

PCN Year Book 2020/21

Nepali Media: Issue of Ethics and Sustainability



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Nepali Media: Issue of Ethics
and Sustainability

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Foreword

Press Council Nepal (PCN) – with an indispensable role in making the journalism sector dignified – is celebrating its 52nd anniversary. It is natural to notice the differences over the period of more than half a century. Facing the added challenge of the advancement of information technology, PCN has been taking various steps for the greater good of the Nepali media. **PCN Year Book 2020/21, Nepali Media: Issue of Ethics and Sustainability** is the latest step, which covers various dimensions of the Nepali media.

As a mirror of Nepali journalism, PCN has started publishing this year book as its annual review beginning from this year. This review covers various dimensions of Nepali media and discusses prospects, problems and solutions towards making Nepali journalism more ethical, credible and accountable. First of its type in Nepal, this review brings forth insights of experts in the field of media and communication.

Like other sectors, the media fraternity has also been badly affected by the COVID-19 pandemic in the last one and a half years. The media industries have closed down. Those which do exist are also in trouble. Journalist's business has been snatched away. Salary and other facilities have been stalled. The capable media houses, too, have snatched the livelihood of journalists and employees on the pretext of the pandemic. The declining print media has been hurt even more by the COVID-19 pandemic. It has hurt independent, competent and responsible journalism.

Established with an aim of developing healthy journalism and making media and journalists accountable to the nation, society and citizens, this regulatory body today stands amidst challenges and opportunities. Media sector in Nepal faces the challenge of preserving and promoting the unprecedented development of journalism. On the other hand, there is a need to take effective steps to overcome the problems surfacing at an unprecedented

degree such as distortions and anomalies. Equally important is to coordinate and collaborate with various agencies to restore journalism that has been weakened by the pandemic to its actual status. Newer platforms i. e. online media and YouTube channels have not paid enough attention to this aspect. PCN will have to address these issues with priority.

The Press Council Act 1992 (2048 BS) has given maximum responsibility to the Council to take initiative to issue and implement the Code of Conduct for Journalists to develop healthy journalism and to make journalism a dignified, accountable and prestigious profession. By updating the code of conduct, it has been interacting with the concerned bodies, experts and legal practitioners to address the introduction of technology and new trends in journalism.

PCN has been playing a constructive and coordinating role for the development of journalism. Journalists who have spent a long time in journalism are increasingly abandoning the field. Stakeholders should find ways to retain qualified, skilled and experienced journalists in this profession. In this regard, PCN is ready to coordinate unconditionally.

To make the journalism profession responsible and accountable, in 2016, a new Journalist Code of Conduct had been issued after reviewing the earlier Code of Conduct. Similarly, the first amendment (2019) of the same Code of Conduct has been issued. In the meantime, various programmes are being executed to implement it. PCN believes in holding the media and journalists accountable through effective adherence to the Code of Conduct.

PCN has been protecting and promoting both freedom of the press and responsible journalism. It adheres to the basic premise of holding the media accountable using freedom. It has supported the rule of law by making an arrangement that if objectionable, anti-social content is found disseminated through illegal, unregistered media outlets, they will not be allowed to do so within Nepal. There is a provision to dismiss the action if those involved in such activities apologize in writing.

There is a need to promote training, interaction, media dialogue, public hearings, and code of conduct awareness campaign at the province and district level so as to minimize the incidents of violation of code of conduct. The state has to seriously reconsider even the meager budget provided to PCN in this regard.

In order to empower the media, the Council has given continuity to the incentive work including capacity building training, purchase of press materials, establishment of communication centre , interest subsidy, concession in treatment, etc. Furthermore, PCN is serious about the problems faced by journalists due to COVID-19 and has even started work on some immediate relief package. In addition, the Council has repeatedly written to the government with suggestions to make a policy decision towards this end.

There are several issues regarding media monitoring, implementing the code of conduct, media sustainability, accountability, accuracy and credibility. Adequate research-based practices are the need of the hour to sustain media in the current challenging context. Promotion of research-based articles on diverse fields of media definitely helps generate awareness among the stakeholders and the people at large. As rights and duties go simultaneously, the issues relating to ethics go side by side with press freedom and freedom of expression. Area of media study is enlarged with the expansion of media market, particularly in the sphere of digital media. It has become a cross-cutting issue. This field invites responsible and accountable contributions from all stakeholders -- producers, consumers and monitoring agencies. Democracy sustains and functions effectively where responsible media are in operation abiding by the code of conduct while exercising the norms and values of press freedom.

This is a maiden effort and important contribution for promoting media ethics and press freedom. It is believed that the publication will be useful to the students, media researchers, media practitioners and other stakeholders. This publication is a collection of research-based articles covering various disciplines of media. It includes articles relating to media law, media ethics, journalist's

code of conduct, issues of digital media, social diversity in media, disinformation issue in Nepali media, media monitoring under federal structure in Nepal, community broadcasting in Nepal, assessment of university curricula, impact of COVID-19 in media, PCN's activities, status of press freedom in Nepal and women's presence in media. Contributors include media experts, researchers, teachers, working journalists and legal experts.

This publication is a symbolic initiative launched on the occasion of PCN's 52nd anniversary, and we will continue this to contribute towards responsible press. PCN would like to express its gratitude to all the expert writers who have diligently written research-based articles. The first volume is in reader's hand. Constructive suggestions are welcome as there is always space for improvement in every creation or publication.

PCN is thankful to Laxman Datt Pant for taking the responsibility of Editorial Coordinator. This publication would not have been possible without the editorial support provided by Liladhar Upadhyay and Kamal Dev Bhattarai. As the Members of Editorial Board, they worked very hard. PCN is equally thankful to Ramesh Lamsal for proof reading. I am grateful to Durga Bhandari, the coordinator of the publication committee, and all the board members and staff at the PCN for their support to this publication.

I am committed to make the media sector sustainable through effective programmes to maintain the dignity of Nepali journalism. To this end, this year book will serve as an essential bridge.

Balkrishna Basnet

Chairperson
Press Council Nepal
September, 2021

Abbreviations

AAN	: Advertising Association Nepal
ACORAB	: Association of Community Radio Broadcasters Nepal
AM	: Amplitude Modulation
AMARC	: World Association of Community Radio Broadcasters
BMT	: Bachelor in Media Technology
BS	: Bikram Sambat
CA	: Constituent Assembly
CBS	: Central Bureau of Statistics
CMR	: Center for Media Research
COVID-19	: Coronavirus disease of 2019
DoIB	: Department of Information and Broadcasting
FF	: Freedom Forum
FM	: Frequency Modulation
FNJ	: Federation of Nepali Journalists
FWU	: Far Western University
ICCPR	: International Covenant on Civil and Political Rights
ICT	: Information and Communication Technology
IFJ	: International Federation of Journalists
JMC	: Journalism and Mass Communication
KU	: Kathmandu University
MAN	: Media Action Nepal
MCJ	: Mass Communication and Journalism
MDC	: Master in Development Communication

MMT	: Master in Media Technology
MoCIT	: Ministry of Communication and Information Technology
MW	: Medium Wave
MWU	: Mid-Western University
NA	: Not Available
NEFEJ	: Nepal Forum of Environmental Journalists
NGOs	: Non-Governmental Organizations
NPI	: Nepal Press Institute
OJAN	: Online Journalists Association
PCN	: Press Council Nepal
PU	: Purbanchal University
RSF	: Reporters without Borders
SC	: Supreme Court
SIN	: Share-cast Initiative Nepal
TU	: Tribhuvan University
TV	: Television
UDHR	: Universal Declaration of Human Rights
UNESCO	: United Nations Educational, Scientific, and Cultural Organization

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Journalists' code of conduct: Musing over bumps blocking implementation

Prof. R. K. Regmee

Abstract

The write-up Implementing journalists' code of conduct: Musing over bumps barring implementation - attempts to shed light on hurdles which deny implementation of the code in the Nepali media sector and suggest an alternative to remove them. It uses qualitative method for exploring obstructions through the perspectives of media experts, practitioners and users. The size of the respondents does not allow the article to claim being representative and comprehensive in approach. It, however, stands well on the reality facing the media sector from the standpoint of the code. It should not be confused with intent analysis of media contents. Nor should it be taken as a case study of violation of the code of conduct.

Keywords: Code, Violation, Implementation, Journalistic Conduct, Practitioners

Context

Is there any sense in re-preaching the journalist's code of conduct in the post-journalism era? Will such sermonizing heal the deficiency detected in the implementation of the code in Nepali media sector?

