring.

Although the information collection process is the same in the Nepal Press Union which also has a strong presence at the district and local level, decisions regarding the release of statements and further action are made by the president and general secretary.

Similarly, FMM and SLWJA prepare drafts which are passed through the executive committee before release. FMETU also issues statements after consent of office bearers. This is the case in IJU and NUJ-I as well.

## (C) INADEQUATE FOLLOW-UP

Respondents from some monitoring bodies in all four countries have opined that that they regularly encounter problems with follow-up. This is largely due to heavy workloads and inadequate resources. Some monitors shared that victims of media rights violation sometimes do not wish to take their cases forward due to potential negative consequences such as dismissal from the job, negative portrayal among co-workers. "These cases include issues such as misconduct by media owners and seniors, sexual abuse and harassment. Even if they are reported, later on, victims of violence decide not to take the case forward," observe Nepal researchers Tika Ram Pradhan and Yam Birahi of the Nepali context.

The degree and length of follow up also depend on the seriousness of the violation. In cases of serious rights violations such as murder, grievous attacks, legal and political control, most of the MRM organisations do follow up.

## THE SUCCESS IN MAHARJAN'S CASE REPRESENTS THE POTENTIAL OF MEDIA RIGHTS MONITORING AND ADVOCACY IN NEPAL, IN PARTICULAR, AND SOUTH ASIA IN GENERAL.

### (D) GENDER DIMENSION IN MEDIA RIGHTS MONITORING

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

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

Samim Sultana Ahmed, President of the Gender Council, Journalists Union of Assam, India says “Despite women's increasing participation in news-rooms, a professional working environment is still a big question. I have found many female journalists sexually and emotionally abused.”

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

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

### (E) RESPONSE AND IMPACT OF STATEMENTS

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

For example, press releases issued by the FNJ and NPU are taken seriously in government circles and official bodies such as the National Human Rights Commission of Nepal and the Nepal Police often commence investigations based on these press statements. This is in no small part due to the membership density and, therefore, power of FNJ and its journalist members in Nepal. Similarly, according to Viranjana Herath, IFJ's Sri Lanka researcher, following issuance of press releases by FMM and FMETU on an attack against Thusitha Kumara de Silva in late 2019, a provincial journalist from Kalutara, a process was promptly set in motion which led to the perpetrators being

arrested soon after.

The issuance of a press release alone can provide great relief to a journalist and an immediate sense of solidarity and support. For example, Mohommed Rizvi, a Sri Lankan television journalist arrested under the Prevention of Terrorism Act, felt that the statement issued in his support helped him recover his damaged reputation. He was released without charge.

However, this is not the case across the board. For example, IFJ's India researcher Bedabrata Lahkar observes that governments in India do not consider themselves under any obligation or pressure to respond unless the case is ‘high profile.’ According to him, violations of media rights get lower attention in the Northeast region of India.

### BEYOND PRESS STATEMENTS

Issuing a press statement is the first stage of advocacy. Next, unions and associations can launch protest programs and campaigns, which can include filing cases in the court. Collaborating with other organisations and networks often strengthens advocacy efforts. For example, the IJU issued a number of press statements and held advocacy meetings with the Human Rights Law Network (HRLN) and campaigned for the release of Kishorechandra Wangkhemcha, a TV journalist with ISTV, Manipur. He was arrested under the National Security Act (NSA) on November 27, 2018 for a video he uploaded on social media and was subsequently jailed for 133 days.

Another example of advocacy-based media rights monitoring was the Pakistan Federal Union of Journalists (PFUJ) negotiating a Covid-19 relief package in Punjab, which includes a monthly pension, compensation to the family in case of a Covid-19-related death and personal protective equipment (PPE) for journalists. “Our regular monitoring found that journalists reporting on Covid-19 were working in risky situations, so we lobbied with the government for PPE and a relief package for journalists,” says Ihtsham-ul-Haq, PFUJ Information Secretary.

### JOINT ADVOCACY INITIATIVES

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

In Nepal, the FNJ, NPU and National Union of Journalists-Nepal came together in early 2020 to jointly advocate against the controversial media council bill and information technology bill and also pending salaries for journalists.

In a show of regional solidarity, SAMSAN members initiated a joint campaign launched a social media campaign to highlight Kashmir's ongoing internet controls under a government-imposed communication shutdown that imposed since August 5, 2019, and continues to impact 4G mobile internet amid the COVID-19 pandemic. The IFJ-SAMSAN campaign “Postcards from Kashmir: Inside the world's longest internet shutdown” successfully drew attention to the personal stories of journalists affected by shutdowns and to raise awareness on internet controls as an abuse of human rights.

## ONGOING CHALLENGES

### RESOURCE CRUNCH

Across the board, lack of resources for sustained MRM training, monitoring and maintenance of databases plagues the process. The turnover in trained monitors and lack of resources to conduct more frequent training hampers the work. “As unions by and large are run voluntarily by leaders and depend largely on membership fees, the first challenge is to manage funds for regular media rights monitoring,” says Bedabrata Lahkar. So a key question is: How can unions and others monitoring media create sustainable, strong and continuous monitoring of rights violations in these spaces?

### FEAR OF REPERCUSSION

“In some cases, we have identified media rights violations in the media itself, but often we do not have adequate support from the journalists to take the issue forward,” says Duminda Sampath, President of Sri Lanka Working Journalists Association. According to him, due to possible backlash, most journalists are cautious to share rights violation issues particularly from media houses and media managements. Sabita Lahkar, a journalist in Guwahati: “Many journalists in India are compelled to continue with their work without appointment letters, how can they take forward the case of violation by media management.” So while violations are noted, there is a case for effective mapping and monitoring of such cases to take stronger, collective action against repeat offenders and in hot spots.

### DIVISIONS AND LACK OF UNITY

Divisions and competition between media organisations and unions is another challenge which weakens collective action which could have been strengthened by pooling together meagre resources to create more comprehensive approaches both in monitoring and in seeking donor support.

### LACK OF CONSISTENCY

A key challenge is maintaining continuity in monitoring. Turnover in union activists and staff and weak channels of institutional handover and sharing of skills leads to a situation where newer staff and union members are not trained in the standardised systems in use across the region. Hence, following guidelines in recording violations and maintaining a standardised database is a challenge. These are all issues for consideration in developing future strategies.

### NEED TO STRENGTHEN GENDER PERSPECTIVE

As with regular training in MRM, high turnover of staff and media monitors without adequately developed channels of sharing skills and trainer transition means that gender perspectives are not institutionalised in a context where participation of women in the media and in unions, especially in decision-making positions, is low.

### CHANGING MEDIA LANDSCAPE

Digitisation has led to the emergence of new forms of violations and therefore new challenges for MRM as well. News generation by citizens, bloggers and vloggers have also broadened the field dramatically. MRM organisations are finding it hard to keep abreast of more immediate challenges and responses to violations such as trolling, hacking, doxing, identity theft etc.

### WAY FORWARD

How can under-resourced member organisations strengthen the backbone of campaign and advocacy work? This can be done by building capacities, enhancing skills, sourcing sustainable



Activists from Free Media Movement in Colombo on January 28, 2020 hold a vigil to pay tribute to journalists killed while doing their jobs. CREDIT: LAKRUWAN WANNIARACHCHI / AFP

funding and energising networks in the following ways:

- Manage sustainable funding sources
- Establish a separate MRM desk with trained monitors
- Develop cost-effective training techniques
- Maintain efficient databases with easily retrievable location and violation-based data
- Develop and periodically review and evaluate MRM guidelines and formats
- Strengthen gender sensitivity and meaningful participation of women in MRM monitoring and advocacy efforts
- Strengthen skills of media monitors through regular mentoring
- Engage digital media, experts and technologists to maximise new technologies and social media for advocacy
- Share national experience and good practices

Research by:

India: Ras Bihari and Bedabrata Lahkar in India

Maldives: Ifham Niyaz

Nepal: Tika Pradhan and Yam Birahi

Sri Lanka: Viranjana Herath.

IFJ research co-ordinator: Umesh Pokharel

The IFJ will continue its IPDC media rights monitoring project in 2020 in India, Nepal, Maldives and Sri Lanka. National research reports will now go into developing revised training modules with assessment and inputs by experts in the region.

**For more information, contact Umesh Pokharel at [southasia@ifj-asia.org](mailto:southasia@ifj-asia.org)**  
**For more SAMSN and IFJ monitoring, visit <https://samsn.ifj.org/>**

# JOURNALISTS DETAINED IN SOUTH ASIA

## (MAY 1, 2019 – APRIL 30, 2020)

The IFJ documented cases of 50 journalists detained or jailed in South Asia from May 2019 to April 2020.

In Afghanistan, ten journalists were arrested or detained for short periods for crimes such as criticism of government or alleged links to the Taliban but most were released within hours after the intervention of media advocacy groups, unions and the joint committee on government and media. In the period, 30 journalists were detained for 24 hours or less, highlighting issues of threat and intimidation to silence journalist reporting in the region.

India again was the region's leader in detention and incarceration of journalists for longer periods, with ten journalists detained or jailed in the year, compared to eight the previous year, including the ongoing incarceration of Asif Sultan from 2018. Concerningly, a large number of journalists continued to be charged for sharing content on social media platforms, with an overwhelming majority of cases relating to politicians or political media coverage.

Four journalists currently remain behind bars in the region; two in Bangladesh, one in India and one in Pakistan. The case of Pakistan's Mir Shakil-ur-Rehman remained in news headlines in March and April 2020. The editor-in-chief of the Jang and Geo Media Group was arrested on March 12 on a case dating back 34 years.

Bangladesh still sits on a critical watch list for the IFJ with six journalists detained or in continuing incarceration in the period.

Detainment and arrests increased drastically in Nepal, from four the year prior to 24 in the current period. This was largely a result of police propensity to round up and detain journalists at protests.

Of the 50 detained, at least 10 journalists were released on bail. Nasrullah Chaudhry, who was arrested in Karachi on allegations of carrying journals and booklets about Afghan Jihad and the Punjabi Taliban on December 11, 2019, was acquitted by the Sindh High Court on April 9, 2020.

### TOTAL JAILED OR DETAINED:

Currently in jail: 4  
Detained for more than one week: 14  
Detained for less than one week: 4  
Detained for one day or less: 30  
TOTAL: 52  
(Women jailed: 1)

### TOTAL JAILED OR DETAINED BY COUNTRY IN SOUTH ASIA

Afghanistan: 11  
Bangladesh: 3  
Bhutan: 0  
Nepal: 23  
India: 10  
Maldives: 0  
Pakistan: 3  
Sri Lanka: 1

### JAILED JOURNALISTS – CURRENTLY IN JAIL

#### BANGLADESH

**Name:** Abul Asad  
**Gender:** Male  
**Detained:** December 13, 2019  
**Job:** Editor, *Daily Sangram*  
**Accusation:** Asad was arrested for describing an executed opposition leader convicted for war crimes as a “martyr” in a Bengali-language newspaper published on December 12. The article referred to Abdul Quader Molla, who was hanged over crimes committed during Bangladesh's 1971 war of independence. When the article was published, Hatirjheel Police Station filed a case against Asad under the Digital Security Act.  
**Status:** Currently in jail.

**Name:** Ariful Islam  
**Gender:** Male  
**Detained Date:** March 13, 2020  
**Job:** Journalist, *Bangla Tribune*  
**Location:** Kurigram, Bangladesh  
**Accusation:** Islam was charged and convicted with alleged possession of

450ml of liquor and 100g of hemp by a mobile court after a midnight raid. The court sentenced him to one year in prison and a fine of BDT 50,000 (USD 560).

**Status:** Currently in jail.

#### INDIA

**Name:** Asif Sultan  
**Gender:** Male  
**Detained:** August 27, 2018 (Sultan was held in police lock-up from August 27 until being formally arrested on August 31)

**Job:** Assistant editor, *Kashmir Narrator*

**Location:** Srinagar, Jammu and Kashmir, India

**Accusation:** Sultan was charged under the Unlawful Activities (Prevention) Act, an anti-terror law which has come under sharp criticism for curtailing freedom of expression. The journalist was charged for publishing a feature 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.

#### PAKISTAN

**Name:** Mir Shakil-ur-Rehman  
**Gender:** Male

**Detained:** March 12, 2020  
**Job:** Editor in chief, Jang & Geo Media Group

**Location:** Karachi, Pakistan

**Accusation:** Rehman was arrested following an investigation by the National Accountability Bureau (NAB) into allegations that a property he purchased 34 years prior had been bought illegally. Jang & Geo Media Group is one of the largest media groups in Pakistan and is famous for its critical investigations of Pakistani politicians.

