



# IFJ South Asia Media Bulletin

15 April 2022

Welcome to the IFJ's monthly media bulletin for South Asia's Media Solidarity Network (SAMSN)

## **In Focus: Respite for Pakistan's media as PECA ordinance overturned**

In a period of turmoil for Pakistan's media, the beginning of April has seen a respite for the country's journalists and media workers long plagued by restrictive legislation and politicians wishing to silence critical reportage. The Prevention of Electronic Crimes Act (PECA) bill, [introduced](#) in 2016 under the leadership of Imran Khan, included a number of draconian provisions. Under the PECA, social media users could be sent to prison for up to five years for posting misinformation and federal officers are enabled to unlock any electronic device without a warrant.

In February 2022, the Pakistani Government issued a presidential ordinance, [widely decried](#) by Pakistan's media community, in which section 20 of the PECA was amended to increase the jail term for defaming any person or institution from three to five years and designating online public defamation as a non-bailable offence. However, in a landmark victory the Islamabad High Court [overturned](#) the PECA Ordinance on April 8, deeming it unconstitutional. Chief Justice of the IHC, Athar Minallah, stated that the ordinance breaches Article 19 of the Constitution, which ensures the right to freedom of speech, as well as Articles 9 and 14.

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three-year legacy in power is widely regarded to be synonymous with the worst conditions for media in Pakistan in decades, with the government often using tactics to censor and intimidate journalists. It remains to be seen how opposition leader Shehbaz Sharif, who was elected by lawmakers to become the next prime minister on April 11, will alter Pakistan's media landscape, but the historic annulling of the PECA ordinance remains a ray of hope for the nation's journalists and media workers.



A resident stands beside a picture of Imran Khan as he looks at the morning newspapers in Islamabad on April 4, 2022.

Credit: Amir Qureshi / AFP

### In this bulletin:

- **Draconian media laws sweep South Asia**
- **Complaint filed with ICC over Afghan journalist killing**
- **Media restrictions introduced in Sri Lanka as protests continue**
- **Nepal's National Broadcasting Rules discussed**
- **IFJ to launch 20th South Asia Press Freedom Report**

### The Region

South Asia's media continue to suffer from the introduction and application of

laws, including the Information Technology Rules and sections of the Indian Penal Code, among others, are commonly utilised to prevent critical reporting by journalists. In a recent case, Fahad Shah, editor of The Kashmir Walla, who has faced multiple charges since his initial arrest on February 4, was finally [sentenced](#) under Jammu and Kashmir's draconian Public Safety Act (PSA) on March 14. The PSA allows up to two years detainment without trial.

In Pakistan, the technology and telecom ministry issued the "Removal and Blocking of Unlawful Online Content" regulations in October 2021, giving authorities the right to control and censor any message posted on social media platforms. The [now overturned](#) PECA ordinance of February 2022 also worked to criminalise online dissent and alleged 'defamation'. In Nepal, stringent advocacy by media rights organisations and civil society groups has worked to prevent the government's many attempts to introduce harsh media laws. However, legislation such as the Information Technology Bill, the Nepal Media Council Bill, and the Public Service Broadcasting Bill are still used to quash critical reportage. In March 2022, Nepal's government published the controversial 11th amendment to the National Broadcasting Regulation of 1997 in the Nepal Gazette, which has been widely criticised.

The Taliban regime in Afghanistan has seen the introduction of countless new media regulations, including restrictions of foreign media, and [11 guidelines](#) that prevent the media from broadcasting programs featuring women. Sri Lanka's use of the Prevention of Terrorism Act to silence the critical voices has been well documented, while authorities in Bangladesh [have been using](#) the Digital Security Act (DSA) to harass and detain journalists for their critical reporting.

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## National Issues

**Afghanistan:** The parents of Danish Siddiqui, an Indian photojournalist killed in Afghanistan on July 16, 2021, have [filed](#) an official complaint with the International Criminal Court (ICC) against Taliban leaders and high-level commanders, including Mohammad Hassan Akhund, the acting prime minister of Afghanistan,

**Bangladesh:** The Mass Media Employees (services and conditions) Bill 2022, which defines 'journalists' and explicitly specifies minimum salary requirements, payment structures, and working hours, among others, was [placed](#) at Bangladesh's governing body, the Jatiya Sangsad on March 28. The bill

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on March 22, 2022. Siddiqui, chief photographer for Reuters in India, was [killed](#) while covering a battle between Taliban militants and Afghan security forces in the Kandahar province.

**Bhutan:** A webinar, [conducted](#) on March 29 by media rights organisations in Bhutan, including the Journalists Association of Bhutan (JAB), discussed the welfare of working journalists and [shared](#) the findings of a recently commissioned survey commissioned. Nearly 75 participants, including journalists, managers from various media houses, media students and media scholars participated in the webinar, supported by UNESCO.

**Maldives:** The Maldives Broadcasting Commission (MBC) met with the Maldives Media Council (MMC) and Information Commissioner Office (ICO) on March 27 to discuss future collaborations in media development initiatives. During the meeting, MBC, MMC and ICO agreed to work on several areas to foster media development in the Maldives. On March 20, MBC had a meeting with Takeuchi Midori, the Ambassador of Japan to the Republic of the Maldives, to discuss a Japan and Maldives partnership for media development.