The questions mentioned above are paraphrased versions of queries raised recently in Kathmandu by working journalists of Bagmati Province as they discussed the journalist's code of conduct at a training programme (August, 2021). Similar concerns were expressed by media workers in Dhangadhi, Ilam and Butwal in 2017/18, 2019 and during webinars in 2020 amidst COVID-19 disruptions including infodemics. The same could be taken as indicator of what media persons feel as battle for applying the code to their daily functioning while struggling to adapt to the change brought about by technology in media-sphere.

The above mentioned inquiries deserve attention of practitioners and academicians because they portray the contemporary perplexity of Nepali media sector- Internet making it possible for anyone to produce or receive information – in text, video, audio or their converged form - as per wish and with no need to undergo the process of what journalists call the gate-keeping.

The phenomena directly or indirectly affect the way mass media persons function, behave, collect information and present the same for public.

Bedrock of the code

The journalist's code of conduct, which features non-mandatory and voluntary characteristic, is actually a proposition to be clear about right and wrong and act morally and spiritually. According to scholars, it is founded on the noble ideas such as seeking the truth and reporting it, minimizing harm, acting independently and being accountable. Practicing them at individual level demands initiation from self and applying it at institutional level requires a disciplined process integrated into all dimensions of journalistic activities including reporting/producing and editing. Specially emphasized in this regard are acts such as self realization, self regulation, self

discipline, self evaluation and transparency while advocating social responsibility in voicing for the voiceless, serving as the public watchdog, energizing democracy and facilitating public opinion to take shape.

The values that it carries expect from journalists and media institutions a sense of commitment (belief) to them and psychological preparedness (will or determination) to practice the same. If both of them are not in the same page on these, the code cannot be put into practice as they produce contents as part of their duties in pages, screens and airwaves.

Nepali scholars and practitioners are well familiar with that reality. Yet they have not been able to develop a process which avoids the hurdle and facilitates implementation of the code. They have not properly tried to use the code as instrument for facilitating journalists and media institutions to take decisions on issues of what experts call information disorder syndrome particularly misinformation, disinformation and mal-information. The code has not been utilized in the context of determining course on themes related to conflict of interest, conflict of duties, concerns for rights, sourcing information correctly, freedom to report, right to reply, human sensitivity, gender equality, citizens' privacy, minorities, social harmony and national interests. As a result, it has produced a deficit in code-abiding and generated reasons for distrust in media.

A brief walk through the literature reveals interesting links with and provisions for journalist's code of conduct in different times and countries. Some, for example, embrace spiritualism and insert it into the code underlining the need to purify character through cleaning mind, speech and act as per the teachings of Veda Vyasa, the great oriental sage and scholar of the Vedas. Others consider the golden mean developed by Aristotle as helpful for ensuring balance and fairness besides highlighting the importance of the principle "do unto others as you would have them do unto you" for thinking about

consequences. Moral principles such as Categorical imperatives, developed by Immanuel Kant, utilitarian ethics advocated by John Stuart Mill, pragmatic ethics of John Dewey, egalitarian ethics of John Rawls, and Hutchins Commission-inspired social responsibility ethics also get linked with the code in one way or another. Potter's Box with its four quadrants –situation, values, principles and loyalties- is another source that enriches the moral dimensions of the code. (Vivian, 1997).

Nepal, in a sense, appears to have been conscious of journalistic code for nearly 120 years. The Sanad of 1901 A.D., a directive issued by then Rana Prime Minister DevShumshere, triggered the chain of ethics discussion in the country by suggesting what to print and not to print in the newspaper -The Gorakhapatra. The 18-point suggestions made to the government by the Press Commission in 1957 added to the build-up of code while the first conference of Nepali journalists' Association charted, in 1967, a 22-point code which could be taken as a great watershed movement for positively disciplining the press. The codes continued to evolve over time in response to political and technological changes. Special efforts were made for the same in this regard after 1990-restoration of democracy. Most notable among them was the 1998 joint venture of the Federation of Nepali Journalists and Press Council Nepal, in producing a standard code which was amended later to finalize the 2016 code of conduct. (Pathak, 2019).

Scholars of Nepal, for example, appear careful in detailing, in the media text, the ethical issues with particular reference to journalistic code of conduct. (Acharya, 2016, Pathak, 2019) They point out various dimensions of ethics in relation to credible journalism. Researchers also join them and contribute to the cause of responsible journalism by undertaking specific research on misleading news in media (Media Action Nepal, 2021).

Portrait of the challenge

Structuring the challenges of mass media in relation to implementation of the code is a complicated task which requires in-depth research, time and resources. Moreover, hurdles could differ in specific ways depending on the ways of functioning and the context of coverage in the country's contemporary media sector, a composite of some 1000 print (newspapers), 600 radios stations, 6 dozen TV channels, and 500 online news portals. A comprehensive study is, therefore, not possible in a brief write-up like this.

However, a general scenario obtaining in the media arena in the context of compliance with the code has been constructed in it through qualitative method of dialogue, interview and focus group discussion engaging 25 persons each – media experts, practitioners and users - over March, April and May of 2021. Their names are not mentioned for protecting their identities. The theme centered around difficulties in implementation of the journalists' code of conduct.

Findings from the study are categorized into four: non-ownership, platform-mindset, complaint pattern, and malpractices. The categories emerge as cause for an environment in which journalists cannot concentrate on pursuit of the code. The same in course of time turns out to be the reason for what a recent study (Media Action Nepal, 2021) termed disinformation, misinformation, unsubstantiated allegation, distortion of facts, ideological bias, abuse of press power, personal vengeance and unreliable sources.

Non-ownership

Fueling the deficiency is the trend of not owning the code of conduct. There is a tendency to either take the code as the talking point for seminars and a chapter in the textbook or treating it as the responsibility of those who teach, discuss or scrutinize

media. According to a media expert, such non-ownership attitude has led to confusion in media houses as institutions, their various wings, particularly editorial desk and reporting/production wing, and technical staff including camerapersons. All of them do not appear convinced about owning and acting the code individually or collectively. This has naturally led to difficulty in application of the code to their daily working situation.

A close observation of mass media coverage could produce indicators for studying difficulty in pursuing the code of conduct: a complex of problems facing journalists, media houses and their owners does not allow them to focus on pursuit of the code. Issues such as lack of journalistic education, appropriate economic motivation, and constant anxiety about job security along with no certainty over timely availability of appointment letter and pay make it difficult for journalists to follow the code. Similarly, uncertainty over investment does not allow owners to focus on championing the cause of the code. A media expert wondered: How could journalists implement the code when they are compelled to wear two hats: working as a journalist and focusing attention elsewhere to earn a living? How could media owners own the code when their heads are burdened with financial debt growing day by day?

Platform-mindset

The temptation to use media as a platform for getting connected with those in power and with wealth and using the same for hidden self-interest leaves media houses unable to create enabling environment to pursue the code. It does not allow them to be committed to the noble cause of journalism. This, a media expert opined, reflects adversely on overall coverage, particularly political communication and economic/business information-flow in Nepal. Journalists appear openly showing tilt as they report politics, political ideology and leaders and economic sector. They, a practitioner observed, simply

relish displaying loyalty to parties and leaders ignoring the fact that the code does not encourage journalists to act like a political party cadre.

Complaint pattern

A study of pattern of complaint against media shows those who are (or feel) victimized by media contents do not usually follow the process of complaining through legal channels or scrutiny bodies. "They, instead, are more interested in either taking revenge against the journalist or the media concerned through whatever way they can. Officials who find media reports going against the facts related to their offices also demonstrate the same tendency, noted a media user adding, "They rarely come forward with right facts arguing against what the media reported." The number of complaints in scrutiny bodies, therefore, does not usually represent the actual damage caused by media reports to the people.

The media, according to a practitioner, does not also display willingness to correct their false reports promptly with due respect to the voice of the plaintiff. They usually either ignore wrong reporting or give it negligible attention. Under pressing circumstances, they correct falsehood in space and time considered highly unimportant from the attention-standpoint of media users.

The pattern mentioned above creates a situation in which violation of the code looks like a compulsion and the issue of wrong reporting generates a chain of politicization which in turn seeks to shape the issue on the basis of political convenience rather than on the basis of appropriate facts. Political inconvenience forces either silence or blackmailing or black-outing on the issues concerned. The same could prompt difference between owners and editorial desk. A number of examples could be found in senior journalists' move to quit specific media after years of service (or owners' step to oust long-serving journalists) over such conflict.