**Status:** In solitary confinement in a NAB facility. Yet to be formally charged.

### JOURNALISTS JAILED FOR MORE THAN ONE WEEK

#### BANGLADESH

**Name:** Mohammad Abdul Kaium,  
**Gender:** Male  
**Detained:** May 12, 2019  
**Job:** Editor, *Mymensinghlive*  
**Location:** Mymensingh District, Bangladesh  
**Accusation:** Kaium, a journalist and IT professional, was arrested

for illegally carrying US dollars and dealing in currency exchange. He was detained after he allegedly received US currency for a provided IT service to a client who was a relative of a member of parliament for the ruling Awami League. He was charged with digital/electronic fraud and for publishing or sending of offensive, false or fear inducing or defamatory information.  
**Status:** Released on bail on July 3, 2019

#### INDIA

**Name:** Anuj Shukla (M) & Ishita Singh (F)

**Detained:** June 8, 2019

**Job:** Journalists, Nation Live News

**Location:** Uttar Pradesh, India

**Accusation:** Shukla and Singh were arrested for sharing a video on Twitter which was deemed to defame the chief minister of Uttar Pradesh, Yogi Adityanath. The video contained claims made by a woman against the minister.

**Status:** Released on bail on June 19, while Shukla was released on bail on July 21.

**Name:** Qazi Shibli

**Gender:** Male

**Detained:** July 25, 2019

**Job:** News editor, *The Kashmiriyat*

**Location:** Kashmir, India

**Accusation:** Shibli was arrested after tweeting an official order regarding the deployment of paramilitary troops across the Kashmir region that allegedly leaked crucial details about imminent troop movements in Jammu and Kashmir. He was charged under the Public Safety Act.

**Status:** Released on April 23, 2020.

**Name:** Santosh Jaiswal

**Gender:** Male

**Detained:** September 6, 2019

**Job:** Journalist, *Jansandesh Times*

**Location:** Uttar Pradesh, India

**Accusation:** Arrested for taking photos and videos of children mopping floors at a local primary school in Uttar Pradesh on September 6 and sending them to police to bring to notice the illegal practice. Jaiswal was arrested over accusations of “extortion and obstructing public servants from doing their duty”.

**Status:** Released on bail on November 20, 2019.

**Name:** Zubair Ahmed

**Gender:** Male

**Detained:** April 27, 2020



**IN THE PERIOD, 30 JOURNALISTS WERE DETAINED FOR 24 HOURS OR LESS, HIGHLIGHTING ISSUES OF THREAT AND INTIMIDATION TO SILENCE JOURNALISTS REPORTING IN THE REGION.**

**Job:** Freelance journalist  
**Location:** Andaman, India  
**Accusation:** Freelance journalist Zubair Ahmed is arrested and taken to Aberdeen police station for his tweet asking why a family has been put under quarantine for a phone call with Covid-19 quarantine patients. Police charged Zubair under the Disaster Management Act for obstruction, disobedience and the publishing of information that may cause alarm to the public.  
**Status:** Released on bail on April 28, 2020

## NEPAL

**Name:** Khem Thapaliya  
**Gender:** Male  
**Detained:** August 10, 2019  
**Job:** Editor-in-chief, *Jaljala*  
**Location:** Kathmandu, Nepal  
**Accusation:** Police arrested Thapaliya for alleged involvement in the outlawed Chand-led Nepal Communist Party after the party was declared a criminal outfit by the government and all its activities banned in March 2019.  
**Status:** Released on August 26, 2019.

**Names:** Rabi Lamichhane & Yubaraj Kandel  
**Gender:** Male  
**Detained:** August 15, 2019  
**Job:** Journalists, News24  
**Location:** Chitwan, Nepal  
**Accusation:** Lamichhane and Kandel were arrested for their alleged connection to the suspicious death of journalist Shaligram Pudasaini, who was found hanging in a hotel of Chitwan on August 5. The journalist had accused them and others for the suicide in a video that was said to be taken by Pudasaini before killing himself.  
**Status:** Released on bail on August 26, 2019.

**Name:** Om Bahadur Hamal  
**Gender:** Male

**Detained:** August 23, 2019  
**Job:** Editor, *Janasanchar.com*  
**Location:** Pokhara, Nepal  
**Accusation:** Charged with sedition for allegedly supporting the banned Communist Party of Nepal led by Netra Bikram Chand.  
**Status:** Released on September 10, 2019.

**Name:** Jitendra Maharjan  
**Gender:** Male  
**Detained:** April 9, 2019  
**Job:** Editor, *Nhugu Jwojoppa*  
**Location:** Kathmandu, Nepal  
**Accusation:** Police arrested and charged Maharjan under crimes connected to state and organised crime. He was alleged to have close relations with the Netra Bikram Chand-led Communist Party of Nepal, which was branded a criminal outfit by the government in March 2020.  
**Status:** Released on bail on April 30, 2019

## PAKISTAN

**Name:** Azhar-ul Haq Wahid  
**Gender:** Male  
**Detained:** January 16, 2020  
**Job:** Reporter, Channel Five TV & *Khabrain*  
**Location:** Karachi, Pakistan  
**Accusation:** Wahid was detained for criticising the Pakistani government for comments on Facebook, that were alleged to be 'anti-state' and defamatory, including comments against former military general Pervez Musharraf. He was also accused of sharing an offensive version of Pakistan's national anthem on social media.  
**Status:** Released on bail on March 26, 2020.

**Name:** Nasrullah Chaudhry  
**Gender:** Male  
**Detained:** December 11, 2019  
**Job:** Journalist, *Nai Baat*  
**Location:** Karachi, Pakistan  
**Accusation:** Chaudhry was arrested on the allegations of carrying

journals and booklets about Afghan Jihad and the Punjabi Taliban. The items were said to include materials that help sow disharmony on sectarian grounds and motivate people to take part in jihad. The charge-sheet alleged Chaudhry had links with al-Qaeda leader Khalid Mukshi.  
**Status:** Acquitted by the Sindh High Court on April 9, 2020.

## SRI LANKA

**Name:** Mohammed Rizvi Maharroof  
**Gender:** Male  
**Detained Date:** May 27, 2019  
**Job:** Journalist  
**Location:** Anuradhapura, Sri Lanka  
**Accusation:** Maharroof was arrested on suspicion regarding the possession of 326 CDs alleged to contain sermons and other publicity material of the National Thowheed Jamath, which was accused of carrying out the Easter Sunday attacks in April 2019.  
**Status:** Released on bail after one week.

## JOURNALISTS DETAINED FOR LESS THAN ONE WEEK

- **Gawhar Safi (M), 08-10/4/20, Kunar Province, Afghanistan:** Arrested for criticizing the Kunar governor's office about its use of the of the 'anti-corona' budget. Released after intervention from media advocacy groups.
- **Prashant Kanojia (M), 08-11/06/19, Uttar Pradesh, India:** Arrested for sharing a video deemed as 'defaming' the chief minister of Uttar Pradesh, Yogi Adityanath, on Twitter. Released on bail.
- **Ghulam Jeelani Qadri (M), 24-25/06/19, Kashmir, India:** Arrested for alleged involvement in terrorist and disruptive activities 27 earlier linked with his news agency JAK News. Released on bail.
- **Rahul Kulkarni (M), 14-16/04/20, Osmanabad, India:** Arrested over a report on the recommencement of trains in Bandra after it allegedly prompted mass gathering of migrants during the Covid-19 lockdown. Released on bail.

## JOURNALISTS DETAINED 24 HOURS OR LESS

- **Nine (9) journalists detained together at a protest in Dhanusha, Nepal – 12/06/19 –** RN Biswas (M), Shyam Sundar Yadav (M), Baidhanath Yadav (M), Nabin Kumar Gupta (M), Bhusan Kumar Singh (M), Bindu Yadav (M), Dharmapal Raut (M), Gopal Gupta (M), Parish Karna (M).
- **Asadullah Samim, Paktika, Afghanistan, 23/07/19 (M)**
- **Sajan Saud, Pokhara, Nepal – 02/08/19 (M)**
- **Nine (9) journalists detained together at a protest in Kathmandu Nepal – 16/09/19 –** Ram Prasad Dahal (M), Ajaya Babu Shiwakoti (M), Janmadev Jaisi (M), Yam Prasad Sharma (M), Min Bam (M), Dilip Paudel (M), Chakra Kuwar (M), Yogendra Balayar (M), Prakash Bahadur Bam (M).
- **Six (6) journalists from Taleem-ul-Islam radio arrested for alleged links to the Taliban in Farah, Afghanistan, 25/09/19 –** Noorul Haq Mazhari (M), Bismillah Amini (M), Habibullah Amini (M), Abdul Qahar Hanif (M), Abdullah Taeb (M), Mohammadullah Imran (M).
- **Abdul Rahim Sekandari, Khost, Afghanistan, 02/10/19 (M)**
- **Habib Kamran, Khost, Afghanistan, 02/10/19 (M)**
- **Kamran Yousuf, Kashmir, India – 16/02/2020 (M)**
- **Gawhar Safi, Kunar Province, Afghanistan, 08/04/20 (M)**

## MEDIA RIGHTS VIOLATIONS IN SOUTH ASIA BY JOURNALISTS' SAFETY INDICATORS (JSI) MAY 1, 2019 – APRIL 30, 2020

IFJ-SAMSN violations monitoring is undertaken by the IFJ Asia-Pacific, together with IFJ affiliates in South Asia. IFJ mapping provides specific categorisation of violations of journalists' rights across the region by UNESCO Journalists' Safety Indicators (JSIs). These indicators are further categorised by IFJ classifications.

### SOUTH ASIA VIOLATIONS BY JOURNALIST SAFETY INDICATORS (JSIS)

1. THREATS AGAINST THE LIVES OF JOURNALISTS – 19
  2. OTHER THREATS TO JOURNALISTS – 80
  3. NON-FATAL ATTACKS ON JOURNALISTS – 65
  4. KILLINGS OF JOURNALISTS – 16
  5. THREATS AGAINST MEDIA INSTITUTIONS – 35
  6. ATTACKS ON MEDIA INSTITUTIONS – 4
- TOTAL: 219 VIOLATIONS RECORDED**

#### \*\* IFJ INDICATORS:

- A. ARRESTS/JAILING: 52
- B. ATTACKS/THREATS AGAINST FREELANCERS: 2
- C. ATTACKS/THREATS ON RURAL, REGIONAL OR MINORITY JOURNALISTS: 81
- D. DEFAMATION CASES/THREATS: 4
- E. DISAPPEARANCES: 2
- F. GENDER-BASED ATTACKS: 8
- G. LEGAL CASES: 3
- H. LEGISLATION/GOVERNMENT CONTROLS: 8
- I. ONLINE ATTACKS/INTERNET SHUTDOWNS: 9

**Notes:** Internet shutdowns for the purpose of monitoring are recorded as an attack on the media. Intimidation and harassment are considered as threats to journalists. The shutdowns recorded here indicate those where IFJ has issued statements. A more detailed listing of shutdowns is recorded on the IFJ Shutdown Listing. Arrests and jailing are listed under threats to journalists but further detailed under the IFJ indicators above.

## AFGHANISTAN

1. THREATS AGAINST THE LIVES OF JOURNALISTS – 11
  2. OTHER THREATS TO JOURNALISTS – 19
  3. NON-FATAL ATTACKS ON JOURNALISTS – 25
  4. KILLINGS OF JOURNALISTS – 6
  5. THREATS AGAINST MEDIA INSTITUTIONS – 5
- TOTAL: 66 VIOLATIONS RECORDED**

#### \*\* IFJ INDICATORS:

- A. ARRESTS/JAILING: 11
- C. ATTACKS/THREATS ON RURAL, REGIONAL OR MINORITY JOURNALISTS: 48
- F. GENDER-BASED ATTACKS: 5

### THREATS AGAINST THE LIVES OF JOURNALISTS

**May 9, 2019: Puli Khumri (C)**

Ismail Sadat, from Sima radio, is threatened by armed men.



Mina Mangal, parliamentary adviser and former journalist is shot dead on May 11 in Kabul on her way to work. Mangal received death threats for months before her murder. CREDIT: AIJA

**May 19, 2019: Takhar (C)**

Irfan Bazgar and Shafiqullah Poya journalists of Salam Watandar radio and Khorshid TV are threatened by the provincial commander of Takhar for sharing news without coordination with the commander.

**July 6, 2019: Uruzgan (C)**

Fazal Ahmad Basharmal and Sardar Wali Samsoor, radio reporters with Paiwastoon Ghag, are threatened by the Taliban.

**July 7, 2019: Ghazni (C)**

Ramizullah, manager of Samaa radio, is threatened by the Taliban.

