Nepal

Country: Nepal
Year: 2016
Press Freedom Status: Partly Free
PFS Score: 54
Legal Environment: 16
Political Environment: 23
Economic Environment: 15

Overview

Nepalese media offer a broad spectrum of political views. However, constitutional and other legal provisions permit some restrictions on the media. Death threats and physical attacks against journalists are common. The economic situation for journalists is difficult, particularly for those at community radio outlets, which compete against better-funded commercial outlets.

Key Developments

- The 2015 constitution, which lawmakers approved in September, guarantees freedom of the press but contains restrictions on some types of media content.
- In September, the former head of the Nepal Federation of Indigenous Nationalities was charged with disturbing social harmony under the Electronic Transaction Act, in connection with Facebook posts in which he had criticized authorities.
- Numerous journalists were attacked in connection with their coverage of demonstrations and political unrest related to provisions in the new constitution.
- A devastating earthquake in April damaged the offices of many radio, television, and newspaper outlets, forcing their closure and leaving journalists unemployed.
Legal Environment: 16 / 30

Nepal promulgated a new constitution in September 2015. Its preamble assures “complete press freedom,” and other articles prohibit prior censorship of any print, broadcast, or digital materials. However, the constitution also provides for “reasonable restriction” of media content that is determined to undermine national unity, stoke ethnic tension, or damage public morality. Press freedom advocates have expressed concern about this language, as well as about a clause concerning government regulation of the media they said could empower authorities to close outlets.

Criminal defamation charges are rarely employed against journalists, but other legal obstacles can stand in their way. In September 2015, the former general secretary of the Nepal Federation of Indigenous Nationalities, Ang Kaji Sherpa, was temporarily detained under the 2008 Electronic Transaction Act after being accused of disturbing social harmony and misusing social networking sites. The allegations came in connection with photos he had posted to Facebook, which showed clashes between protestors and security forces and were accompanied by criticism of state officials. He was freed on bail after several days; the case against him remained open at the year's end. His and other recent arrests under the Electronic Transactions Act have prompted concern among media groups about a possible government crackdown on free expression on the internet. However, the government is not known to monitor online activity.

The 2007 Right to Information Act, though generally welcomed by press freedom groups, contains a number of weaknesses. Mechanisms for requesting information are ill-defined, applicants must furnish reasons for their requests, and they are prohibited from using the information for purposes other than their stated reason. Implementation of the law has generally been inadequate. Transparency groups have also criticized constitutional provisions that could limit the right to access information.

There is no independent regulatory body to oversee the broadcasting sector. Under the current arrangement, the government is the only licensing and regulatory agency for the media.

Political Environment: 23 / 40 (↑1)

Debate over the new constitution dominated political discourse in 2015, and media outlets often displayed biases linked to the issue. A large-scale protest movement against the constitution by Nepal’s Madhesi ethnic group emerged as a particularly contentious issue, with media houses variously aligning themselves with or criticizing the sometimes-violent campaign.

The media are not generally subject to direct censorship from the government. However, in August 2015, access to Kathmandu-based Hulakinews.com was blocked after it published a story on the fatal police shooting of a protestor at a demonstration against the new constitution; BP Sah, the site’s editor, said he had refused to remove the article following a request from police, and that the website was blocked shortly afterward.
Additionally, in September, Nepal Cable Television Association president Sudhir Parajuli said cable providers would indefinitely block 42 Indian television channels in protest of an alleged Indian blockade he said was preventing critical imports from reaching Nepal. The Ministry of Information and Communication later ordered the companies to resume broadcasting.

Threats against journalists are reported frequently. In April, two reporters with the Commander Post daily said they had received death threats from the youth wing of the Unified Communist Party of Nepal (the Maoists) in connection with reporting on the labor conditions of Nepali workers in Malaysia. In June, a journalist with the daily Nagarik was threatened by a man claiming to be the press advisor to the labor minister, in connection with a story about the ministry’s plan to pay for visas and travel expenses for Nepalis working abroad. And in July, Radio Shaligram manager Om Ghayal received a death threat from a local entrepreneur whose practices he had criticized on-air.

Attacks against journalists also continue to occur. In January 2015, several reporters were assaulted while covering a demonstration connected to a general strike called by opposition parties. In late July, reporter Sandeep Yogi with Image News FM was attacked by a state official’s security detail after he photographed traffic congestion caused by the official’s vehicle. Station management fired Yogi over the incident the next day, saying it reflected poorly on the outlet. A few days later, in August, unknown persons assaulted Yogi a second time. Cable distributors who broadcast Indian programs received threats from individuals affiliated with one of Nepal’s Maoist factions in 2015. In December, attackers allegedly linked with that group threw a petrol bomb at the Lalitpur offices of a cable distributor that carried numerous Indian channels.

Tensions and protests related to the new constitution also created a hostile environment for the press. In August 2015, I Singh Rokaya, a reporter from Bulbule FM radio, was shot in the leg by police while covering a protest in Surkhet district against the new charter. In September, photojournalist Bikram Rauniyar was beaten by the police while covering similar protests in Janakpur. Rauniyar claimed that he told police that he was a journalist, but that they had continued to beat him. Also in September, photojournalist Ram Sarraf from the Himalayan Times had a Molotov cocktail thrown at his house following his reporting on political unrest in the southern district of Parsa. In November, Irfan Ali, a News 24 television reporter, was attacked by participants of a United Democratic Madhesi Front (UDMF) rally he had been covering. And also in November, Radio Parasi’s office was bombed, following threats by people angry over what they characterized as progovernment reporting. The bombing did not cause any injuries; however, due to damage to the building, broadcasting was suspended.

Authorities have taken some action to combat a culture of impunity for attacks against journalists. In April, the Dhanusha District Court sentenced Umesh Yadav to life in prison for the 2009 murder of journalist Uma Singh.

**Economic Environment: 15 / 30**

Nepal’s media sector has developed considerably in the past two decades, with 340 newspapers, 515 radio stations, and 58 television channels in operation in 2013,
according to UN figures. The media generally offer a broad spectrum of political views and appear to have diverse owners, though there is no reliable information on media ownership in the country. The government owns several of the major dailies as well as the influential Radio Nepal and the Nepal Television Corporation. Political parties have also come to own an increasing share of newspapers in recent years. It is not unusual for the selection of editors at national newspapers to be governed by political deals and bargaining.

Radio remains among the most popular news sources because there are few barriers to market entry. Nepal has about 250 community radio stations operating across the country. These stations serve as a means of protecting local cultures and languages from the dominance of Nepali-language media. A number of community stations were badly damaged by the April 2015 earthquake but many were able to quickly resume operations, often with assistance from international partners. While license fees have been adjusted in recent years to support diversity, community radio stations still have difficulty competing with commercial stations for resources. Despite the large number of outlets, mainstream Nepali media often either ignore or are biased against the interests of Dalits, Madhesis, indigenous peoples, and Muslims, who collectively form about 70 percent of the population. About 18 percent of the population had internet access in 2015.

There were a number of issues related to news distribution in 2015. In January, during a general strike, protestors vandalized two newspaper delivery vans, and in Kathmandu, destroyed copies of the Kantipur Daily newspaper. In February, antigovernment protesters in Kalaiya destroyed copies of four leading papers in retaliation for a perceived lack of coverage of their activities. And throughout the year, strike conditions and disruptions in trade with India led to shortages of printing supplies, which interrupted the publication of many newspapers.

Many media workers do not receive professional training, are informally employed, and are paid well below prescribed minimum wages. Since the government is a major source of advertising, journalists often self-censor in order to avoid conflict with the ruling party.

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