The end result is loss of trust in media. Senior leaders and officials are often heard saying: the situation or issue is not as reported in the media. An interesting way of suggesting: media reports are false! The general grumbling is: Nepali media has grown in number but not in quality, particularity in realms such as objectivity, plurality, inclusivity and diversity.

Malpractices

There is a tendency to pursue investigative journalism not for truth but for defaming one at the cost of another or for some commercial gain or non-transparent agenda. A sort of checkbook journalism or public relation exercise is visible in the name of development reporting and progress reporting of favorite institutions. There are instances in which reporters are supposed to solicit advertisement.

In the name of catching eyes and attention of people – boosting target rating points TRP - presentation of news is made in a sensational manner, sexually appealing style, and exaggerated tone. There is, for looking ultra-modernist in approach, no hesitation in using or sharing indecent language for the purpose. Depicting human body, particularly female body, in a profane manner, carelessness in covering children, minorities and the disabled also feature in the media. Users complain that the mass media products cannot be read, viewed, or heard in living room with members of the family.

Ignorance also contributes to malpractices. There are some who violate the code without knowing the core values of the code such as conflict of interest, compulsion of quoting sources and safeguarding confidential sources, verifying and cross verifying information particularly in serious factual issues. The COVID-19 infodemics troubled Nepali people a lot for the past two years. The same actually turned the public health crisis into a socio-economic disaster. The tendency to present information without factual verification has always troubled the Nepali media, observed a practitioner.

The path ahead

There is neither a capsule nor a vaccine to make journalists mind the code in every aspect of their work. But the process through which they take decisions and undertake actions in newsroom and chambers associated with them could be integrated with the perspectives of ethics. It will be instrumental in building ethics barometer in the media-arena besides producing an enabling environment in newsrooms. Such environment would encourage all concerned to own the code, safeguard media from being used as a platform for motivated cause, motivate people to follow due process for complaining against media products, and encourage media to stop malpractices.

The process could be developed through a routine-package for continuing education, training and execution on a sustainable basis. Free discussion including openness to honour and include opposite views on coverage issues from the standpoint of ethics should be promoted as part of the newsroom activity. The same could be supplemented by dialogue with the media users and general public on a practicable basis. The latest tools of Information and Communication Technology could be used for the purpose. Coverage of the same in the media would further assist in establishing ethics-outlook in journalistic performance in an extended manner. (Tuggle, Carr, Huffman, 2007).

Raising ethical issues in producing media products and critiquing the same professionally is another way to further strengthen the ethical capacity of journalists. The same motivates evolution of a culture of being clear about journalistic purpose and ethical concerns in subtle ways. Moreover, it would trigger a practice of searching alternatives, analyzing consequences of specific media products, including diversity and enhancing informed understanding of stakeholders' concerns.

Scrutiny bodies like Press Council Nepal and leading organizations such as Federation of Nepali Journalists should emphasize ethics as they carry out their functions. Exemplary models with emphasis on prompt response to problems in this regard would motivate journalists to follow the path set by the code. They would be instrumental in developing, in media institutions, the will to pursue the code and get journalists follow the same. Facilitating the institutions to develop their own code in line with the prevailing PCN/FNJ code and providing them with economic and technological support would enhance capacity to comply with the same.

The government should also come forward and participate in code-promoting venture in a positive way and also as part of its social duty to enhance media capacity. Those in power had better understand: they have a responsibility to uphold the code-abiding culture for a healthy practice of journalism in the country because this would ultimately reward their pursuit of much-talked good governance in the broader interest of the people.

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Disinformation in Nepali media: Threat to ethics and credibility

Laxman Datt Pant

Abstract

This article underscores the significance and need of ethical media to build public trust towards media content. Through desk review and personal observations, it analyzes the level of media sensitivity towards indicators for preventing disinformation. Also, it assesses the state of content credibility in newsrooms of Nepal with reference to established values and principles of journalism.

Observations indicate that media houses are reluctant to capacitate journalists on professionalism, subsequently fuelling space for misleading news. Acts such as providing false context of the story, disseminating fictitious news, covering misleading content or manipulating information in a deceptive way are against professional integrity. This erodes credibility of the media. A special attention is required to ensure that journalists abide by the core values of journalism to strengthen the watchdog role of the media. It provides a brief overview of the recent literature plaguing newsrooms of Nepal, which gives a basis for understanding the challenges towards preventing disinformation in Nepal.

Keywords: Ethical Media, Disinformation, Self-Regulation, Credibility, Watchdog Role

Background

As a matter of fact, Nepali media today rank in the lower echelons of public trust. The quantitative growth of media outlets in the recent years shows that they are widespread and in some sense powerful on the one hand, but not trustworthy on the other. Nepali media in general and the mushrooming online news portals in particular face the crisis of credibility. The Constitution of Nepal clearly outlines the roles and responsibilities of the press ensuring the right to communication, right to information, right to privacy and several other fundamental rights that interconnect citizens and the media.

Also, the Journalist Code of Conduct, 2016 (amended 2019) enforced by the Press Council Nepal (PCN) calls on journalists and mass media to disseminate factual, balanced and objective information to protect and promote the right to freedom of opinion and expression, right to information and pressfreedom, including fundamental rights of the citizen (PCN, 2019).

Unfortunately, in the absence of knowhow about the code of conduct and not considering journalism as a profession at large, Nepali media have a tendency of disseminating unverified stories that further endorse misinformation and disinformation. The practice of using fabricated and anonymous sources has had the cascading impact on the public that largely consume the media content believing to stand as informed citizens.

There is no doubt that respecting the Journalist Code of Conduct could play an important role in preventing misleading news, yet the media houses and journalists in Nepal were found to have been reluctant in adhering to the code of conduct in an attempt to promote credible journalism.

Observing that Nepali media is willingly acknowledging its position as the fourth estate, Pant (2010) says:

Although, media in Nepal has firmly positioned itself as part of the established order, it is suffering a major crisis of trust, and continues to draw into that crisis. Journalists can never be trusted to same level as doctors, however it is frustrating to see sections of Nepali media do not aspire to follow the minimum principle—'do no harm'.

Adding that media is shaped by the existing social reality, Pant (2020) says that by gradually shaping public opinion, personal beliefs and even people's self-perception, media influences the process of socialization and shapes ideology and thinking. The power of creating media reality is concentrated in the hands of a few people and their biases and profit motives operate in the creation of a reality which is often distorted.

The tendency to prepare appealing but misleading headlines disseminated by media outlets subsequently being shared on social media in a large scale reaching out to more readers helps nothing but to damage the media image. Additionally, use of anonymous and fictitious sources is widespread.

A large number of news stories in the Nepali media are found to have been published without revealing the sources, subsequently promoting misinformation. Noting that disinformation can lead to insult or defamation and violation of right to privacy, a study by Media Action Nepal (2021) reveals:

A total of 1,817 news items contained misinformation, which accounts for 3.70 percent of false and misleading information. A total of 907 (3.90 %) news stories published in daily newspapers were misleading, whereas online news portals published 910 such stories (3.53%). Out of the total false and misleading information, 50.09 % and 49.91% were published by online news portals and daily newspapers respectively. The study included a total of 49,051 news items, of which 23,291 (47.48%) stories were published in 10 daily newspapers and 25,760 (52.32%) published in 10 online news portals operated from Kathmandu valley.

Disinformation: threat to media credibility

Terms such as misinformation, disinformation, fake news, mal-information and propaganda are used interchangeably sometimes. These terms often refer to a false or misleading message spread under the guise of informative content either by journalists or social media users. Scholars agree that disinformation is meant to deceive, while misinformation is unintentional.

Ireton(2018) notes that for journalists, who have long regarded themselves as essential support players in democratic and open societies, disinformation and misinformation challenge more than their reputation. Much of the discourse on 'fake news' conflates notions such as misinformation, disinformation and mal-information:

- a. Misinformation is an information that is false, but the person who is disseminating it believes that it is true
- b. Disinformation is information that is false, and the person who is disseminating it knows it is false. It is a deliberate, intentional lie, and points to people being actively dis-informed by malicious actors
- c. Mal-information is information that is based on reality, but used to inflict harm on a person, organization or country (Wardle & Derakhshan, 2018)

Andrew (2020) offers some insights:

Misinformation originating from any number of small outlets can spread organically through existing social networks online. Who is producing it, and why? What kind of misinformation is being published, and what are the processes by which it is shared by individuals? There is growing concern that misinformation spread through rapid introduction of social media in developing countries, mainly through mobile devices, is causing increasing social divisions and even violence.