**November 5, 2019: Baghlan (C)**

Adiburahman Fazli, a publisher at a local television station in the Baghlan province is threatened by unknown armed men.

**December 2, 2019: Logar (C)**

Matiullah Sarwar, manager of Paiwand Milli radio, is threatened by Shahpor Hasanzai, a member of parliament from Logar.

**December 7, 2019: Uruzgan (C)**

Sharifullah Sharafat, reporter with Azadi radio, is threatened by local scholars for publishing a report about an unregistered madrassa in Uruzgan province.

**December 15, 2019: Nangarhar (C)**

Hamid Ahmadi, a reporter with Enekaas Radio Television, is threatened by the Taliban. Local officials provided temporary security.

**January 18, 2020: Badghis (C)**

Sayed Abdul Rahim, editor-in-chief of Haniza Radio, is threatened by unidentified men. A protection plan is put in place.

**January 18, 2020: Kabul**

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

**January 27, 2020: Farah (C)**

Mohammad Ibrahim, a reporter for Uroj TV;

Ahmad Shah Fikrat, editor-in-chief of Dunya Radio; and Hamidullah Hamidi, editor-in-chief of Neshad Radio receive death threats over the telephone.

### OTHER THREATS TO JOURNALISTS

**May 15, 2019: Semangan (C)**

Abdul Rahman Saeed, a journalist with Shahrwand radio in Samangan province, is insulted by the assistant governor.

**June 18, 2019: Kabul**

Photographer and comedians Naweed Nayel, Qudratullah and Qais, of Maiwand and Khorshid TV, are beaten by the locals of Mir Bacha Kot district of Kabul after they were accused of insulting and humiliating a number of elders in a program.

**July 4, 2019: Nangarhar (C)**

Mikael Farooqi, a reporter for the Farhat news agency, is assaulted and threatened by police soldiers while trying to film. While trying to film a protest at the Pakistan embassy, a police soldier grab the journalist and deletes his images and footage. He is also prevented from interviewing visa clients.

**July 11, 2019: Takha (C)**

Journalists are prevented from entering a prison in Takhar province during a prison strike. Prison authorities say this is to prevent injuries.

**July 23, 2019: Herat (C)**

A publisher for Baran radio, Asadullah Samim, is arrested by the National Directorate of Security (NDS).

**July 23, 2019: Balkh (C) (F)**

Rahima Yazdani, a reporter for the Afghan Women Awareness Association (AWAA), is insulted by the head of Salam Telecommunications and a company guard. She directs her complaint to the crime management office.

**August 4, 2019: Kabul**

Reporter Omid Nabizada and videographer Nawid

Muhammadi, of 8AM News Press, are insulted by the president's protection service on the first day of election campaigning in Loya Jarga.

#### **August 20, 2019: Zabul (C)**

Abdul Qayom Ajez, a reporter in Zabul, is insulted and humiliated by the director of women's affairs.

#### **August 31, 2019: Kabul**

Members of the media are insulted by Roohullah Ahmadzai, a spokesperson of the ministry of defence.

#### **September 3, 2019: Samangan (C)**

Journalists are verbally abused by guards of the vice governor office, who is also head of the Afghanistan Journalists' Protection Committee.

#### **September 14, 2019: Kandahar (C)**

Faiz Muhammad and Qudratullah Rezwan, of Warangi local radio, are insulted by unknown people.

#### **September 25, 2019: Farah (A) (C)**

Six employees of Taleem-ul-Salam radio station are arrested by National Directorate of Security (NDS) forces on charges of alleged links to the Taliban. Twelve computers, nine telephones and three recorders are searched. They are released after 12 hours with no charges laid or evidence found.

#### **September 28, 2019: Parwan (C)**

Maqbool Noori, a reporter from Salam Watandar radio, is insulted and humiliated by the brother of the head of the provincial assembly.

#### **September 29, 2019: Helmand (C)**

Journalists Abdul Aziz Safdari (Sheen Hawa news agency), Sefatullah Zahidi (Salam Times), Abdullah Hamim (Tolo News), Rafiullah Pashton (Zhwandon TV), and Abdul Wali Tawhidi (Melma local radio) are insulted by the chief of police of Helmand Province.

#### **October 2, 2019: Khost (A) (C)**

Abdul Rahim Sekandari, a reporter for Salam Watandar, and Habib Kamran, a reporter for Sahar news, are arrested by National Directorate of Security (NDS) forces on charges of weakening the system and insulting the president.

#### **November 7, 2019: Takhar (C)**

Najeebullah Nazari, manager of Maahe Naw TV, is insulted during an address by the governor.

#### **December 6, 2019: Balkh (C)**

Yaqoob Azorda, a reporter from Tamadon TV, is insulted by the director of Balkh University.

#### **March 12, 2020: Kabul**

Zahra Rahimi, a reporter for Tolo News, is insulted by local police in the second police district.

#### **March 12, 2020: Samangar (C)**

Local radio reporters Shamsudin Merzai, Slahudin Bawar and Mahboob Al Rahmani Sahi, are insulted by local government officials.

#### **April 8, 2020: Kunar (A) (C)**

Gawhar Safi, the editor-in-chief of Zula Radio, is arrested by National Directorate of Security (NDS) forces under the orders of the Kunar governor for criticizing his performance on the use of the anti-Corona budget.

## **NON-FATAL ATTACKS ON JOURNALISTS**

#### **May 13, 2019: Faaryab (C)**

Muhammad Ayub Amini, a photographer at Ayena TV, is beaten by members of National Directorate of Security (NDS) forces.

#### **May 25, 2019: Jalalabad (C)**

Imran lemar, a journalist of Mazal local radio station, is injured by unknown assailants and is admitted to hospital intensive care with serious injuries.

#### **June 2, 2019: Kabul**

Journalists Jawed Kargar and Muhammad Faseh Motawakkel of Peshgo news agency and Killid radio station, are wounded while reporting on an attack for which ISIS claimed responsibility. The perpetrators were killed in an operation by security forces.

#### **July 4, 2019: Nangarhar (A) (C)**

Michael Farooqi, a reporter of Farhat news agency, is beaten and insulted by the police. Farooqi is arrested but the case is dismissed.

#### **August 28, 2019: Uruzgan (C)**

Reporter Muhammad Nasim Watandost is beaten by a soldier for the national army in Uruzgan.

#### **August 30, 2019: Kabul**

Farid Toghri, of Uzbek News at Noor TV, is beaten in Kabul. The attackers are arrested.

#### **September 27-29, 2019: National – Afghanistan (C)**

At least three journalists are attacked during the fourth round of Afghanistan's presidential elections held on September 28. Rahmatullah Nikzad, a reporter for Al Jazeera TV, is injured when a bullet hit him in his leg in Ghazni province on September 27, a day before the election. Abdul Rahman Hamad, of Kawoon Ghag Radio, is wounded in an attack on September 28 in Baghlan province. On September 29, journalist Maqbol Noori, of Salam Watanda is threatened verbally attacked and his phone confiscated.

#### **November 7, 2019: Kabul**

Jamshed Yama Amin, the manager of Keshwar news agency, is beaten by a police officer while preparing a report on an election rally.

#### **November 30, 2019: Lashkar Gah, Helmand (C)**

A roadside bomb seriously injures Sardar Mohammad Sarwari, a reporter with Shamshad TV, who is travelling in a military convoy from Lashkargah to Marjah. Sarwari sustains severe injuries to his head and leg from a Taliban attack on the convoy. Sardar is one of three civilians injured in the attack. Two security officials are also killed.

#### **December 11, 2019: Faryab (C)**

Qutbodin Kohi, a reporter from the Pajhwak news agency, is kidnapped by the Taliban near Faryab-Andkhoy highway.

#### **January 1, 2020: Takhar (C) (F)**

Musamat Arezo, a reporter for Berlik Radio, is allegedly raped by Mohammad Ehsan. Authorities are investigating the case.

#### **January 1, 2020: Nangarhar (C)**

A police officer beats and insults five journalists in Nangarhar province.

#### **January 7, 2020: Herat (C)**

Sunam Nikzad, the host of local TV entertainment program, is injured and police open an inquiry into the case. Sonam Nikzad, was stabbed by two motorcyclists when he left the university at 8 am and tried to cross the public road. The perpetrators fled. The case was pursued by the police.

#### **January 18, 2020: Paktia (C)**

A group of journalists from Shamshad TV, headed by Delsouz Safi, are abducted by anti-government militants. Local police and intelligence agency officers intervene to rescue the journalists.

#### **January 18, 2020: Herat (C) (F)**

Female journalists lodge a complaint about lack of security and gender discrimination in a letter to the Afghanistan Federation of Journalists. An inquiry is instigated.

#### **January 27, 2020: Kabul**

Fazal Haq Haydari, a program officer at Maaref TV, is threatened over the phone.

#### **February 12, 2020: Kabul**

Zabihullah Jahanmal and Bahis Mujadadi, reporters for Tolo TV, are insulted and their recorded videos are forcibly deleted by a guard commander from Afghanistan's finance ministry.

#### **March 5, 2020: Parwan (C)**

A group of journalists for various media outlets are forced to leave the office of Shah Wali Shahed, a deputy for Parwan governor. Shaye Qasimi. A freelance journalist is directly insulted by the Parwan governor.

#### **March 5, 2020: Ghor (C)**

Reporters in the province are insulted by members of the health department of the province.

#### **March 6, 2020: Uruzgan (C)**

Sharifullah Sharaft, a reporter for Radio Azadi, receives a death threat from local mullahs.

#### **March 6, 2020: Kabul**

Kabul News TV's reporter Mansour Nikmal and cameraperson Najim Sultani are wounded when members of the Islamic State attack a commemorative event in Kabul when the ceiling at the program venue collapses after IS gunman open fire in the hall. At least 32 people were killed and another 58 civilians wounded in the attack.

#### **March 8, 2020: Kunduz (C)**

Noor Rahim Atif, editor-in-chief of Kaihan Radio in Kunduz province, is kidnapped nearly 10 km from the city by the Taliban.

#### **March 8, 2020: Zabul (C)**

Mohammad Esa Qalamyar, reporter for National TV, is abducted by the Taliban. He is released the following night.

#### **March 12, 2020: Kunduz (C)**

Noor Rahim Ateef, editor-in-chief of Kayhan Radio, is abducted by the Taliban and later released.

## **KILLINGS OF JOURNALISTS**

#### **May 11, 2019: Kabul (F)**

Mina Mangal, parliamentary adviser and former journalist is shot dead on May 11 in Kabul on her way to work. Mangal, who served as television presenter for more than 10 years, was working as an adviser to the Cultural Commission of Wolesi Jirga when the incident happened. She had received death threats in the months preceding her murder.

**June 9, 2019: Zabul (C)**

Sakhi Baloch, a technical assistant of the National Radio Television in Zabul province, is abducted by unknown people on his way home. He is found dead the next day in Qalat city

**July 1, 2019: Kabul (F)**

Abdul Rauf Eymal Zay, a security guard of Shamshad TV, is shot dead while another seven Shamshad TV workers are injured in a car bomb explosion. The guard was shot dead as he walked onto the street where Afghan security forces and foreign troops were deployed. Five men and two women media workers from Shamshad TV were injured in car bomb attack which is reported to have been targeting defence and government offices in the area. The Taliban claimed responsibility for the blast.

**July 12, 2019: Gardiz (C)**

Editor-in-chief for Radio Gardez Ghar, Nader Shah Sahebzadeh, disappears after leaving his home in Gardiz city to visit a friend. His body is found the next day. The case was investigated and the person accused of the murder is prosecuted.

**September 24, 2019: Kandahar (C)**

Abdul Hamid Hotaki, a political talk show host at the Hewad independent public media group, is critically injured in an explosion near the campaign office of President Ashraf Ghani, in the southern city of Kandahar. He dies from his injuries the next day. Afghanistan's Interior Ministry blamed Taliban militants for the attack. Hotaki was on his way to pick up medicine from a clinic when he was caught in the bombing. The explosion also killed three other people, including a child. Seven others were wounded in the blast.

**January 1, 2020: Lashkar Gah, Helmand (C)**

Safar Mohammed Atal, a technical worker at Samoun Radio, goes missing. His body is found the next day in Safiyan area of Lashkar Gah. The motive of the murder remains unknown.

## THREATS AGAINST MEDIA INSTITUTIONS

**July 7, 2019: National – Afghanistan**

The Taliban threatens media outlets Tolo TV, Aryana TV, Khama agency press, Khorshid TV, Negaah TV, Farda TV, Zhwandon TV, Killid Radio and Shamshad TV after the broadcast of footage that could lead to the targeting or arrest of its members.

**July 15, 2019: Ghazni (C)**

Samaa radio is suspended due to security threats by the Taliban in Ghazni province. After the crime management department intervenes, the radio recommences operation.