**Pakistan:** On March 21, the

‘workers’. The journalists’ community, however, has [criticised](#) the law, arguing it would serve the interests of media owners rather than journalists.

**India:** Kanak TV reporter Loknath Dalei was [allegedly assaulted](#) and mistreated by police officers from Nilagiri police station on April 6, for his prior reporting on the district’s alleged corruption. According to the journalist, he was thrashed by the station’s inspector, before being sent to Balasore District Hospital where he was chained and left without a bed.

**Nepal:** Following the approval of the eleventh amendment to the National Broadcasting Rules, the Federation of Nepali Journalists (FNJ) organised a consultation on March 1, where stakeholders expressed concern about the new bill’s provision that internet-based broadcasters must be licensed at a cost of NRS 500,000 (approx. USD 4,079). Concerns were also raised regarding the ambiguous definitions of ‘video on demand’ and ‘online television’, arguing that they could be used to curtail freedom of expression.

**Sri Lanka:** Sri Lankan president

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a response to a petition [filed](#) by the Pakistan Federal Union of Journalists (PFUJ) challenging elements of the [Protection of Journalists and Media Professionals Act](#), 2021. The petition opposed the definition of ‘journalist’ and the provision of section 6 of the act.

page of the President on March 30, 2022, coinciding with widespread protests in Mirihana, Colombo. The Mirihana protestors [accused](#) President Rajapaksa of mismanaging the Sri Lankan economy and causing an economic crisis with severe inflation, daily blackouts, and a shortage of fuel and essential items.

### Media Rights Violations

The IFJ recorded 39 media rights violations in the South Asia region including the detention of 21 journalists, attacks on ten journalists, and seven instances of censorship from March 15 to April 15, 2022. Key arrests in the period included the [detainment](#) of Indian journalists Ajit Ojha, Digvijay Singh, and Manoj Gupta on March 30 for their reporting on the leak of an exam paper, the [detention](#) of six Sri Lankan journalists on March 31 from field reporting, the Taliban’s [arrest](#) of ten media workers since March 15 and the [arrests](#) of Indian journalists Badusha Jamal and [Gaurav Bansal](#).

Six Indian journalists including Loknath Dalei, a senior Pakistani journalist Zahid Sharif Rana, cameraperson of Bangladesh’s Somoy TV Ataul Gani Sagor were attacked during the period. South Asian countries practiced wider censorship this month with documentation of seven cases of censorship. Sri Lanka [imposed](#) a social media crackdown, the Indian government [blocked](#) 22 YouTube channels and [restricted](#) travel for journalist Rana Ayyub. In Afghanistan, at least four international broadcasters, including the BBC, Voice of America, [Deutsche Welle](#) and China Global Television Network, were [taken off air](#) by the Taliban.

#### Violations by Type

Killing	0
Arrest/Detention	21
Attack	10
Censorship	7
Harassment	0

#### Violations by Country

Afghanistan	16
Bangladesh	1
Bhutan	0
India	14
Maldives	0

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	<a href="#">Economic Pressure</a>	0	<a href="#">Sri Lanka</a>	7

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### Featured Action

**Nepal:** The Federation of Nepali Journalists (FNJ) [celebrated](#) its sixty-seventh anniversary on March 30, organising various programs across the country. The FNJ established a free health camp and held three separate panel discussions on the impacts of Covid-19 press freedom in and journalists' professional safety, as well as the role of the FNJ in the pandemic context. FNJ chair, Bipul Pokhrel, [said](#): "FNJ is dedicated to the protection of journalists' rights and against any attempt intended to control the media and discourage the free press."

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### IFJ Blog

Under the Khan government, journalists have found themselves particularly targeted, not just by his ministers and spokespeople, but by the prime minister himself, [writes Adnan Rehmat](#).

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### IFJ At Work:

**IFJ to launch South Asia Press Freedom Report:** On behalf of the South Asia Media Solidarity Network (SAMSN), the IFJ will launch its twentieth annual South Asia Press Freedom Report (SAPFR) for 2021-22 on May 3, 2022, to coincide with World Press Freedom Day. The launch will be held online. The SAPFR 2021-22 focuses on key issues relating to freedom of expression in the eight countries of South Asia, with a focus on media sustainability in light of the economic issues induced by the pandemic, the growth of digital media, the rising threat to freedom of expression online, self-censorship and journalists in exile, jailed journalists and the use of law to suppress freedom of expression.

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### FROM THE MEDIA

- Journalists in Kashmir anxious after admin's "militant sympathizers" remarks – From [Two Circle](#)

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- How the Modi government misuses look-out circulars to target critics like Rana Ayyub and Aakar Patel – from [Scroll in](#).
- For the sake of free speech – from [The Express Tribune](#)
- PECA verdict – from [The News International](#)

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## TAKE ACTION!

Apply for the [Pulitzer grant for crisis reporting 2022](#)

Apply for the [Sue Palminteri WildTech Reporting Fellowship](#)

Read and share the [IFJ 2021 Killed List](#)

Read [Fair Game: The Endangered Media Space for Foreign Correspondents Inside China 2022](#)

Apply for the [Journalism AI Fellowship Programme](#)

Apply for the [Coastal Resilience Media Grants 2022](#)

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Read and share: **When home becomes your newsroom – [The IFJ guide](#) to ensure your rights at home #RIGHTSATHOME #SAFETELEWORK**

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