Natividad (2020, as cited in Jamil & Appiah-Adjei, 2020) suggests that in the age of fake news, journalists not merely need to provide reliable and up-to-date information, but also they have to expose misinformation and disinformation to maintain the public's trust in themselves as the watchdog of society and as the guardian of the public interest.

Journalists associated with various media outlets in Nepal are often criticized for disseminating misleading information and misinformation, unsubstantiated allegations, distortion of facts, ideological bias and abuse of press power, and personal revenge. Addressing these concerns that aim at promoting credible and ethical journalism is a must. To do so, media should stay away from disseminating misleading news.

Unfortunately, Nepal lacks adequate monitoring, review and analysis of the media content, mainly in identifying the content that falls under the category of misleading news. It is therefore indispensable to facilitate a wide-ranging dialogue about disinformation and misinformation so as to promote ethical journalism.

While the Nepali media at large has contributed to promoting diverse voices and strengthening democracy, there are complaints about misleading information which has raised questions about the credibility of media content. Underscoring that factual and credible information at times of crisis, such as the current state of COVID-19 pandemic, is even more significant, Pant (2021) observes:

Journalists should not forget that in times of crisis, information can be a matter of life or death. Observations of third party fact checkers and studies show that in the absence of reliable data and credible sources, Nepali media has created panic among the readers, creating a vacuum for potentially harmful content, that is, false claims about COVID-19 infections, vaccine and treatment, character assassination, attacks on privacy, political gains, misleading information and conspiracy theories.

On the other hand, social media in Nepal has turned into a platform for hate speech, trolling and suppressing minority voices. Bhattarai (2019) analyzes that people who are expressing opposing voices are under attack and instead of debate and discussions, there has been a tendency of personal attack and harassment.

Self-regulation and standards for identifying misleading news

Journalism is a profession guided by ethics where self-regulation is considered vital as the media outlets play the role of watchdog for wrong doings. Highlighting that self-regulation functions primarily for the protection of media from political censorship, economic dependence and devastating court cases, UNESCO (2011) observes:

Many people see media self-regulation as an educational tool for both journalists – since it imposes high professional standards – and the public – since it demands more vigilant media literacy. It is regarded as a tool for media accountability, which is so significant if there is to be trust in the media. It protects the right of journalists to be independent and impartial, and to be judged for professional mistakes, not by those in power but by their colleagues. It aims at establishing minimum standards on accuracy, professional ethics, protection of privacy and other personal rights, preserving editorial freedom and freedom of speech.

Self-regulatory bodies and news ombudspersons independent of government and commercial interests do not exist in Nepal (UNESCO, 2013). PCN regulates media content mainly to enforce the Journalist Code of Conduct 2016 (amended 2019). In this context, it is pertinent for journalists to follow the code of conduct which provides a solid basis to prevent disinformation and promote media credibility. The standards that guide journalists to be factual and to prevent disinformation are principally guided by the journalistic code of conduct and the professional principles of journalism.

A study by Media Action Nepal (2021) suggested some of the key standards/indicators that can be used to identify and prevent disinformation in the context of Nepal:

- a. Source:** News sources should be disclosed as much as possible. Revealing news sources means bringing the audiences closer to the source of information. Using undisclosed sources or anonymous sources raises the question over credibility of the news. If the news agency's name is clearly mentioned when a wrong news has been inadvertently disseminated, readers can identify the source. As such, sub-section 1 under Section 8 of Journalist Code of Conduct, 2016 (First Amendment 2019) says that source should be revealed to maintain credibility. It adds that "Sources should be mentioned for the credibility of news. If the disclosure of source is seen to be seriously damaging, the name or identity of the source should be kept confidential, and protected."
- b. Misinformation:** False and deceitful information is misinformation, where the sender of information does not intend to harm others. It can mislead a large community and may result in financial, physical and psychological damages.
- c. Misleading headlines:** The media tend to sell headlines. They like to expand access and influence through the headlines. Such headlines are designed to capture readers' attention or to go viral. Such titles have nothing to do with news texts. These kinds of headlines are meant to increase the readership by deceiving the audiences.
- d. Disinformation:** Disinformation can be classified as false context such as genuine content (picture or video) is used with false contextual information, false connection

i.e. when headlines, visuals or captions don't support the content, fabricated content which is totally false, designed to deceive and do harm to others, misleading content to frame an issue or an individual, satire or parody which has no intention to cause harm but has potential to make people fool, imposter content such as genuine sources are impersonated with false, made-up sources, and manipulated content where genuine information or imagery is manipulated to deceive, as with a 'doctored' photo (or graphics).

- e. Social diversity:** Section 5 (1) of the Journalist Code of Conduct, 2016 reads, 'Journalists and mass media should not produce, publish, broadcast and distribute material that discriminates or creates hatred to anyone on grounds of racial, gender, religious, regional, linguistic, political beliefs, tribal or physical and mental state.'
- f. Obscenity:** Section 5 (3) Journalist Code of Conduct, 2016 stipulates that journalists and mass media should not produce, publish, broadcast and distribute materials that incite violence, terrorism and crime or suicide and are vulgar, contrary to public health, decency and morality; and that create fear.
- g. Defamatory content:** Materials that are intended to harm a person's dignity, reputation or credibility come under this category.
- h. Content against privacy:** The Section 5 (4) (1) of Journalist Code of Conduct, 2016 states, 'Journalists and mass media should not produce, publish, broadcast and distribute materials, including any details, photos or signs, that make the victims or survivors of disasters and their relatives suffer further pain or any materials adversely affecting public sensitivity.'

Key challenges facing Nepali media

Media professionals in Nepal have long complained of problems such as not sticking to the principles of journalism and the code of conduct. Additionally, media houses do not have clarity and proper structures in place to deal with the issue of disinformation. They often hesitate to invest in capacity building of their staff, particularly to enhance skills to uphold ethical journalism.

The lack of awareness about the professional code of ethics is widespread. And, the COVID-19 pandemic has now exacerbated these problems and has left many journalists unemployed and without any support mechanism.

Y. R. Sangroula observes that with the advent of online journalism in Nepal, there is no longer any credibility in the news. The tendency to publish stories without verification has destroyed the human information system. In countries where false advertising and disinformation is controlled by law, online news portals are regarded as platforms of learning. But in a chaotic country like Nepal, online news portals have become tools of confusing people. The uncontrolled online information system is depriving the citizens of the opportunity to understand the reality and truth (personal communication, September 7, 2021).

A study observed that the lack of adequate capacity building programmes including on issues of digital media literacy tends to escalate disinformation putting media credibility in question (MAN, 2021). It stated that digital media literacy is a vital tool to identify and stop the spread of misinformation and disinformation. The study provides some interesting insights:

Journalists appear much tempted to utilize the reach of digital media without understanding the ramifications it can have in spreading falsities. Reporters, editors, media owners, news consumers – everyone – must be media literate and

digital media literate and media organizations as well as local and provincial governments have a great role to play in this regard. The only way to prevent the spread of misinformation and disinformation on these networks is through digital media literacy.

Also, women in media are more vulnerable to gender-based violence which poses a serious threat to gendered media. The tendency of online news portals to disseminate defamatory cartoons, unauthorized photos of women portraying stereotyped content, misleading headlines questioning women and their dignity are some of the reasons behind weakening media credibility in Nepal.

Way forward

First and foremost, media houses that claim to be 'corporate' and 'mainstream' should invest in capacity building of their journalists to prevent misinformation and disinformation. In addition to adhering to the Journalist Code of Conduct, media should pay attention to the fact that disinformation leads to insults, violates right to privacy and destroys media credibility.

Studies show that Nepali media often use anonymous and fictitious sources which need to be stopped. Fictitious news sources are vehicles of misinformation and disinformation. The tendency to use the term 'agency' but not to name it i.e. which agency the media is referring to has weakened media credibility.

Equally important is to understand the fact that during crisis such as the current state of COVID-19 pandemic, news sources can supply misleading information to serve their own vested business interests. There is complete mismatch between many news headlines and the story texts. Misleading headlines confuse readers and mislead them in a number of ways. Hence, newsrooms should carefully place news headlines; the intention should be to well inform readers.

It is high time to review and understand that news must never be partisan, journalists must not become tools for the propagation of misinformation and disinformation. Nepali newsrooms also have institutionalized prejudices and discrimination which can only be solved through constant dialogues i.e. among Press Council Nepal, media organizations such as Federation of Nepali Journalists, experts and academics, and editors/media owners to uphold the principles of accuracy, balance and credibility.