**April 8, 2020: Daikundi (C)**

Mirza Hassani Subhani Allah, a member of the provincial council, threatens to close down Aftab Radio and Radio Rasana following a news report on the mismanagement of the budget for fighting Covid-19.

**January 18, 2020: Baghlan Province (C)**

Arman Shahr Radio faces security threats. The local police develop a plan to protect the radio station.

**February 9, 2020: Kabul**

After a series of threats directed at Afghanistan's independent media, the Taliban issues a

statement against the media portal *khabarial.com*, signed by the spokesperson Zabihullah Jujahed. After the Taliban's statement, 80 per cent of *khabarial.com* staff quit their jobs because of the ongoing punitive Taliban threats.

## BANGLADESH

**1. THREATS AGAINST THE LIVES OF JOURNALISTS – 0****2. OTHER THREATS TO JOURNALISTS – 6****3. NON-FATAL ATTACKS ON JOURNALISTS – 7****4. KILLINGS OF JOURNALISTS – 1****5. THREATS AGAINST MEDIA INSTITUTIONS – 5****6. ATTACKS ON MEDIA INSTITUTIONS – 1****TOTAL: 20 VIOLATIONS RECORDED****\*\* IFJ INDICATORS:****A. ARRESTS/JAILING: 5****C. ATTACKS/THREATS ON RURAL, REGIONAL OR MINORITY JOURNALISTS: 5****E. DISAPPEARANCES: 2****F. LEGAL CASES: 1****G. LEGISLATION/GOVERNMENT CONTROLS: 2****H. ONLINE ATTACKS/INTERNET SHUTDOWNS: 3**

## OTHER THREATS TO JOURNALISTS

**May 26, 2019: Jamalpur (C)**

Mustafa Monju, *Kaler Kantho's* Jamalpur correspondent is attacked and seriously injured in an attack by a group of people while was investigating the use of forged documents for land registration at the Sadar sub-registrar office. The attack is allegedly led by the ward councillor of Jamalpur 2 and stamp vendor Hasanuzzaman Khan Runu.

**December 13, 2019: Dhaka (A) (H)**

**Police in Dhaka arrest Abul Asad, editor of *Daily Sangram*, after the newspaper referred to Abdul Quader Molla hanged over crimes committed during Bangladesh's 1971 war of independence, as a "martyr". A case is filed under the Digital Security Act.**

**January 5, 2020: Khulna**

Staffers of a Chinese company working on water supply and sewerage (WASA) project harass Ekattor TV's Khulna Bureau Chief Rakib Uddin Pannu for reporting on the project. His camera equipment is also damaged.

**February 11, 2020: Dhaka**

Reporter Fakhrul Islam and cameraman Sheikh Jalal of News24 are attacked when covering a raid by the Customs Intelligence and Investigation Directorate (CIID) at Noyabazar area. The attackers snatch their camera and backpack.

**March 12, 2020 : Dhaka (A)**

A case against television journalist Mahbub Alam Lavlu is filed by Shiqur Rahman, a resident of Hosni Dalan Road, on the allegation of spreading false and defamatory news through his YouTube channel. He is arrested under the Digital Security Act.

**April 13, 2020: Bogra (A) (C)**

Shahjahan Ali Babu and Mazed Rahman, district correspondents for Ekattor Television and Somoy Television are harassed and detained by a police officer.

## NON-FATAL ATTACKS ON JOURNALISTS

**May 12, 2019: Mymensingh (A)**

Mohammad Abdul Kaium, the editor of news portal *Mymensinghlive* is arrested and allegedly tortured in custody. He is released on bail on July 3.

**August 3, 2019: Dhaka (E)**

Mushfiqur Rahman, a senior reporter of Mohona TV is allegedly abducted after boarding a Mirpur-bound bus from Gulshan. The abductors were said to spray a liquid substance on his face and beat him severely. He had earlier received threats for his news coverage.

**December 18, 2019: Jamalpur**

Shelu Akondo, a correspondent for *Bangla Bazar Patrika* and *Polly Kontho Protidin*, is severely beaten and his legs broken by a local leader of the Bangladesh Chhatra League, the student wing of ruling party. He is attacked with metal bars while on his regular evening walk near the Brahmaputra river.

**February 1, 2020: Dhaka**

At least nine cases of attacks on journalists and obstruction to reporting are documented during the Dhaka North and South city elections. Media workers across Dhaka from *Agami News*, *Bangla Daily*, *The Daily Star*, *Banglavisian TV*, *Press Bangla Agency*, *Bangladesh Partidin*, *Business Standard*, *Poribortan.com*, *Jugantor Daily*, *Daily Nayadiganta* and *Daily Inqilab* are assaulted at polling booths. Some journalists are denied entry into polling stations. Dipon Dewan, of Banglavisian Television, is barred from entering polling booths at Uttara High School.

**March 10, 2020: Dhaka (E)**

Shafiqul Islam Kajol, a photographer and editor of *Pakkhakal Shafiqul*, goes missing after being accused by the ruling Awami League of disseminating false information. A day before his disappearance, Kajol is accused of publishing false information under the Digital Security Act, along with 31 others including Matiur Rahman Chowdhury, the editor-in-chief of the Bangla daily *Manab Zamin*.

**March 13, 2020: Kurigram (A) (C)**

Ariful Islam, Kurigram-based journalist at *Bangla Tribune*, is arrested for alleged possession of 450ml of liquor and 100g of marijuana and sentenced within a few hours by a "mobile court". He is taken to the Kurigram deputy commissioner's office and reportedly tortured. He is convicted and sentenced by the mobile court to one year in prison and fined BDT 50,000 (USD 560). His family and members of the media accuse police of convicting him in retaliation to an article on the misuse of power by Kurigram deputy commissioner Sultana Pervin.

**April 23, 2020: Narsingdi (C)**

Sajal Bhuiyan, Narsingdi district correspondent for SA Television is beaten by men wielding batons while collection information at the office of Amirganj Union Parishad chairman Nasir Uddin Khan's. Sajal was investigating the chairman in connection to the alleged embezzlement of relief rice marked for public distribution to assist Bangladeshi households during the Covid-19 lockdown.



Journalist leaders join a protest rally in front of the National Press Club in Dhaka about ongoing violations against the journalists community in Bangladesh. CREDIT: BMSF.

## KILLING OF JOURNALISTS

**May 22, 2019: Jamalpur**

The body of Ishan Ibn Reza Fagun, the sub-editor of the online news portal *Priyo.com* is found near the railway track in Jamalpur. It is reported that unknown persons beat the journalist to death and dumped his body. The motive for the killing is unknown.

## THREATS AGAINST MEDIA INSTITUTIONS

**May 19, 2019: Dhaka (H) (I)**

Access to *Poriborton.com* is blocked by Bangladesh authorities. The website had earlier received a threat from an incumbent minister to remove a news story or face a shutdown.

**December 28, 2019: Bangladesh / Sweden (I)**

Access to the Sweden-based investigative journalism website *Netra News* is blocked for 72 hours after publishing a report alleging corruption by Obaidul Quader, an influential party leader and a minister in the Awami League government. The report alleged the minister had "received a luxury brand watch in exchange for awarding a lucrative contract".

**March 9, 2020: Dhaka (G)**

Saifuzzaman Shikhor, ruling party lawmaker for Magura 1, files a case against Matiur Rahman Chowdhury, editor-in-chief of *Manab Zamin* daily, its staff reporter Al Amin and 30 others under the Digital Security Act on charge of publishing and sharing of false news.

**April 2, 2020: Dhaka (I)**

The Bangladesh government blocks domestic connections to *BenarNews.org*, an online affiliate of Radio Free Asia, for alleged spread of misinformation amid the Covid-19 pandemic.

**April 18, 2020: Thakurgaon (C)**

Mominul Islam Bhashani, president of Baliadangi upazila Swachchha Sebak League, an associate body of the Awami League political party, files a case against Toufique Imrose Khalidi, the editor-in-chief of *bdnews24.com*; and Mohiuddin Sarker, acting editor of *agonews24.com*, for publishing

news defaming him and the Awami League. Two local correspondents, Shawon Amin and Rahim Shuvo are also sued by Mominul for sharing the story on Facebook.

## ATTACKS ON MEDIA INSTITUTIONS

**December 13, 2019: Dhaka**

Members of Muktijoddho Mancho (Freedom Fighters Platform) and Bangladesh Chhatra League burn copies *Daily Sangram* and vandalise its Dhaka office for a report referring to Abdul Quader Molla, who was hanged over crimes committed during Bangladesh's 1971 war of independence, as a "martyr".

## BHUTAN

1. THREATS AGAINST THE LIVES OF JOURNALISTS – 0
  2. OTHER THREATS TO JOURNALISTS – 0
  3. NON-FATAL ATTACKS ON JOURNALISTS – 0
  4. KILLINGS OF JOURNALISTS – 0
  5. THREATS AGAINST MEDIA INSTITUTIONS – 0
  6. ATTACKS ON MEDIA INSTITUTIONS – 0
- TOTAL: 0 VIOLATIONS RECORDED**

## INDIA

1. THREATS AGAINST THE LIVES OF JOURNALISTS – 0
  2. OTHER THREATS TO JOURNALISTS – 19
  3. NON-FATAL ATTACKS ON JOURNALISTS – 8
  4. KILLINGS OF JOURNALISTS – 4
  5. THREATS AGAINST MEDIA INSTITUTIONS – 6
- TOTAL: 37 VIOLATIONS RECORDED**
- \*\* IFJ INDICATORS:**
- A. ARRESTS/JAILING: 14
  - B. ATTACKS/THREATS AGAINST FREELANCERS: 1
  - C. ATTACKS/THREATS ON RURAL, REGIONAL OR MINORITY JOURNALISTS: 3
  - D. DEFAMATION CASES/THREATS: 4
  - G. LEGAL CASES: 1
  - H. LEGISLATION/GOVERNMENT CONTROLS: 2
  - I. ONLINE ATTACKS/INTERNET SHUTDOWNS: 6

## OTHER THREATS TO JOURNALISTS

**May 2, 2019: Leh (D)**

Two BJP leaders attempt to bribe journalists for favourable poll coverage and then threaten them with a defamation suit for "fake propaganda". The incident is recorded on social media.

**June 8, 2019: Uttar Pradesh (A) (B) (D)**

Three journalists - freelance journalist Prashant Kanojia and Nation Live journalists Anuj Shukla and Ishita Singh - are arrested for sharing a video deemed as 'defaming' Chief Minister Yogi Adityanath.

**June 24, 2019: Jammu & Kashmir (A)**

Ghulam Jeelani Qadri, editor of *Daily Afaaq*, is arrested in late night raid over a 27-year-old terrorism case. He is later released on bail by the Chief Judicial Magistrate, Gowhar Majeed, when police are unable to provide any clear details and specific justification for his arrest.

**July 25, 2019: Jammu & Kashmir (A)**

Qazi Shibli, news editor of *The Kashmiriyat*, is arrested after tweeting an official order regarding the deployment of paramilitary troops that allegedly leaked crucial details about imminent troop movements in Jammu and Kashmir. He is charged under the Public Safety Act.

**August 14, 2019: Jammu & Kashmir**

Irfan Malik, of *Greater Kashmir*, is picked from his residence from Tral in south Kashmir at midnight. He is released after spending one night in custody. No reason is given for his arrest.

**September 6, 2019: Uttar Pradesh (A) (C)**

Journalist Santosh Jaiswal working with *Jansandesh Times* is arrested for taking photos and videos of children mopping floors at a local primary school in Azamgarh district.

**September 8, 2019: Uttar Pradesh**

A complaint against STV Haryana journalist Anoop Khundu is registered by the State Food Civil Supplies & Consumer Affairs Department official. The complaint states a report aired in July featured an alleged fake video of the warehouse aimed at "spoiling the image of the department and the official."

**September 20, 2019: Jharkhand**

Evidence is revealed of the Jharkhand government efforts to influence media reportage by inviting journalists to write about its welfare schemes and offering them money in return. The Jharkhand Working Journalists Union, says the BJP Government of Raghuvar Das issued advertisement in various online and print newspapers by inviting articles on its public welfare schemes, wherein 30 journalists were selected to be paid Rs 15,000 (USD 197) each.

**November 1, 2019: Delhi (I)**

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

**December 19, 2019: Uttar Pradesh (A)**

Journalist Omar Rashid, of *The Hindu*, is taken to Hazratgani police station with activist Robin Verma and accused and threatened as being part of a group of arsonists who vandalised police property and engaged in violence during a protest against the Citizenship Amendment Act. He and Verma are released without charge.

