



Freedom of the Press 2013 - Nepal

Publisher [Freedom House](#)

Publication Date 10 October 2013

Cite as Freedom House, *Freedom of the Press 2013 - Nepal*, 10 October 2013, available at: <http://www.refworld.org/docid/52677ba912.html> [accessed 26 November 2013]

Disclaimer This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States.

2013 Scores

Press Status: Partly Free

Press Freedom Score: 58

Legal Environment: 16

Political Environment: 27

Economic Environment: 15

The Nepali media environment deteriorated in 2012, with increased violence and threats being issued against journalists across the country. The 2007 interim constitution guarantees freedom of the press, opinion, and expression. However, it has been criticized for failing to meet international standards, and the government has struggled to uphold freedom of the press in practice. According to the constitution, freedom of expression can be restricted in cases of defamation and incitement, as well as in the interest of promoting sovereignty, public decency or morality, and harmonious relations between different communities. Nepal's draft permanent constitution contains clauses with opaque and malleable language. For example, Clause 2a within Article 2 grants every citizen freedom of opinion and expression, but goes on to state that authorities have the right to place "reasonable restrictions" on free speech. Article 12 promises citizens the right to access information, but stipulates that "any matter about which confidentiality is to be maintained according to law" shall be excluded from this provision. Article 4, on the other hand, could prove to be a positive addition, as it provides a special charter of rights specifically for the mass media. However, the Constituent Assembly failed to promulgate the new constitution on time, after being given a final deadline of May 28, 2012. Prime Minister Baburam Bhattarai dissolved the assembly the same day, leaving the country in a legal vacuum at year's end. Although defamation can be treated as a criminal offense, the charge is rarely employed against journalists.

The right to information in Nepal came under threat when the government issued a directive listing 140 categories of information that should not be made available to the public. This was a drastic increase over the 2007 Right to Information Act, which listed only five categories. New categories added to the list included political party financing, development projects, and parliamentary decisions. After a widespread public outcry, the Supreme Court issued a stay order temporarily halting implementation of the new directive. The Right to Information Act, though generally welcomed by press freedom groups, has itself been criticized for its requirement that applicants furnish reasons for their requests.

The Nepali media are not generally subject to direct censorship. The Nepal Press Council and the Federation of Nepali Journalists (FNJ) have a code of ethical conduct, but it lacks effective enforcement mechanisms and support from media stakeholders. There is no independent regulatory body to oversee the broadcasting sector. Under the current arrangement, the government is the official licensing organization – a point of contention among independent and community broadcasters. In January 2012, the Ministry of Information and Communications published a draft Media Policy on its website. The ministry was criticized for failing to involve key players – including the FNJ – in the process, as well as for substantive content gaps in the policy, including the failure to address the need for independent regulation of broadcasting and freedom on the internet. Despite the criticisms, the government was poised to adopt the policy as of December 2012.

Nepal continues to be a dangerous country for journalists, and in 2012 the country saw the death of one journalist and one media owner, as well as the disappearance of a radio journalist. In April, Yadav Poudel was killed in the Jhapa district of Nepal. Poudel was an editor for the *Mechi Times* regional daily, and covered eastern Nepal for the Kathmandu-based Avenues Television and *Rajdhani* national daily. In July, Santosh Gupta, managing director of the Birganj-based Bindas FM, was found dead in Musouriya village in Bihar, a state in neighboring India. In both cases, the murders were investigated but it remained unclear if they were a result of the victims' work. Finally, Madan Poudel, a journalist with Radio Tamor in Taplejung, Eastern Region, went missing in September 2012. A high-level taskforce comprising police officers from Nepal's Eastern Regional Police Office and Central Investigation Bureau (CIB) was formed to search for him, but no concrete leads had emerged by year's end. Impunity for attacks on journalists has long been a problem in Nepal, and little action was taken in 2012 to punish perpetrators of past crimes, including the cases of Dekendra Thapa, a journalist killed in 2004 by Maoists, and of Prakash Thakuri, killed in 2007. Bhattarai stated in 2011 that "politically motivated cases" would be pardoned, which could lead to the release of individuals convicted of human rights violations. The remarks have prompted serious concern from media groups.

In addition, journalists were subject to a greater number of attacks by both state and nonstate actors, including political parties, government employees, and police and security forces, compared to 2011. Journalists also faced frequent death threats as a result of their reporting. Many were threatened or had their equipment seized or burned as they attempted to cover street protests and other events, or as a consequence of their work. In January 2012, journalists were threatened by a member of the Constituent Assembly, Bal Krishna Dhungel. In May, one week before the deadline for the promulgation of the new constitution, there were widespread attacks on reporters and cases of vandalism. Ethnic and religious groups staged protests to press for their demands in the new constitution and attacked approximately 50 journalists over the span of two weeks, in a bid to pressure them to write favorable reports. In June, Bhattarai personally questioned the state-run Nepal Television (NTV) management for broadcasting live a program involving 22 opposition parties. In December, members of the Shiva Sena Nepal political party broke into and vandalized the offices of Nepal Republic Media in Kathmandu.

The government owns several of the major English-language and Nepali dailies, as well as the influential Radio Nepal and Nepal Television Corporation. There are several hundred dailies, many of which are based in the central regions of Nepal and the Kathmandu Valley, according to the Nepal Press Council. An increasing share of newspapers are owned by political parties, specifically the ruling Communist Party of Nepal/United Marxist-Leninist (CPN-UML). The party has started to publish newspapers in almost every region and district of Nepal, and the outlets are often heavily influenced by the CPN-UML's political views. Media ownership often lacks sufficient transparency, and it is not unusual for the selection of editors at national newspapers to be governed by dubious political deals and bargaining.

Because there are few barriers to market entry, radio remains the most popular news medium. At least 350 FM radio stations and 19 television channels were operating in 2012, and many more

had acquired licenses. Community radio stations have become more common, partly as a means of protecting local cultures and languages from the dominance of Nepali-language media. However, community radio stations have difficulty competing with commercial stations for resources while paying the same fees and royalties. In July 2012, the government announced its intention to increase broadcast royalties to 2 percent of a station's income, or 10 percent of its net profit, sparking concerns that community radio stations would be the worst affected. Despite the large number of outlets, the Nepali mainstream media lack effective cultural diversity and often either ignore or are heavily biased against the interests of Dalits, Madhesis, indigenous peoples, and Muslims, who collectively form around 70 percent of the population.

Many workers at Nepal's news outlets 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 are often forced to self-censor their reporting in order to avoid conflict with the ruling party.

There are some government restrictions on the internet, to which 11 percent of the population had access in 2012. Conditions of operation for internet service providers include the filtering of pornographic content and of any material that "incites racial and religious hatred and is against the national interest."

Copyright notice: © Freedom House, Inc. · All Rights Reserved

Search Refworld

by keyword

and / or country

All countries



Clear

Search

[Advanced Search](#) | [Search Tips](#)

Countries

- [Nepal](#)

Topics

- [Freedom of expression](#)
- [Freedom of information](#)
- [Threats / Intimidation](#)