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Nepal's digital media: Credibility and sustainability under scanner

Bimal Gautam

Abstract

Despite the copious growth of news portals, the image of the entire digital media industry in Nepal is not positive. Serious questions have been raised about ethical practice and the credibility of the content these platforms prepare and disseminate. Secondly, advertisement, the main source of revenue for the online media, is declining, especially after the COVID-19 pandemic. Third, a serious concern has emerged as to how fast-growing digital media outlets will survive without exploring new business models.

In addition to discussing ethical practices, this article outlines the financial status of Nepal's digital media. Also, it seeks to answer the question 'whether there are any plans to explore innovative business models to sustain the outlets in the long run'.

Through desk reviews and personal observations, the author mirrors dimensions and challenges of the present day digital media, and offers some solutions towards the same.

Keywords: Digital Media, Credibility, Online Media, Code of Conduct, Corporate Houses

Overview

Owners and editors might disagree with the allegation that online media in Nepal lack gravity and their image is not positive. They claim that the impact of online media compared to traditional ones, is high. However, if we look at the market response—mainly perception, remarks and treatment from corporate sectors, intellectuals and public at large—online media's overall image is not favorable.

Public concern is that online media disseminate fabricated and sensational contents and they are not doing professional journalism. Corporate houses accuse them of being a tool for bargaining. That said, they all agree that some online media outlets are professional and credible. Despite COVID-19 pandemic and subsequent decline in economic activities, online news portals as start-ups have sprouted in the Nepali market. If we look at the current trend, at least one online news portal seems to have come into existence every week.

Amid the rapid growth of online media, a joke is doing the rounds – 'one journalist, one news portal'. Though the joke is not close to reality, the tendency of launching new and newer news portals in the country is unparalleled. According to Federation of Nepali Journalists (2021), there are a total of 13,075 journalists working across the country. The total number of officially registered online news portals is 2,887 (DoIB, 2021).

Officials estimate that the number of unregistered, unlisted and unregulated news portals might be almost twice more than the registered ones. If you are publishing an article with the Press Council Nepal (PCN) data after a month, you can write that the total number of listed online news portals is 2,850 because by that time the number will surely rise (D. Khanal, personal communication, August 5, 2021). Interestingly, his prediction proved to be true. When contacted again D. Khanal (personal communication, August 24, 2021), the number of listed online portals had reached 2,845.

According to the Spokesperson of Department of Information and Broadcasting (DoIB), the trend of filing application for registration of online media is astonishingly high which he had never experienced while serving in other government agencies in different capacities (B. Gautam, personal communication, August 10, 2021).

Three things seem to be happening at the same time. One, the trend of launching online media is on the rise. Second, the number of online media facing actions for breaching the code of conduct and laws is also increasing. Third, it seems that the COVID-19 pandemic has added problems to already troubled digital media outlets in Nepal—they are under severe financial crisis.

The major problem of almost all digital media outlets after the COVID-19 pandemic in Nepal is similar, i.e., they are battling with financial crisis in order to keep their human resources and outlets intact.

Digital media landscape in Nepal

Actions were taken against 192 media outlets for their misconduct during the Nepali fiscal year 2077/078 BS (2020/21). Of the total 192 media outlets, 173 were electronic and 19 print media. Out of 173 electronic media, 150 online media outlets faced actions by the PCN. Likewise, 16 TV, 6 online TV and 1 FM radio also faced action (S. Malla, personal communication, August 24, 2021).

The most alarming data is that PCN recommended the Nepal Telecommunication Authority (NTA) to block the domains and operations of 163 online media outlets for breaching the code of conduct and the law of the land. Besides this, even though there are speculations that many digital media outlets have already shut in lack of financial resources after COVID-19 pandemic, government agencies have no such record.

According to FNJ Secretary, from 4 May 2020 to 3 May 2021, a total of 517 journalists from across the country have filed complaints at the FNJ against media houses. Most of those complaints are about how they were given forced lay-offs and pay cuts under the pretext of COVID-19 pandemic (K. Sejuwal, personal communication, August 16, 2021). A study carried out by Press Council Nepal (2021) observed that Nepal's media sector is badly affected and is bearing a huge loss in revenue due to the pandemic. The study alarms:

Nepal's mainstream online media's primary revenue source is advertisement. After the COVID pandemic, 60 to 70 percent revenue has shrunk in their respective media outlets. Digital media in Nepal have also not been able to receive regular advertisement revenue from Facebook and Google Ads.

According to the president of Advertising Association Nepal (AAN), with the outbreak of COVID, the total advertisement market has shrunk by 80% in Nepal's newspapers, 70% in Radio, 60% in Television and 45% in online media. This loss in revenue in media outlets, especially in newspapers, is huge due to the pandemic. However, revenue in online media has not been as badly affected as in newspapers and in Radio/TV (S. Dhital, personal communication, August 24, 2021). The total advertisement revenue was recorded 13 billion and 130 million rupees in the fiscal year 2076/77 BS. Nonetheless, in the fiscal year 2077/078 BS, the advertisement revenue was limited to 12 billion 730 million rupees. This is to note that the government provides certain amount of funds to newspapers but online media have been deprived of such an incentive.

Over 1,000 Nepali journalists tested positive for COVID-19, of which 20 journalists lost their lives. After the COVID pandemic, about 600 Nepali journalists have lost their jobs, approximately 6% journalists were given forced lay-offs, about 9% journalists' salary was curtailed and about 20% journalists were deprived of pay and perks in time. 40% journalists were directly affected due to COVID-19 and 10%

journalists have become jobless following the COVID pandemic (FNJ & SIN, 2020). A report (FF, 2020) states that 38% journalists have lost their jobs after the COVID.

CEO at Freedom Forum observed that a large number of journalists have quit the profession after the COVID pandemic. The overall advertisement market has declined by 50% and experienced human resources have abandoned journalism for good. It might invite serious human resource crunch in the sector (T. N. Dahal, personal communication, August 23, 2021). NPI (2020) states that 25% Nepali journalists have been going through extreme frustration after the onset of COVID-19. Globally, 7% journalists have lost their jobs and about 37% journalists' pays and perks were reduced after the COVID pandemic (IFJ, 2020).

A recent study by Media Action Nepal (2021) recommended that media should start viewing advertisement as something to earn through the strength of their content rather than something to receive through relationships and deals.

Deteriorating digital media image

Despite being the most powerful and effective means of communication, digital media outlets are facing severe criticism, mainly because of their unethical practices and lax legal provisions for operation.

It has already been too late to introduce a mechanism of depositing money at the government agency concerned before allowing digital media to begin operation. One can establish digital media without depositing security deposit. In Nepal, radio and television get license only if their owners deposit the collateral. When radio and television owners are happy with the provision, why should online media owners oppose the provision of depositing money at the government agencies? The state should also start providing funds

to the professional digital media outlets after their categorization. (D. Khanal, personal communication, August 24, 2021).

A mechanism of depositing money before registering online media has become a must. The unprofessional and ill-intended online media outlets would automatically be controlled if we are able to introduce that system (B. Gautam, personal communication, August 23, 2021).

T. N. Dahal (personal communication, August 23, 2021) differs on the idea of deposits before allowing online to operate, adding that such a step would be counterproductive, while the provision of registering or listing online media at PCN or DoIB itself is wrong. Government agencies concerned cannot take action against such media even if they are found to have been breaching the code of conduct, law and privacy because they will claim that they are registered media.

Vice Chairman of FNJ pointed out that there is a need of strong policy to check mushrooming online media. A strong policy has to be introduced without further delay to check the rising number of online media. There is also a need of market research as to how many online media are required. The irony is that we even cannot find the address of some online media outlets if we receive complaints over their contents (R. Bista, personal communication, August 16, 2021).

President of Online Journalists Association (OJAN) expresses serious reservation over the idea of depositing money for online media to operate. Those who disseminate credible content will survive and those who don't comply with the code of conduct will be disregarded by the public. Let the public decide the fate of online media. Government agencies cannot decide their future (S. Satyal, personal communication, August 24, 2021).

Digital media in post-COVID context

The owners/founders and editors of Nepal's mainstream digital media are particularly worried about the financial situation after the COVID-19 pandemic.

The Editor-in-Chief of thahakhabar.com observed that like other business sectors, Nepal's media industry is also severely affected due to COVID pandemic. The loss in revenue is high (T. Koirala, personal communication, August 8, 2021). Editor-in-Chief of nepalpress.com says importance of digital media has been accentuated at the time of COVID. COVID's upside is that it has helped boost the popularity of digital media in Nepal. People are still afraid of touching newspapers during the COVID era and have been increasingly accessing online news portals for news. However, the loss in revenue has made us worried about its sustainability (M. Paudel, personal communication, August 18, 2021).