**February 8, 2020: Jammu & Kashmir**

Police summon media workers, Naseer Ahmad Ganie, from *Outlook Magazine*, and Haroon Nabi, from the news agency CNS, for questioning for allegedly publishing a statement from the banned Jammu Kashmir Liberation Front (JKLF) and sharing a post on WhatsApp.

**February 16, 2020: Jammu & Kashmir (A) (D)**

Kamran Yousuf, a multimedia journalist with *NewsClick*, is detained by Pulwama police and interrogated for several hours. Yousuf is taken by police van to the office of the Deputy Superintendent of Police where he is accused of running a Twitter account under the name Kamran Manzoor to post a video of Syed Ali Geelani, a pro-Pakistan freedom leader in Kashmir. It is later established to be a case of mistaken identity.

**March 23, 2020: Delhi and Hyderabad (H)**

Police assault at least four journalists as India begins a nationwide lockdown in efforts to contain the Covid-19. In New Delhi, police stop Naveen Kumar, a reporter with Hindi news channel Aaj Tak. In Hyderabad, three police officers attack Ravi Reddy, the Hyderabad bureau chief for *The Hindu*, when he asks police to allow him through a barricade on his way home from work. Police in Hyderabad also beat and insult Mendu Srinivas, political bureau chief of *Andhra Jyothy*, and hit Mohammed Hussain, a reporter for news site *Siasat*, for alleged lockdown violations while they were returning from work.

**April 2, 2020: Delhi and Uttar Pradesh**

Police in Uttar Pradesh file a First Information Report (FIR) against *The Wire* editor, Siddharth Varadarajan, for alleged 'defamatory' comments against the Uttar Pradesh chief minister, Yogi Adityanath. The police notice requests he appear at the Ayodhya police station, 700 km from his home in Delhi despite a nationwide Covid-19 lockdown.

**April 14, 2020: Osmanabad (A)**

Journalist Rahul Kulkarni is arrested over a report on the recommencement of trains in Bandra after it allegedly prompted mass gatherings of migrants during the Covid-19 lockdown.

**April 18, 2020: Jammu & Kashmir**

Police in Srinagar charge photojournalist Masrat Zahra under the Unlawful Activities Prevention Act (UAPA) Zahra for social media posts allegedly promoting "anti-national posts with criminal intention to induce the youth and promote offences against tranquillity". She is summoned to the police station for questioning.

**April 19, 2020: Jammu & Kashmir**

A First Information Reports (FIR) is filed against special correspondent for *The Hindu* Peerzada Ashiq over a report. He is summoned for questioning within six hours in police stations located in two different districts.

**April 21, 2020: Jammu & Kashmir**

Journalist and author Gowhar Geelani is booked under the Unlawful Activities Prevention Act by the Cyber Police Station Kashmir Zone for allegedly "indulging in unlawful activities" through social media that was "prejudicial to the national integrity, sovereignty and security of India". Geelani moved the Jammu and Kashmir High Court to quash the FIR against him.

**April 27, 2020: Andaman and Nicobar Islands (A)**

Freelance journalist Zubair Ahmed is arrested and taken to Aberdeen police station for his tweet asking why a family has been put under quarantine for a phone call with Covid-19 quarantine patients. Police charged Zubair under the Disaster Management Act for obstruction, disobedience and the publishing of information that may cause alarm to the public.

**NON-FATAL ATTACKS ON JOURNALISTS****May 6, 2019: West Bengal (C)**

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

**September 1, 2019: West Bengal (C)**

Police assault several journalists covering violent clashes between supporters of Bharatiya Janata Party (BJP) and the ruling Trinamool Congress (TMC) in West Bengal. The deputy commissioner of police in Barrackpore, Ajay Thakur, is caught on camera as he hits a journalist. Several other journalists also say they were assaulted during the incident.

**February 25, 2020: Delhi**

Akash Napa, a journalist with JK 24x7 is shot and at least four other journalists injured during communal unrest in Delhi over the country's controversial Citizenship Amendment Act (CAA). Journalists came under attack while covering the communal violence in northeast Delhi over several days from February 23. Attacks are made on journalists Arvind Gunasekar, Saurabh Shukla, Mariyam Alavi and Sushil Rathii. There are also reports of mob members checking the religious identities of journalists covering the protests.

**March 4, 2020: Jammu & Kashmir**

Police bar two journalists from reporting on an operation in Hakripora village in Pulwama district and confiscate their equipment.

**March 3, 2020: Tamil Nadu**

M Karthi, a reporter with *Kumudam*, sustains serious head injuries following an attack in Sivakasi. Karthi loses eight teeth after being set upon by two men brandishing iron rods. He had earlier received harassing calls from a minister and others regarding a story. Two men are arrested in connection with the assault.

**April 23, 2020: Arunachal Pradesh (I)**

Tongam Rina, associate editor of *The Arunachal Times*, files a FIR with the crime branch after continued online trolling for an article on the alleged rise in cases of wildlife hunting in the state during the Covid-19 lockdown

**April 23, 2020: Mumbai**

Senior journalist Arnab Goswami and his wife are attacked by two thugs as they returned home from the Mumbai office of *Republic TV*. The attackers threw objects at the car and were later caught by his security. The day before, the Congress party and its supporters launched an extensive social media campaign demanding his arrest over his comments criticising party president Sonia Gandhi.

**April 24, 2020: Tamil Nadu (A)**

Andrew Sam Raja Pandian, founder and chief executive of *Simplicity* news portal, is arrested on grounds of violating the Epidemic Diseases Act and two sections of the Indian Penal Code. Police allege corruption in food distribution during the Covid-19 pandemic and attempting "to bring a bad name to the state government" and creating unrest among government officials.

**KILLINGS OF JOURNALISTS****June 19, 2019: Madhya Pradesh (G)**

Chakresh Jain, journalist with a Hindi daily, dies after sustaining burns under mysterious circumstances in Madhya Pradesh's Sagar district. His family accuses agricultural officer Aman Chowdhary and his supporters of setting him ablaze. Jain and Chowdhary had been involved in a legal dispute and the case was in its final stages of hearing when the incident took place.

**October 14, 2019: Andhra Pradesh**

Journalist K Satyanarayana is stabbed and killed by unidentified assailants, just a month after he was attacked in a separate incident. The 45-year-old worked as a reporter for *Andhra Jyothi*. He had previously filed a report to police concerning an attack in September. Six persons were arrested.

**February 18, 2020: Coimbatore**

B Chandrasekar, 36, who worked as a reporter for Captain TV, is killed in a car accident with university student, R Kishore, 19. Both died after the car rammed into a road barrier.

**April 21, 2020: Karnataka**

Hanumanthu, 21, of Kannada news channel Public TV, is killed in a road accident in Ramanagara district on his way back to Bangalore from Ramanagara jail after covering a story related to Covid-19.

**THREATS AGAINST MEDIA INSTITUTIONS****July 18, 2019: Delhi (H)**

Finance minister Nirmala Sitharaman imposes restrictions on journalists from accessing the ministry's office. Journalists are also barred from entering the offices in an attempt to control reporting.



Cartoonists in Nepal protest the country's Media Council Bill. CREDIT: FNJ

#### July 23, 2019: Delhi (H)

The Government of India introduces two controversial labour codes, namely Code on Wages and the Code on Occupational Safety, Health and Working Conditions (OSH). The codes repeal the Working Journalists and other Newspaper Employees (Conditions of Service) and the Miscellaneous Provisions Act of 1955, and the Working Journalist (Fixation of rates of wages) Act, 1958 along with 11 other labour laws. The code on wages is passed by both houses of parliament with the president's assent to become the Code on Wages Act, 2019. The Code on Occupational Safety, Health and Working Conditions (OSH) is sent to the Standing Committee on Labour and is submitted its recommendations to both Houses of Parliament in February 2020.

#### August 16, 2019: Meghalaya

Meghalaya police pressures news portal *Northeast Now* to remove a news item and disclose its sources. The item dealt with a BJP membership drive.

#### October 1, 2019: Tripura (H)

The registration of the *Daily Desher Katha* is cancelled by the Registrar of Newspapers India (RNI) within hours of issuing fresh registration due to a "change of management".

#### October 16, 2019: Andhra Pradesh (D) (H)

The Andhra Pradesh government submits a proposal to allow department secretaries to sue media organisations for alleged "fake news". The cabinet of Jagan Mohan Reddy in Andhra Pradesh aims to empower secretaries of various departments to file defamation cases against print, electronic, digital and social media.

#### March 6, 2020: Delhi (H)

Malayalam-language news channels Asianet News and Media One are banned for 48-hours for alleged "bias" while covering the Delhi protests amidst the climbing death toll. The ministry claims the coverage has potential to "incite violence and pose danger to maintenance of law and order". The ban is lifted within six hours.

## MALDIVES

1. THREATS AGAINST THE LIVES OF JOURNALISTS – 0
  2. OTHER THREATS TO JOURNALISTS – 0
  3. NON-FATAL ATTACKS ON JOURNALISTS – 0
  4. KILLINGS OF JOURNALISTS – 0
  5. THREATS AGAINST MEDIA INSTITUTIONS – 3
- TOTAL: 3 VIOLATIONS RECORDED**

### THREATS AGAINST MEDIA INSTITUTIONS

#### July 11, 2019: Male

Maldivian Democracy Network (MDN) representatives are denied entry as observers at the eighth hearing of Yameen Rasheed's murder case. The MDN was urging the Criminal Court of Maldives to uphold its obligation to conduct a fair and transparent hearing in line with the Maldivian Constitution and the International Covenant on Civil and Political Rights (ICCPR).

#### November 5, 2019: Male

The Maldivian Ministry of Youth, Sports and Community Empowerment – which regulates the activities of NGOs – announced the decision to shut down the operations of the Maldives Democracy Network. The decision was linked to a 2015 report on radicalisation in the Maldives. The closure came against the backdrop of threats to the MDN's staff, including its director, Shahinda Ismail, from religious hardliners.

#### January 2020: Male

*Maldives Independent* formerly *Minivan News* suspends operations. The online platform was an influential voice promoting democracy and human rights in the country since 2004. In its wake, *Minivan Radio*, once anchored from Colombo by exiled journalists, also closed operations ostensibly because the premises had to be vacated. Local associates said that political pressure had been exerted to shut the station down.

## NEPAL

1. THREATS AGAINST THE LIVES OF JOURNALISTS – 3
  2. OTHER THREATS TO JOURNALISTS – 21
  3. NON-FATAL ATTACKS ON JOURNALISTS – 12
  4. KILLINGS OF JOURNALISTS – 0
  5. THREATS AGAINST MEDIA INSTITUTIONS – 3
  6. ATTACKS ON MEDIA INSTITUTIONS – 3
- TOTAL: 41 VIOLATIONS RECORDED**

#### \*\* IFJ INDICATORS:

- A. ARRESTS/JAILING: 24
- C. ATTACKS/THREATS ON RURAL, REGIONAL OR MINORITY JOURNALISTS: 8
- F. GENDER-BASED ATTACKS: 1

### THREATS AGAINST THE LIVES OF JOURNALISTS

#### September 11, 2019: Kathmandu

Journalist Prahlad Rijal, editor of *Arthik Dainik*, receives a death threat from Royal Casino operator Bed Prasad Kapri after it published news about conflicts associated with the casino.

#### April 5, 2020: Khotang

Nepali Congress (NC) Khotang district president, Naresh Kumar Shrestha, issues a death threat to Uttam Chaulagain over a news report on *prabhavnews.com* about Shrestha's obstruction of a quarantine facility in Durrhim Village.

#### April 15, 2020: Kathmandu

Dilip Poudel, a reporter for *Nagarik*, is threatened via Facebook and mobile for a story on violence by a houseowner to a female tenant for her frequent hospital visits amid the Covid-19 lockdown.

### OTHER THREATS TO JOURNALISTS

#### April 30, 2019: Kathmandu (A)

Jitendra Maharjan, editor of *Nhugu Jwojoloppa*, is released after being charged under crimes

connected to state and organised crime. He is alleged to have close relations with Netra Bikram Chand-led Communist Party of Nepal.

#### May 22, 2019: Sunsari (C)

Mayor of Itahari in Sunsari district, Dwarika Lal Chaudhary, verbally abuses journalists after being questioned on his involvement in the physical assault of a district employee.

#### June 4, 2019: Sunsari (C)

Mayor of Itahari in Sunsari district, Dwarika Lal Chaudhary, threatens journalist Birat Anupam after being questioned on why the mayor posted derogatory statements about a journalist on his Facebook page.