Executive Director of onlinekhabar.com noted that Nepal's digital media sector might crash at any time if new business models are not explored. There is a need of finding new ways of revenue generation. COVID pandemic has created new opportunity in digital media sector. Though we are bearing losses in revenue and our performances might have been significantly weakened, COVID has brought about new opportunities in digital media sector adding that people's attraction towards online media news and contents has gone up significantly after the pandemic (S. Bhusal, personal communication, August 18, 2021).

Founder editor of ratopati.com informed that 55% advertisement revenue has evaporated following COVID-19. The financial situation was bad last year. And the revenue status is worse this year. Even corporate houses whose business has not accrued losses are shying away from advertising on the pretext of COVID-19 (O. Sharma, personal communication, August 24, 2021).

However, corporate houses have started allocating budget to online media, too, unlike in the past. They would completely ignore the online media and would allocate budget only for newspapers, TV and radio until a few years back. There has been a shift in this pattern for the past couple of years. For the next couple of years we can depend on advertisement market provided we are able to bring changes in our content. However, advertisement is not the only recourse for revenue generation in the long-run. Thus, we need to contemplate about innovative business models if digital media is to sustain (S. Bhusal, personal communication, August 24, 2021).

T. N. Dahal (personal communication, August 23, 2021) stressed on the need of focusing on quality content to help the media outlets sustain financially. R. Bista (personal communication, August 16, 2021) concurred that depending on advertisement market to sustain digital media has become impossible adding that media cannot entirely depend on advertisement market and digital media are equally at risk. If the current financial crisis prolongs in the Nepali media, unethical and bargaining journalism will be rampant (FNJ, 2020).

Way forward

Observations show that Nepal's digital media have not fully abided by code of ethics; the PCN data shows online media are much ahead of others in breaching the moral values. Thus, efforts should be made to increase digital literacy.

The ongoing COVID-19 pandemic has made conspicuous what everyone feared: the traditional advertisement-based revenue model cannot sustain the digital media industry. It can reasonably be forecast that a sizeable number of Nepal's digital media outlets will be forced to cease operation within few years. Also significant number of journalists might lose jobs if the unfavourable situation

persists. To mitigate this risk, many will have to compromise with their journalistic ethics and quality for the sake of revenue.

The risk can also be an opportunity to reconstruct how digital media conceptualizes financial sustainability. Carrying out a detailed study – how digital journalism can innovate sustainable business models, including new revenue streams, inspire innovation in the newsroom, how good practices can be referenced, particularly in Nepal – will probably furnish answer to pressing questions.

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Media ethics in university curricula: An assessment

Yam Bahadur Dura

Abstract

Nepal does not have a long history of media education. It was first introduced in 1976, and it took momentum only after the restoration of democracy in 1990. A total of six curricula of Far Western University (FWU), Kathmandu University (KU), Mid-Western University (MWU), Purbanchal University (PU), and Tribhuvan University (TU) have been analyzed from the perspective of journalistic code of conduct jointly issued by Press Council Nepal and Federation of Nepalese Journalists. Out of six, five are of Bachelor's level, and one is of Master's level. This study will try to find out whether university curricula adequately cover ethical issues to empower and educate students on responsible journalism. The key methods used to study are personnel interviews, desk reviews and observations.

Keywords: Communication, Curricula, Journalism, Media Ethics, Nepali Universities.

Background

Though mass communication and journalism has a long history, the history of media education is primarily a 20th century phenomenon.

According to Federov (2014), France is the leader of European media education. Paris the cinema club movement helped to introduce media education in the 1920s. In the 1930s, the British media education was aimed at opposing harmful media influences. Russia and the United States of America, too, started media education in the 1920s. In India, British publisher Annie Besant (1847-1933) introduced journalism as a discipline at the National University at Adyar, Madras in 1920.

Likewise, Aligarh Muslim University introduced journalism education in 1938 with a diploma course (Chatterjee, 2020). China's Fudan University opened its Journalism School in 1929 while Renmin University opened a Journalism School in 1954 (Simonson, Morooka & Bedsole, 2019). Historical record shows that United States of America, Russia, India United Kingdom and Germany are the leading countries to initiate media education in their respective countries.

In Nepal, it took a long time to initiate media education. Journalism education was first introduced at the undergraduate level in Ratna Rajya Laxmi Campus, Kathmandu in 1976. It was introduced in higher secondary school level (grades 10+2) in 1997. Both TU and PU started to provide two-year Master's degree (MA) in journalism and mass communication only in 2001 (Parajulee, Humagain, Panthi, & Maharjan, 2009).

Ratna Rajya Laxmi Campus, affiliated to Tribhuvan University, introduced Bachelor's in Arts in JMC in 1986 (CDJMC website n.d). Shepherd College of Media Technology, a PU affiliated college, began Bachelor in Media Technology (BMT) and Master in Media Technology (MMT) back in 2002 and 2010 respectively (A. Shilpakar, personal communication, August 29, 2021).

Similarly, Department of Language and Mass Communication of Kathmandu University (KU) started offering a Bachelor's degree

course in media studies in 2006. Likewise, College of Mass Communication and Journalism (CJMC) has been offering Master's degree in development communication (UNESCO, 2013). FWU introduced Journalism and Mass Communication (JMC) programme at BA level in 2014 (U. Joshi, personal communication, August 25, 2021). MWU introduced JMC programme at BA level in 2013 (Y. Sharma, personal communication, August 25, 2021). TU launched M. Phil. and Ph.D. programmes in journalism in 2017 (CDJMC website, n. d).

Ethical issues in university curricula

The curricula introduced in the 1970s became redundant by 1990 because of its key focus on print journalism. The journalism curriculum was updated in 1990, incorporating the contents relating to electronic media mainly of Radio and Television. Later, Journalism Department was renamed as Department of Journalism and Mass Communication (Parajulee, Humagain, Panthi&Maharjan, 2009).

All the curricula analyzed here, except BA programme of TU, are based on semester system. TU introduced semester system in MA in 2014 changing its yearly system, and revised the curricula accordingly. It also launched a 4-year BA programme in 2019 continuing its yearly system. Before that, it was a 3-year programme. Other universities covered in this study introduced semester system from the very beginning.

Mid-Western University commenced its MA level curricula in 2019. It has developed a curriculum on media ethics for MA level (3rd semester), which is in the process of implementation. The new curriculum is yet to be publicized (Y. Sharma, personal communication, August 27, 2021).

There is no specific curriculum on media ethics in MA programmes of PU and TU. However, both universities have devoted one unit each for media ethics under the subjects of 'Mass Communication and Advertising' (3rd semester), and 'Principles and Practice of Public Relations' (2nd semester) respectively.

One unit title of the subject 'Mass Communication and Advertising' (MCJ 601) of PU is 'Advertising Ethics, Laws and Society'. It primarily deals with advertising and social responsibility, advertising and citizens, controversy in advertising ethics and self-regulation, advertising laws, and key issues in advertising.

This unit draws 6 lecture hours.

Similarly, the unit title of the subject 'Principles and Practice of Public Relations' (JMC 560) of TU is 'Legal and Ethical Aspects of Public Relations'. It deals with legal principles of public relations concerning ethical responsibilities to public, relevance of the social responsibility [theory?] of media, and public relations ethics in Asia. This unit draws 4 lecture hours.

PU has also introduced curriculum on media ethics for Master in Media Technology (MMT). MMT is a 2-year MA programme. The title of the curriculum is 'Law and Ethics in Media' (MT 4130), which is studied in 1st semester of MMT 1st year. The curriculum is divided into eight units. The first unit talks about media laws. The second unit sheds light on historical background of media law. The third unit deals with relationship between constitutional provisions and laws.

The fourth unit is about the role of media during a state of emergency. The fifth and sixth units deal with national and international practices of code of ethics, and some media related acts respectively. Likewise, the seventh unit talks about legal and social responsibilities of a journalist. The eighth and last unit deals with registration process of media organizations and newspapers. Most of the units of the curriculum are focused heavily on legal aspect, and unit 5 is especially focused on ethical aspects of media.

FWU has divided its curriculum of the subject 'Media Law, Ethics & Press Freedom' (JMC 242) into five units, which is studied in 4th semester of a 4-year BA programme. It has devoted unit 1 and 2 to media laws. Likewise, units 3, 4 and 5 are allocated for media law, media code of conduct, and project work on effective implementation of media law in media houses respectively. The unique features of the curriculum are that reference books are suggested for every unit. Most of the books suggested, except one, are of Nepali writers.