#### June 12, 2019: Dhanusha (A)

Police arrested nine journalists padlocked to the District Post Office, Dhanusha, who were demanding the refund of funds by Dhanusha after it deducted 40 per cent to 100 per cent of the distribution of funds in public service advertisement. Journalists arrested were R N Biswas (Kantipur TV), Shyam Sundar Yadav (Nepal TV), Baidhyanath Yadav (Avenues TV), Nabin Kumar Gupta (ABC TV), Bhusan Kumar Singh (Radio CPM) and Bindu Yadav (Local Purwa Prabhat Daily), Dharmapal Raut (Rajbiraj Today), Gopal Gupta (Biruwa weekly) and Paris Karna (Green Madhesh daily). Later, they were released after an hour of detention.

#### July 26, 2019: Tanahu

Deputy mayor of the Sukhla Gandaki Municipality in Tanahu verbally abuses journalists Samundra Poudel and Damber Adhikari, editors of *Khabarpati Saptayik*, for a news report on her involvement in the construction of a playground.

#### August 10, 2019: Kathmandu (A)

Police arrest poet and journalist Khem Thapaliya for his alleged involvement in the outlawed Chand-led Nepal Communist Party.

#### August 23, 2019: Kaski (A)

Journalist and anti-corruption activist Om Hamal is arrested in the Kaski district. Journalist Hamal, the editor of *janasanchar.com*, is arrested by security personnel for his alleged association with the Biplab-led Maoist group. Hamal is also known for his anti-corruption investigative reports in the Kaski district.

#### August 15, 2019: Chitwan (A)

Police arrest two journalists, Rabi Lamichhane and Yuvaraj Kandel, in connection with the suspicious death of journalist Shalikram Pudasaini. The arrest came nine days after journalist Shalikram Pudasaini found dead after posting a suicide video message blaming the journalists for driving him to take his own life.

#### September 16, 2019: Kathmandu (A)

Nine NPU union leaders are detained for protesting against the arbitrary sacking of three journalists from Radio Nepal. Those arrested were including Ajaya Babu Shiwakoti, Ram Prasad Dahal, Janmadedv Jaisi, Yam Birahi, Min Bam, Dilip Paudel, Chakra Kuwar, Yogendra Balayar and Prakash Bam.

#### October 4, 2019: Kathmandu (F)

Nepali journalist and union leader Ajaya Babu Shiwakoti receives threats and is put under

surveillance after publishing his exclusive report on the alleged rape of a female employee of Nepal's Federal Parliament by speaker, Krishna Bahadur Mahara.

#### October 20, 2019: Achham (C) (I)

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

#### November 2, 2019: Kathmandu (I)

Shiva Lamsal, news chief at YoHo Television, is threatened after broadcasting a story on a scandal regarding a patient who died at Blue Cross Hospital in Kathmandu. Lamsal is threatened on social media by the hospital's administrative representative, Rajat Shrestha.

#### November 27, 2019: Chitwan

Cadres of ruling Nepal Communist Party (NCP) abuse journalists, Raju Sapkota, Mahendra Shrestha and Krishna Sunuwar, and delete footage recorded while covering the by-election in Bharatpur.

#### December 4, 2019: Saptari

Police raid the house of journalist Abadesh Kumar Jha from the Kantipur Daily in Tilathi Koiladi village, Saptari.

#### December 4, 2019: Siraha

A customs office official in Jatahi threatens journalists Santosh Baraili Shuvender Das, confiscates their cameras and verbally abuses them after they filmed the officer taking bribes.

#### February 26, 2020: Kathmandu

Journalist Ajaya Babu Shiwakoti is threatened for exposing various corruption cases involving cabinet ministers. Shiwakoti, the editor of *hamrakura.com*, is threatened by unknown men following a story about Rs 700 million in commission sought by the sitting minister for communication and information technology, Gokul Banskota, for the procurement of printing.

#### March 26, 2020: Itahari

Journalist Rajan Katwal, of Arena Television, is verbally abused by Dwarik Lal Chaudhari, the mayor of Itahari sub-metropolitan city, after inquiring about the city's preparedness to mitigate the impact of Covid-19.

#### April 22, 2020: Kathmandu

Nepal Republic Media, Avenues Television, *Rajdhani* daily and Annapurna Media Group fail to pay outstanding journalist salaries dating back several months. Kantipur Media Group (KMG) requests journalists to take unpaid leave but later revokes the decision.

#### April, 27 2020: Chitwan

Police detained Binodbabu Rijal, the editor of *Kayakairan Daily*, and Arjun Adhikari, of Radio Triveni, for breach of Nepal's lockdown. They are taken to the quarantine and their photos and videos deleted.

#### May 9, 2019: Kathmandu

A Bill to Amend and Integrate the Media Council Act is registered by the Ministry of Communications and Information Technology with a provision of fine up to NPR 1 million (USD 8,850) for publishing content in violation of the media code of ethics. Section 18 of the bill provides that publishers, editors and/or

journalists can be fined for publishing content found to be tarnishing the dignity or reputation of any individual.

## NON-FATAL ATTACKS ON JOURNALISTS

#### May 5, 2019: Kailali (C)

Janak Bista, from Dinesh FM 98.3 in Dhangadhi, far-western Nepal, is physically and verbally assaulted by local businessman Tejendra Thapa while covering a story on school rental space. Bista received treatment at the local hospital for his injuries.

#### June 20, 2019: Bhaktapur (C)

Editor of *Salleri News*, Dinesh Basnet, is attacked by a group of locals in Lokhanthali, Bhaktapur. Basnet sustained serious injuries to the head and other parts of his body and was admitted to Annapurna Neuro Hospital, Kathmandu.

#### July 3, 2019: Surkhet (C)

Officials and employees of Surkhet Valley Drinking Water Consumers' Organisation are physically and verbally attack journalists Buddhi Singh Thakuri and Nawaraj Rolkaya and cameraperson, Bhim Pariyar, of Deuti HD TV, as they reported on a water dispute.

#### July 6, 2019: Sindhuli (C)

Journalists Hom Kumar Karki and Min Kumar Dahal are beaten by constable Salam Singh Lama for not deleting a video.

#### August 2, 2019: Kathmandu

Journalist Prakash Chandra Dahal is attacked by an unknown group in Bagbazar, Kathmandu. Dahal, who is an editor of the online portal *sancharkhabar.com*, is attacked by a group of four people wearing helmets.

#### September 27, 2019: Banke

Journalist Liyakat Ali is attacked by an unidentified group of people on his way home. The unidentified assailants physically assaulted and seized his mobile phone before fleeing.

#### December 7, 2019: Kaski

News 24 journalist Prasad Adhikari is physically and verbally assaulted by plain clothes police officers under orders from the Kaski District Police Chief Dan Bahadur Karki after Adhikari reported on police collusion in a gambling operation in Pokhara.

#### December 10, 2019: Kathmandu

Suman Chapagain, a journalist with the *Nagarik Daily*, is beaten by police during the reporting of the 13th South Asian Games (SAG) in Kathmandu. Chapagain was taking photos of angry football fans when he was caught in the clashes with police.

#### December 12, 2019: Sunsari

News 24 journalist Santosh Kafle is attacked on the pretext of arriving late at a press conference by the press conference organizers. After sustaining injuries to his face, he is admitted to hospital.

#### December 22, 2019: Banke

Journalist Sangeen is seriously injured in a physical assault by two unidentified assailants.

### December 27, 2019: Humla

Journalist Narajung Tamang is manhandled by an employee of Prabhu Bank Ram, Jung Shahi, and another person Jagadish Hamal when returning home from work after a report in *Nayapatrika Daily* on the distribution of subsidized rice by the Nepal Food Corporation.

### January 7, 2020: Dhanusha

Three journalists - Amarkanta Thakur, Subhas Karna and Raja Jha - are attacked by supporters of the mayor of Janakpurdham Sub-Metropolitan City, Lal Koshore Shah after they asked the mayor questions about the encroachment of land belonging to the Janaki Temple.

## THREATS AGAINST MEDIA INSTITUTIONS

### December 29, 2019: Kathmandu (H)

Nepal's parliamentary committee passes the Information Technology Bill that includes provisions to impose fines of up to Rs 1.5 million (over USD1,200) or jail terms up to five years for posting content on social media that the government deems a threat to the 'country's sovereignty, security, unity or harmony'. The bill also includes mandatory provisions for social media companies to be registered in Nepal.

### February 18, 2020: Kathmandu (H)

The Embassy of China in Nepal threatens action against *Kathmandu Post* editor-in-chief, Anup Kaphle, over an article and accompanying illustration on China's response to Covid-19. The accompanying illustration shows Mao Zedong wearing a mask.

### April 12, 2020: Kailali (C)

A group of seven people including Santosh Mudbhari, the ward chairperson of Dhangadi Sub-Metropolitan city in Kailali district, picket Radio Dhandagi offices and attempt to attack journalist Nabaraj Dhanuk after an interview with the chairperson about alleged embezzlement on distribution of relief materials.

## ATTACKS ON MEDIA INSTITUTIONS

### May 13, 2019: Parsa

Avenues Television's office in Birgunj is vandalised by unidentified masked youths. Windows, doors and a camera are damaged in the attack. Activists from Samajwadi Party-Nepal (SPN) are reported to be behind the vandalism.

### March 31, 2020: Kathmandu

The prime minister's IT consultant, Asgar Ali, allegedly hacks into online portal *kathmandupress.com* and deletes a news item about collusion of the prime minister's aides and relatives in the controversial procurement of medical supplies from China to fight against Covid-19.

### April 27, 2020: Kathmandu

State-owned Radio Nepal takes down an interview with former prime minister, Dr Baburam Bhattarai, from its online archive after pressure from the government. The interview was critical of the current government and prime minister, KP Sharma Oli. Radio Nepal also issues a press release apologizing for language used by the former leader and the views expressed.



Pakistan Tehreek e Insaaf leader Masroor Siyal assaults Imtiaz Khan Faran, president of Karachi Press Club during a live TV broadcast on K21 News on June 24, 2019. CREDIT: TWITTER

## PAKISTAN

1. THREATS AGAINST THE LIVES OF JOURNALISTS – 2
2. OTHER THREATS TO JOURNALISTS – 5
3. NON-FATAL ATTACKS ON JOURNALISTS – 5
4. KILLINGS OF JOURNALISTS – 4
5. THREATS AGAINST MEDIA INSTITUTIONS – 8

TOTAL: 20 VIOLATIONS RECORDED

\*\* IFJ INDICATORS:

- A. ARRESTS/JAILING: 3
- C. ATTACKS/THREATS ON RURAL, REGIONAL OR MINORITY JOURNALISTS: 3
- F. GENDER-BASED ATTACKS: 1
- G. LEGAL CASES: 1
- H. LEGISLATION/GOVERNMENT CONTROLS: 1

## THREATS AGAINST THE LIVES OF JOURNALISTS

### December 2, 2019: Islamabad

A group of people protest against *Dawn* newspaper outside the newspaper's Islamabad office. The three-hour protest turned violent with demonstrators threatening *Dawn* staff. The demonstration was in response to a *Dawn* report on Usman Khan, a UK national of Pakistani origin, who was convicted in the UK for engaging in acts of terrorism. Protestors called for the hanging of *Dawn* editor Zafar Abbas.

### March 3, 2020: Stockholm (E)

Pakistani journalist Sajid Hussain is reported missing in Sweden. Hussain, who fled the country in 2012 to escape death threats, was granted political asylum in Sweden. There are fears that he was abducted at the behest of a Pakistani intelligence agency over his reports on organised crime in Pakistan.

## OTHER THREATS TO JOURNALISTS

### May 24, 2019: Rawalpindi

*Jang* reporter Shahid Sultan's home in Rawalpindi is stormed by police at 2.30 am. Shahid's two sons' bedroom door is broken and they are brought out of the room by gunpoint by police officers. Shahid is also held at gunpoint.

### July 5, 2019: Pakistan (I)

Pakistani journalists critical of the government and military are targeted by hate-speech campaigners on social media platform Twitter. The social media hashtag #ArrestAntiPakJournalists begins spreading on July 4, following a tweet by an account claiming to be the leader of a group called Imran Khan Warriors (derived from the name of Pakistan's Prime Minister).

### December 21, 2019: Karachi (A)

The Anti-Terrorism Court of Pakistan convicts journalist Nasrullah Chaudhry for allegedly possessing banned literature and spreading religious hatred. He is handed down a five-year sentence and Rs 10,000 fine (USD 64).

### January 16, 2020: Lahore (A)

Azhar-ul Haq Wahid, a reporter for *Channel Five* TV and the newspaper *Khabrain*, is arrested for posting "anti-state" content on Facebook under article 11 and 20 of the Prevention of Electronic Crimes Act.