KU's latest version of the curriculum of the subject 'Media Ethics' (MEDS 410) is studied in the 1st semester of a 4-year BA programme, which is divided into four units. The first unit is about foundational aspects of media ethics, which deals with various ethical issues such as functions and responsibilities; media, society and state; conflict of interests; media freedom versus regulation; democratic ideal; and dimensions of regulation.

The second unit deals with introduction of media ethics deals with meaning, scope, sources, nature, approach, and philosophical and religious perspectives. The third unit sheds light on different ethical aspects including ethical dilemma, media ethics during epidemic, pandemic, disaster, and other crises. The fourth and last unit talks about journalistic code of conduct, international principles and practices of journalistic code of conduct, professional standards, and professionalism.

The curriculum on media ethics (JMC-333) developed by MWU is studied in 3rd semester of a 4-year BA programme. The curriculum is divided into five units. The first unit deals with concept and definitions, relevance of code of ethics, and national and international scenarios of historical development of media ethics.

The second unit is about different codes of ethics developed by various national and international organizations. The third

unit deals with ethical aspects of news gathering, which gives perspectives on the issues of media bias and partisan press, content manipulation, embedded and disguised reporting, propaganda and stereotyping, censorship, rumours and corrections, hate speech, and so on.

Unit 4 is about ethical journalism. It tries to give ethical perspectives on social media as news sources, ethics in graphics and cartooning, right to information versus right to privacy, plagiarism and academic dishonesty, limitations of free expression, handling private and public issues, etc. Unit 5 is about practical activities, which carries 50 percent of the total marks.

The curriculum entitled 'Media and Self-Regulation' (BAMCJ-2805) on media ethics developed by PU is studied in 8th semester of a 4-year BA programme. The total units of the curriculum are five. The first unit handles the issues of self-regulation, freedom of expression, and UNESCO's idea regarding self-regulation.

The second unit deals with journalistic code of conduct, editorial independence, professional guidelines, etc. The third unit is about regulation for the Internet as a digital platform. The fourth unit deals with perspectives of Federation of Nepali Journalists (FNJ) and other media forums regarding self-regulation as well as Nepal's constitutional provisions with respect to media and self-regulation. The fifth and last unit deals with practical activities, in which students are required to develop the project on self-regulation practices in the Nepali media.

TU's curriculum on media ethics entitled 'Media History, Law and Ethics' (JMC-424) is studied in 2nd year of a 4-year BA programme. The curriculum is split into six units, which is a mix of history, law and ethics. The first unit deals with historical development of journalism and mass communication in the global context. The second is about studying the historical development of Nepali media. The third unit

is about organizational structure and management of Nepali media. The fourth unit sheds light on historical development of media law in the UK, France, Sweden, China and South Asian countries with reference to Nepal.

It also deals with the contemporary media laws in Nepal. The fifth unit is about concept, evolution, practices of media ethics, its sources, and differences between media ethics and media laws. The sixth and last unit is devoted to practical assignments, in which students are required to write and present a seminar paper on any topic related to the curriculum. They are also required to produce a journal in a group of three to five students.

BA Level Curriculum

S. N.	University	Paper	Year/ Sem.	Code	Full Marks	Lecture Hrs	Specification
1	FWU	Media law, Ethics & Press freedom	2nd Year 4th Sem.	JMC-242	100	48	
2	KU	Media Ethics	4th Year 1st Sem	MEDS 410	100	48	
3	MWU	Media Ethics	2nd Year 3rd Sem.	JMC-333	100	48	
4	PU	Media and Self-Regulation	4th Year 8th Sem.	BAMCJ-2805	100	45	
5	PU (BMT)	NA	NA	NA	NA	NA	No curriculum on media ethics
6	TU	Media History, Law and Ethics	2nd Year	JMC-424	100	150	

MA Level Curriculum

S. N.	University	Paper	Year/ Sem.	Code	Full Marks	Lecture Hrs	Specification
1	FWU	NA	NA	NA	NA	NA	Yet to launch MA program
2	KU	NA	NA	NA	NA	NA	No MA level program.
3	MWU	NA	NA	NA	NA	NA	The curriculum has been purposed, but not reached the point of implementing it.
4	PU (MCJ)	NA	NA	NA	NA	NA	No specific curriculum on media ethics.
5	PU (MDC)	NA	NA	NA	NA	NA	No curriculum on media ethics.
6	PU (MMT)	Law and Ethics in Media	1 st Year 1 st Sem.	MT 4130	100	45	
7	TU	NA	NA	NA	NA	NA	No specific curriculum on media ethics in MA program

Analysis

A close analysis of university curricula shows that some university curricula are more focused on legal aspects and less on ethical issues. Proportional allocation of content between ethics and laws is not maintained. Being an overarching subject, media ethics deserves to get a status of a separate subject. Some curricula do not have enough philosophical and theoretical foundations of media ethics,

without which students may not be able to grasp the foundational importance of the subject matter.

On the other hand, the curricula have not given importance to the issue of diversity. Actually, diversity has become a growing and burning issue of a present day society, and in a diverse society implementation of code of conduct is even more important.

Wilkins & Christians (2009) state that 69 percent of newspaper editors and news directors surveyed [in the USA] called diversity an ethical issue. University curricula lack dynamism, there is a sort of stagnation which means it takes a long time to update and change the curricula. Nepali universities will take years to change their curricula.

This can cause exclusion of timely and relevant content, which it may also lead to knowledge gap. This is an adverse situation in the sphere of curriculum development. Compared to other universities, KU makes revisions periodically but it too has given less priority to ethical issues. While Nepal's media and journalism curriculum is outdated and not relevant to the skills required in the outside world, universities have also failed to meet the expectations of the new generation (Pant, 2009).

Way forward

Some of the curricula are rich and advanced in terms of philosophical and theoretical foundations, and some are poor. Both philosophical and theoretical foundations help students understand the subject matter clearly, and help take appropriate decisions.

With regard to philosophical aspects, Cornelius-Ukpepi & Ndifon (2018) note:

It is important to reiterate that philosophy and curriculum cannot be separated from each other. Both disciplines are interwoven in the processes and methods of doing things. The

curriculum developer with the knowledge of philosophy will find it quite easy in making appropriate decisions which will shape behavior of our man to make him [or her] a functional member of his [or her] society.

The same idea applies to theoretical aspects of curricula. Spence & Quinn (2014), opine that rational and ethical theoretical framework provides a foundational and tangible argument for universal ethical and virtuous behaviour among all disseminators of information, including traditional journalists as well as new media journalists.

Both philosophy and theory related to media ethics help us make appropriate decisions with well-grounded thoughts, which become instrumental for moral and ethical reasoning. These things underpin the ethical sphere of media and communication shaping our moral behaviour. One can conclude that philosophy and theory constitute the bedrock of ethical behaviour, without which media ethics – like other fields of ethics – becomes weak.

It is natural that everything keeps changing. So is the case with the content of curricula. With the advancement of computer science, information technology, and other information sciences, new words and phrases are coined influencing many things including the curricular dimensions of teaching-learning environment. For example: 'information ethics' and 'communication ethics' are those phrases that are very much in fashion.

In the days to come, new dimension, like this, needs to be a part of the curricula of media ethics. In this fast changing world, everything changes faster than ever before. For this reason, university location needs to have a smart mechanism in place, which can update the curricula incorporating the new developments. In a similar fashion, there should be a collaborative effort among respective universities, Press Council Nepal (PCN), and Federation of Nepali Journalists (FNJ) to improve the quality of the curricula, and to make journalism more responsible.

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Status of press freedom in Nepal: Post-constitution scenario

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Abstract

Nepal's prolonged transition ended with promulgation of a federal democratic constitution in 2015. 'Full press freedom' has been guaranteed in the preamble of the constitution which intends to demonstrate state and political parties' unwavering commitment and adherence to press freedom. Despite having the constitutional shield, various studies show that threats to press freedom still prevail. National and international organizations often paint a gloomy picture about the state of press freedom in Nepal. Additionally, they come up with conflicting reports and assessments. In this context, this paper attempts to find out the actual status of press freedom after the promulgation of new constitution in 2015. It is based on objective analysis and shreds of evidences. Additionally, it analyzes how media are sensitive about their social responsibility functions. This study applies desk review, interview and personal interview.