### March 12, 2020: Islamabad (A)

Mir Shakil ur Rehman, editor-in-chief of the *Jang* and Geo Media Group is arrested following an investigation by the NAB into allegations that property purchased 34 years earlier. He is arrested despite a ruling by the Islamabad High Court that the National Accountability Bureau (NAB) had acted in violation of the law and even their own set of rules.

## NON-FATAL ATTACKS ON JOURNALISTS

### June 24, 2019: Karachi

Imtiaz Khan Faran, president of Karachi Press Club, is punched and pushed off a chair by a ruling party politician during a live TV broadcast. Pakistan Tehreek e Insaaf leader Masroor Siyal launched the assault during their appearance as panellists on the live talk news program News Line with Aftab Mugheri on K21 News.

### July 8, 2019: Sargodha (C)

Shaikh Rizwan, a journalist working for *Sargodha Khabrain* in Sargodha city, 185 km from Islamabad is beaten up by local land grabbing mafia.

**July 8, 2019: Khushab (C)**

Bashir Malik, a local journalist with 24 News in Khushab, is beaten and threatened with death by local thugs.

**July 23, 2019: Faisalabad**

Mohammad Tayyab and Ali Raza, two reporters of Channel 24 News, are brutally beaten by a group of lawyers and their accomplices in Faisalabad. The journalists are picked up by a group of lawyers and taken to an undisclosed location before being beaten after a broadcast about a police attack on journalists on July 20.

**October 22, 2019: Pakistan Administered Kashmir**

Several journalists are injured after police attack the Muzaffarabad Press Club. Local police raid the press club during a media briefing by the Jammu Kashmir People's National Alliance (JKPNA). Police fire tear gas shells, use batons and destroy journalists' recording equipment in the raid.

**KILLINGS OF JOURNALISTS****September 12, 2019: Punjab**

Journalist Zafar Abbas, who had been missing since September 7, is found dead. Abbas, who worked for 7-News, was on his way home from work late at night when he was kidnapped. He is found in a dry well at Mauza Kali Shah in Punjab.

**November 25, 2019: Lahore (F)**

Urooj Iqbal, a female journalist, is shot dead by her husband. The crime reporter was allegedly killed by her husband for not agreeing to quit her job. According to the police report, the 27-year-old journalist who worked for an Urdu daily, was entering her office located in central Lahore, when her husband, Dilawar Ali, fatally shot her in the head.

**February 16, 2020: Sindh**

Aziz Memon, a journalist with Kawish Television Network (KTN) TV and Sindhi-language daily *Kawish* is found dead in an irrigation channel in Mehrabpur in Southern Sindh. The body of 56-year-old Memon was recovered with wire wound around his neck.

**February 25, 2020: Swat Valley (C)**

Javedullah Khan, the 36-year-old bureau chief for Urdu newspaper *Ausaf*, is gunned down in Matta, 40 km northwest of the Swat Valley. He died on the spot when two gunmen opened fire on his vehicle. According to reports, Khan's relatives were targeted for their involvement in anti-Taliban peace committees formed to help defend villages from militant atrocities.

**April 29, 2019: Kasur**

Local journalist Saeed Qaisar Inphool Nagar is found hanging in the Kasur district, 40 km from Lahore. It's alleged that the murderers tried to prove it was suicide. The journalist had been missing since April 27.

**THREATS AGAINST MEDIA INSTITUTIONS****July 1, 2019: Islamabad (H)**

An interview with Asif Ali Zardari, Pakistan's lawmaker from Sindh Province and former president, is taken off air within minutes of commencing broadcast on Geo News. The Pakistan Electronic Media Regulatory Authority (PEMRA) orders a halt to the broadcast due to an ongoing investigation by the National Accountability Bureau.

**July 6, 2019: Karachi**

Television stations, Abb Takk, 24 News HD and Capital TV are taken off air after broadcasting an "unedited live telecast" of an opposition politician. The channels are suspended from cable networks following the broadcast of the speech by the vice president of the Pakistan Muslim League-Nawaz (PML-N), Maryam Nawaz, recorded at a press conference.

**July 21, 2019: Pakistan (H)**

Private broadcaster Geo News is forced off air and its channel frequency abruptly changed in many parts of the country during Pakistani Prime Minister Imran Khan's visit to the US from July 21–23. Pakistan Electronic Media Regulatory Authority (PEMRA) issues the block order without notice or explanation.

**September 17, 2019: Pakistan (G) (H)**

The Pakistan government announces a plan to introduce media courts to regulate the press. The Special Assistant to the Prime Minister for Information, Dr Firdous Ashiq Awan, announces the plans for special tribunals and media regulatory bodies without consultation with the media.

**October 27, 2019: Pakistan (H)**

Pakistan Electronic Media Regulatory Authority (PEMRA) bars television anchors from giving opinions during the talk shows. The also directive instructs media houses to select the guests in talk shows with utmost care.

**February 8, 2020: Pakistan (H) (I)**

The Pakistan government passes strict controls over digital content creators. The Consultation on Regulating the Web TV & Over the Top TV (OTT) Content Services seeks to regulate online content creators and imposes license fees up to PKR 10,000,000 (USD 65,000).

**January 28, 2020: Pakistan**

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

**March 13, 2020: Pakistan (H)**

PEMRA orders cable operators to block GEO TV broadcasts or move the channel to last on the list of channels in retaliation for the network's coverage of the arrest on March 12 of its editor-in-chief Mir Shakilur Rahman.

**SRI LANKA**

1. THREATS AGAINST THE LIVES OF JOURNALISTS – 3
  2. OTHER THREATS TO JOURNALISTS – 10
  3. NON-FATAL ATTACKS ON JOURNALISTS – 8
  4. KILLINGS OF JOURNALISTS – 0
  5. THREATS AGAINST MEDIA INSTITUTIONS – 5
  6. ATTACKS ON MEDIA INSTITUTIONS – 0
- TOTAL: 26 VIOLATIONS RECORDED**

**\*\* IFJ INDICATORS:**

- A. ARRESTS/JAILING: 2**  
**B. ATTACKS/THREATS AGAINST FREELANCERS: 2**  
**C. ATTACKS/THREATS ON RURAL, REGIONAL OR MINORITY JOURNALISTS: 14**  
**F. GENDER-BASED ATTACKS: 1**  
**H. LEGISLATION/GOVERNMENT CONTROLS: 3**

**THREATS AGAINST THE LIVES OF JOURNALISTS****August 12, 2019: Gampaha (C)**

Sisira Kuruppu, a correspondent with Sinhala language daily *Divayina* is threatened with death by three local politicians after reporting a clash between politicians over their business dealings.

**December 10, 2019: Colombo**

Maduka Thaksala Fernando, former editor of the *Digital and New Media* (Lake House) and founder of popular social media page 'Madyawediya' is attacked and threatened with death by the president of the Sri Lanka Podujana Peramuna (SLPP) trade union. Maduka Thaksala Fernando made a police complaint about the incident.

**January 10, 2020: Colombo**

Mulleriyawa Police in the Central Province refuses to record a death threat complaint of Nimanthi Ranasinghe, a court correspondent for *Lankadeepa*. The police officer turned the journalist away when Ranasinghe refused to reveal her source of threat.

**OTHER THREATS TO JOURNALISTS****May 9, 2019: Colombo (A)**

A journalist from *Thinakaran* newspaper is detained for carrying newspaper cuttings that feature the leader of the National Thowheed Jamath (NTJ), the terrorist group accused of having carried out the Easter Sunday attacks in which 258 people were killed.

**May 13, 2019: Colombo (A)**

Journalist Mohammed Rizvi Maharooof is arrested for possessing speech notes, promotional videos and a CD featuring the NTJ.

**June 16, 2019: Colombo (C)**

Journalist Kusal Perera is charged for commenting on the development of religious rivalries after the April 21 Easter Sunday attack in 2019. Sri Lanka's Organised Crime Division requests the Colombo Magistrate Courts take action against Perera under the International Convention on Civil and Political Rights (ICCPR) Act.



## මාධ්‍ය සංවිධාන එකතුව

Journalists call on Sri Lanka's government to take meaningful action to investigate journalist killings and disappearances in the 'Black January' commemoration on January 28, 2020 in Colombo, Sri Lanka. CREDIT: SLWJA



JOURNALISTS



### July 21, 2019: Kandy

Journalist M N Aminullah from *Lake House* is blocked by security personnel from covering a Sri Lankan Air Force Commander's visit to a Buddhist monastery.

### August 4, 2019: Sri Lanka (H)

Palani Digambaram, the minister of Hill Country New Villages, Infrastructure and Community Development threatens journalist K Prasanna for an article in Tamil *Thinakkural* on alleged irregularities under the ministry.

### January 19, 2020: Jaffna (C)

The house of journalist I Rajeskar, of Tamil newspaper *Valampuri*, is ambushed and vandalised by a group of unidentified men in Mannipay.

### January 2, 2020: Batticaloa (C)

Sri Lankan police threaten the family members of the Tamil correspondent of the *Guardian* S Nilanthan after forcibly entering his home. Nilanthan is summoned to the police station the next morning. Police refuse to provide reasons for seeking Nilanthan's arrest. On January 8, he appeared in court and was released on bail.

### January 23, 2020: Batticaloa (C)

Leaflets threatening to kill seven Tamil journalists are left at the Batticaloa Press Club and a nearby bus stop in Batticaloa, eastern Sri Lanka. The leaflets said: "Beware! Beware! These are the leaflets who received money from the Tigers abroad and acting against the state. We will soon execute them." The pamphlet contains pictures of all seven journalists attending the memorial of murdered journalist Lasantha Wickrematunge.

### February 4, 2020: Trincomalee (C)

Journalist W G Roshan Kumara is threatened by Ariwathi Galappathi, a local politician and bus company owner while covering a bus accident.

### March 2, 2020: Vavuniya (C)

The director of Tamil language *Thinappuyal* newspaper, Sakthivelpillai Prakash, and his wife are summoned by Sri Lanka's Terrorism Investigation Department (TID) following the paper's coverage of the UN Human Rights Council in Geneva, where Sri Lanka withdrew co-sponsorship of a resolution on accountability.

## NON-FATAL ATTACKS ON JOURNALISTS

### May 28, 2019: Mullaitivu (C)

Police officer in charge of the Kokkilai police station in Mullaitivu verbally and physically abuses K Kumanan, a *Tamil Guardian* journalist after he took photographs of the repainting and removal of CCTV footage in a temple. The officer snatched his camera, deleted photographs and physically assaulted the journalist who was covering a dispute at the temple.

### August 13, 2019: Bopitiya (B) (F)

Anne Ranaweera, a freelance journalist for the Catholic newspaper *Gnanartha Pradeepaya*, is assaulted by police at the Pamunugama Police Station. The police dragged Ranaweera out of her home and took her to a police station. No reason was given for the detention and assault.

### September 3, 2019: Jaffna (C)

Thillainathan Shobithan, a Tamil journalist with *Virakesari*, is summoned in relation to an article quoting a disappeared activist who had commented on the oppression of Tamils.

### September 5, 2019: Kilinochchi (C) (H)

Jinasena Rathugmage, a senior Sinhala journalist in Vavuniya is interrogated by Terrorism Investigation Division (TID) for six hours for allegedly threatening national security after reporting on the arrest of Kilinochchi's Judicial Medical Officer (JMO) for alleged links to terrorist activities.

### November 1, 2019: Kathankudy (C)

Batticaloa based journalist Mohamed Saji, of *Vasantham TV*, is assaulted by an unidentified group. The group also threatened Irfan Mohamed, the manager of *Vasantham TV*. Following the attack, he was hospitalised.

### November 14, 2019: Galle (B)

Three unidentified assailants with firearms attack Lasantha Wijeratna, a freelance journalist and anti-corruption activist in his home. Wijeratna sustains injuries including severe lacerations to his hand and is admitted to the intensive care unit in Karapitiya Hospital. It is reported as a retaliatory attack for his reporting on alleged acts of corruption committed by Gotabaya Rajapaksa during his tenure as Sri Lanka's former secretary of defense.

### December 6, 2019: Kulutara

Thusitha Kumara de Silva, a correspondent for Sri

Lanka's *Daily Mirror* and his wife are attacked by club-wielding assailants. Around 10 to 15 men armed with clubs are alleged to have attacked the journalist and his wife in their home the Kulutara District. Both victims sustained head injuries in the attack believed to be associated with Thusitha's investigative report on the manufacture of illegal alcohol. At least five suspects are arrested for the attack.

### December 20, 2019: Puttalam (C)

Video and print journalist Prasad Jayamanne is attacked while photographing a protest by villagers against illegal sand mining in Mukku Thoduwawa area in Madurankuliya. A person in a truck transporting sand attacked the journalist and damaged his camera.

## THREATS AGAINST MEDIA INSTITUTIONS

### May 29, 2019: Colombo

Sri Lankan media are barred from reporting the live proceedings of the Parliament Select Committee (PSC) investigating the Easter Sunday attacks in Sri Lanka in April 2019. The PSC's proceedings were initially open to the public, but the telecast was later suspended due to political interference.

### November 22, 2019: Vavuniya (C)

Sri Lankan police visit and interrogate Sakthivelpillai Prakash, the editor of the Vavuniya-based Tamil newspaper *Thinnapuyya*. The police demand details of all reporters and correspondents at the publication.

### November 26, 2019: Colombo

Police search the premises of *Newshub.lk* after receiving a complaint that the company possessed defamatory material targeting a presidential candidate. A team of around 10 police from the Mirihana police station arrived at its premises with a search warrant and checked computer servers, laptops and PCs.

### November 28, 2019: Colombo (C) (H)

Sri Lanka's Criminal Investigation Department (CID) summons digital journalists Dhanushka Sanjaya, from *The Leader*, and Thushara Vitharana, from *VoiceTube*, for interrogation. Neither is informed of the reason for the summoned, which is required by Sri Lankan law. It is believed to be related to a complaint made by a pro-Sinhalese organisation.

# INTERNET SHUTDOWNS RECORDED IN SOUTH ASIA

MAY 1, 2019 – APRIL 30, 2020





## THE THREE BIGGEST SHUTDOWNS IN SOUTH ASIA

SINCE	COUNTRY	STATE	AREA	DAYS			
1-Jul	PAKISTAN	FATA	All	Ongoing	All	National Security	Communal violence, armed clashes, militants
3-Aug	INDIA	Jammu & Kashmir	Kashmir Valley	Ongoing	Mobile and broadband	Fake News	Revocation of Kashmir's semi-autonomous status
10-Sep	BANGLADESH	Cox Bazaar	Refugee Camps	Ongoing	Mobile	National Security	Refugee protests


## TOTAL INTERNET SHUTDOWNS OR ONLINE CONTROLS RECORDED

2017-18	97
2018-19	106
2019-20	82

## INTERNET SHUTDOWNS BY COUNTRY

	INDIA	72
	PAKISTAN	5
	BANGLADESH	3
	SRI LANKA	2

SN	DATE	STATE	AREA	DAYS	SERVICE IMPACTED	JUSTIFICATION	DETAILS
 <b>INDIA</b>							
2019							
1	3-May	Jammu & Kashmir	South Kashmir	4	Mobile and broadband	Unknown	Killing of a militant in an encounter between government forces and militants
2	3-May	Jammu & Kashmir	Pulwama		Mobile and broadband	Unknown	Killing of militant
4	10-May	Jammu & Kashmir	Shopian		Mobile and broadband	Unknown	Killing of militant
5	11-May	Assam	Barak Vally	3	Mobile and broadband	Unknown	Curfew imposed because of community clashes
6	12-May	Jammu & Kashmir	Shopian		Mobile	Unknown	Killing of militant
7	12-May	Jammu & Kashmir	Bandipora		Mobile and broadband	Fake News	Clashes with militants
9	16-May	Jammu & Kashmir	Pulwama		Mobile	Unknown	Encounter between security forces and militants
10	16-May	Jammu & Kashmir	Doda	8	Mobile	Unknown	Search operation for militants and clashes
11	17-May	Jammu & Kashmir	Sopore		Mobile and broadband	Unknown	Security concerns
12	18-May	Jammu & Kashmir	Pulwama		Mobile and broadband	Unknown	Killing of a militant
13	22-May	Jammu & Kashmir	Kulgam		Mobile	Fake News	Killing of a militant
14	24-May	Jammu & Kashmir	Tral	1	Mobile and broadband	Unknown	Search operation for militants launched
15	29-May	Jammu & Kashmir	Kulgam		Mobile and broadband	Unknown	Gunfight between militants and security forces
16	30-May	Jammu & Kashmir	Sopore		Mobile	Unknown	Clash between militants and government forces
17	31-May	Jammu & Kashmir	Pulwama		Mobile and broadband	Unknown	Militants killed
18	31-May	Jammu & Kashmir	Shopian		Mobile	Unknown	Precautionary measure for search operation
19	3-Jun	Jammu & Kashmir	Kulgam		Mobile	Fake News	Precautionary measure following encounter between security forces and militants
20	5-Jun	Odisha	Kendrapara		Mobile and broadband	Fake News	Threats of communal violence
21	7-Jun	Jammu & Kashmir	Pulwama		Mobile and broadband	Fake News	Gunfight between militants and security forces
22	8-Jun	Jammu & Kashmir	Anantnag		Mobile and broadband	Unknown	Gunfight between militants and security forces
23	9-Jun	West Bengal	Basirhat		Mobile and broadband	Unknown	To prevent rumous on social media following communal clashes
24	10-Jun	Uttar Pradesh	Aligarh		Mobile and broadband	Fake News	Prevent communal violence
25	11-Jun	Jammu & Kashmir	Shopian		Mobile	Unknown	
26	11-Jun	Jammu & Kashmir	Baramulla		Mobile	Fake News	
27	12-Jun	Jammu & Kashmir	Anantnag		Mobile	Fake News	Clashes between youth and government forces
28	14-Jun	Jammu & Kashmir	Pulwama		Mobile and broadband	Unknown	Militants killed
29	17-Jun	Jammu & Kashmir	Anantnag		Mobile	Fake News	Precautionary measure to prevent spread of rumours on death anniversary of founder of Ummat-e-Islami (Uel), Mirwaiz Qazi Nissar Ahmad.
30	19-Jun	Jammu & Kashmir	Anantnag		Mobile	Fake News	Precautionary measure to prevent spread of rumours on death anniversary of founder of Ummat-e-Islami (Uel), Mirwaiz Qazi Nissar Ahmad.
31	20-Jun	West Bengal	North 24 Parganas		Mobile and broadband	Unknown	Clashes broke out between rival political parties
32	23-Jun	Jammu & Kashmir	Shopian		Mobile	Unknown	Search operation for militants launched
33	28-Jun	Jammu & Kashmir	Badgam		Mobile	Fake News	Gunfight between militants and security forces
34	30-Jun	Jammu & Kashmir	Budgam		Mobile	Unknown	Gunfight between militants and security forces

SN	DATE	STATE	AREA	DAYS	SERVICE IMPACTED	JUSTIFICATION	DETAILS
35	1-Jul	Uttar Pradesh	Meerut	1	Mobile	Fake News	Communal violence
36	2-Jul	Rajasthan	Jaipur city, Rajasthan state		Mobile and broadband	Fake News	Prevent violence due to spread of rumours after a seven year old girl was raped
37	5-Jul	Uttar Pradesh	Meerut		Mobile and broadband	Public Safety	Communal violence
38	5-Jul	Jammu & Kashmir	Shopian		Mobile	Unknown	Encounter between security forces and militants
39	8-Jul	Jammu & Kashmir	South Kashmir		Mobile and broadband	Unknown	Preventative in view of third death anniversary of militant Burhan Wani, from terrorist group Hizbul Mujahideen
40	16-Jul	Rajasthan	Udaipur	1	Mobile and broadband	Fake News	Clashes over a murder
41	17-Jul	Jammu & Kashmir	Baramulla		Mobile and broadband	None	Gunfight between militants and security forces
42	18-Jul	Rajasthan	Udaipur		Mobile and broadband	Fake News	Clashes over a murder
43	19-Jul	Jammu & Kashmir	Anantnag		Mobile and broadband	None	Search operation for militants launched
44	25-Jul	West Bengal	Asansol	3	Mobile and broadband	Fake News	Communal violence
45	27-Jul	Jammu & Kashmir	Shopian		Mobile and broadband	Fake News	Precautionary measure in the wake of massive search operation
46	30-Jul	Jammu & Kashmir	Pulwama		Mobile and broadband	None	Encounter between security forces and militants
47	2-Aug	Jammu & Kashmir	Shopian		Mobile	Fake News	Precautionary measure to prevent spread of rumours
48	3-Aug	Jammu & Kashmir	Sopore town		Mobile	Fake News	Precautionary measure to prevent spread of rumours
49	3-Aug	Jammu & Kashmir	Kashmir Valley	Ongoing	Mobile and broadband	Fake News	Revocation of Kashmir's semi-autonomous status
50	8-Aug	Jammu & Kashmir	Kargi		Mobile and broadband	None	Block protests against revocation of Article 370 of the Indian Constitution which gave special status to J&K
51	13-Aug	Rajasthan	Jaipur	1	Mobile	Unknown	Preventative measure after communal violence
53	25-Aug	Rajasthan	Sawai Madhopur	1	Mobile and broadband	Fake News	Preventative measure after communal violence
58	11-Oct	Bihar	Jehanabad		Mobile	Fake News	Communal violence
60	9-Nov	Uttar Pradesh	Rajasthan		Mobile and broadband	Fake News	Preventive measure ahead of Ayodhya Verdict.
61	10-Nov	Madhya Pradesh	Damoh, Panna, Chhatarpur and Tikamgarh		Mobile and broadband	Unknown	Permission for religious procession denied
62	10-Dec	Arunachal Pradesh	All		Mobile and broadband	Public Safety	Block protests over CAA
63	10-Dec	Tripura	All		Mobile and broadband	Public Safety	Block protests over CAA
64	11-Dec	Assam	10 districts		Mobile and broadband	Public Safety	Block protests over CAA
65	12-Dec	Meghalaya	10 districts		Mobile and broadband	Public Safety	Preventative measure after passage of CAA
66	13-Dec	Uttar Pradesh	Aligarh		Mobile and broadband	Public Safety	Preventative measure after Citizenship Amendment Act protests
67	15-Dec	West Bengal	Also Uttar Pradesh		Mobile and broadband	Public Safety	Preventative measure after Citizenship Amendment Act protests
68	18-Dec	Uttar Pradesh	Several cities		Mobile and broadband	Public Safety	Preventative measure after Citizenship Amendment Act protests
69	19-Dec	Karnataka	Dakshina Kannada		Mobile and broadband	Fake News	Communal violence
70	20-Dec	Madhya Pradesh	Madhya Pradesh		Mobile	Public Safety	To prevent protests against the Citizenship Amendment Act
71	22-Dec	Uttar Pradesh	Several cities		Mobile and broadband	Fake News	Prevent the spread of misinformation
72	22-Dec	Rajasthan	Capital		Mobile and broadband	Public Safety	Protests against Citizenship Amendment Act
73	27-Dec	Uttar Pradesh	Several cities		Mobile and broadband	Public Safety	Clashes between police and anti-citizenship law protesters
2020							
75	1-Jan	Maharashtra	Shikrapur & Lonikalbhur	1	Mobile and broadband	Public Safety	Communal violence
76	2-Jan	West Bengal	Suttapukur, Amdanga and Deganga	1	Mobile and broadband	Public Safety	Protests against Citizenship Amendment Act
77	4-Jan	Andhra Pradesh	Hyderabad	1	Mobile and broadband	Public Safety	Protests against Citizenship Amendment Act
78	31-Jan	Madhya Pradesh	Jabalpur	1	Mobile and broadband	Public Safety	To prevent protests against the Citizenship Amendment Act
79	23-Feb	Uttar Pradesh	Aligarh	1	Mobile	Public Safety	Clashes between police and anti-citizenship law protesters
80	28-Feb	Meghalaya	6 districts	2	Mobile	Public Safety	Communal violence
81	16-Mar	Manipur	All	3	Mobile	Public Safety	Communal violence
 <b>BANGLADESH</b>							
54	2-Sep	Cox Bazaar	Refugee Camps	3	Mobile	National Security	Refugee protests
57	10-Sep	Cox Bazaar	Refugee Camps	Ongoing	Mobile	National Security	Refugee protests
74	31-Dec	Selected	Districts bordering India	2	Mobile	National Security	Security concerns regarding India's citizenship law
 <b>PAKISTAN</b>							
82	Since June, 2016	FATA	All	Ongoing	All	National Security	Communal violence, armed clashes, militants
52	15-Aug	Kashmir	All		Mobile and broadband	Unknown	Protests against India's revocation of Kashmir's special status
55	7-Sep	Kashmir	All		Mobile	National Security	Protests against India's revocation of Kashmir's special status
56	8-Sep	Selected	Faisalabad, Multan, Lahore, Karachi & Islamabad	2	Mobile	National Security	Protests against India's revocation of Kashmir's special status
 <b>SRI LANKA</b>							
3	5-May	All	National	1	Mobile and broadband	Fake News	Controls imposed because of terrorist bombings of hotels and churches
8	13-May	All	National	4	Mobile and broadband	Fake News	Terrorist bombings of churches