Keywords: Press Freedom, Censorship, Media Law, Code of Conduct, Constitution

Introduction

There is no universally accepted definition of press freedom; even the autocratic and communist regimes talk of press freedom and freedom of expression. In a democratic society, press freedom generally refer to 'the right to publish newspapers, magazines, and other printed matter without governmental restriction and subject only to the laws of libel, obscenity, sedition, etc'. The principle of freedom of expression is one that admits of no exceptions and that is applicable to the people all over the world by virtue of their human dignity (MacBride, 1980).

Denis M. (2005) outlines five structural conditions for effective media freedom:

- a. Absence of censorship, licensing or other controls by government so that there is no unhindered right to publish and disseminate news and opinions and no obligation to publish what one does not wish to;
- b. The equal right and possibility for citizens to have access to channels of expression and publication as well as access as receivers;
- c. Real independence from excessive control and interference by owners and outside political or economic interests;
- d. Competitiveness of the system, with limits to media concentration and cross-ownership;
- e. Freedom for news media to obtain information from relevant sources (pp. 193).

International conventions and treaties do offer basic frameworks and guidelines to gauge the status of press freedom. This idea of press freedom is closely connected with freedom of speech and expression, human rights and civil and political articles.

Article 19 of Universal Declaration of Human Rights 1948 says 'Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers' (UN, 1948). The UN declaration states that there should not be any interference in the media's rights.

In our context, debate on press freedom gathered momentum mainly after the establishment of democracy in 1950s, but it was again interrupted with the imposition of Panchayat Regime in 1959. However, the media fraternity continued to push for press freedom. After the restoration of democracy in 1990, there was a marked shift in the scenario of press freedom, except the period of King Gyanendra Shah's direct rule and Maoist insurgency. All Nepal's constitutions adopted from 1950s to 2015 have ensured freedom of speech and expressions. However, the constitutional provisions were severely restricted during the Panchayat Regime, and often even after the restoration of democracy in 1990.

Current status of press freedom

Decline in number of violation does not indicate improvement

Various reports show that cases of press freedom violation are on downward trajectory. Altogether 45 incidents of press freedom violation were reported from May 4, 2020 to May 3, 2021, while the number was 60 in the previous year (FNJ, 2021). The number was 64 in the 2017/18.

Freedom Forum recorded a total of 96 press freedom violations in 2020. Although the numbers declined slightly compared to the previous year (111 in 2019), the country still awaits improvement in press freedom atmosphere (Freedom Forum, 2021). The media monitoring conducted by Freedom Forum also shows that violation cases are slightly decreasing but there are discrepancies in the numbers compiled by FNJ and FF. Decline in the number of press

freedom violations could have been due to the prolonged lockdown, so a cautious approach should be adopted before jumping to a conclusion that the situation has improved.

Freedom House (2021) in its annual score has placed Nepal in a partly free category which is a worrying sign. With much of the previous year having been spent under lockdown, the number of physical attacks declined as compared with earlier years.

Yet, some disturbing trends of undermining press freedom and journalists' rights emerged from both the state and non-state actors. This highlighted the challenging environment for media and for journalists to freely and fearlessly exercise their constitutionally guaranteed right to press freedom (IFJ, 2020).

Press freedom organizations do not portray a satisfactory picture regarding the status press freedom. Silencing of journalists with arrest and detention is the most worrying trend of the year. Similarly, intimidation and harassment of journalists for reporting news, government's attempt to silence the media, suppression of citizen's right to freedom of expression on social media were equally noticeable (Freedom Forum, 2021).

Although there was a slight decline in the number of press freedom violations, the atmosphere for press freedom and citizens' right to free expression and information did not improve (Dahal, 2020 as cited in Freedom Forum, 2020). Nepal stood 106 in 2021 World Press Freedom Index prepared by Reporters Without Borders, out of 180 countries.

A close analysis of press freedom violations compiled by FNJ and other international organizations shows that there is no direct government intervention or censorship but cases of arrest of journalists by the police administration are on upward trajectory. Police administration is detaining journalists on charge of cybercrime and most of them are found to be working in online news portals.

Journalists are facing threats from political parties, businessmen, and other people whose misdeeds are exposed by media reporting. The data also shows that political leaders from centre to village level are becoming intolerant towards press freedom and instances of harassment and manhandling of journalist are increasing.

Central Committee meeting of FNJ concluded that there has not been significant improvement in the status of freedom of speech and expression, deciding to launch a pressure campaign after the consultations with other stakeholders (FNJ, 2021).

Problematic draft of media laws

A society that restricts freedom of expression cannot be truly democratic. Whenever governments have tried to arbitrarily set limits on free speech, it has inevitably been for their political benefit, it is not for the benefit of the larger society. The federal government is thus on a slippery slope, no matter which party is in power (Annapurna Express, 2020).

But at least three bills that are under deliberation in the House of Representatives and the National Assembly of federal parliament clearly go against these constitutional provisions by making it difficult for both the media and the ordinary people to exercise the right to freedom of opinion and expression. The Express report further says:

The fact that sections of the three laws in the making—the Information and Technology Bill, the Media Council Bill, and the Nepal Special Service Bill—contradict the country's constitution has invited concerns and criticism from multiple quarters. Some provisions of the Nepal Special Service Bill allows the National Intelligence Department (NID) to intercept phone calls, record videos, and track emails of ordinary citizens. As the NID is under the Prime Minister's Office, such provisions are likely to be used against political opponents and media.

The controversial bill—passed by the Development and Technology Committee of the House of Representative (HoR) —threatens freedom of speech online. Among the concerns expressed by Nepali journalist organizations are that it includes provisions to impose fines of up to Rs. 1.5 million (over 10,000 €) or jail terms of 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 (IFJ, 2020).

The bill, if enacted, would replace the existing Electronic Transaction Act that too has been widely misused to arrest and harass citizens for their social media posts. According to the cybercrime cell at Nepal Police, 106 cases were filed in the Kathmandu Valley in the last three years for 'illegal' posts on social media. The Media Council Bill originally included a 1 million rupees (\$8,000) maximum fine to journalists who violated a code of conduct, though the National Assembly removed the provision when endorsing it in February 2020. Similarly, provincial governments have come up with draft of media laws which intend to restrict press freedom.

Hostile and intolerant political parties

Though all major parties, in their election manifestos and official documents, make full commitments to press freedom but their act and behaviour are just the opposite. Even the top leaders and former prime ministers are engaged in issuing public statements intending to harass and trouble media. Additionally, when they reach power, they do not hesitate to formulate policy and laws that contravene constitutionally guaranteed rights.

Major parties and top leadership should encourage press freedom providing press-friendly speech and action, so that rank and file follow suit. But just the opposite is happening because statements by top leadership instigate their followers to attack the media.

There are instances of youth organizations of major political parties mistreating or threatening journalists over the news reports. Not only youth organizations, even the senior leaders of parties publicly criticize or harass the journalists if any critical news items are published.

Despite their all-time public commitment to press freedom, the true intention of all political parties is that there should be some sort of control over the media. So questions are raised about the intention of political parties.

UN Report (2020) points out that 'constitution and the law provide for freedom of speech and press, and the government generally respected these rights, although journalists, NGOs, and political activists stated the government restricted media freedom by threatening journalists and news organizations that criticized the government.'

IFJ (2021) outlines governments at all three levels (federal, provincial, and local) seemed disinclined toward media freedom, continually demeaning media, criticizing them for their choice of language and content and blaming media for the instability in the country.'

An example of the government's hostility to journalists was provided by the prime minister's press adviser in early 2020, when he sidelined a political reporter simply because she had dared to criticize the government (RSF, 2021). In addition, high-level government officials attempt to muzzle media criticism through pressure, intimidation, and legal maneuvers (Freedom House, 2021).

Impunity fuels violation cases

Numbers may vary from time to time but journalists are continuously attacked, intimidated, and harassed but very few perpetrators are brought to justice. State's inaction to address those crimes has contributed to culture of impunity which ultimately results in

an increased number of freedom violation cases. In some cases, even government and political parties are providing protection to perpetrators.

Debate about press freedom in Nepal is also poisoned by a taboo issue—the total impunity surrounding crime of violence against journalists during the Sasastra Dwandakal decade 1996-2006. This is true that many who were involved in the killing, arrest, and manhandling are yet to be booked (RSF, 2021).

Although there are no instances of journalists having been killed in recent years in Nepal, their safety has become more difficult to ensure due to the government's unwillingness to arrest those perpetrators who killed journalists during and after the 10-year conflict.

The media in Nepal continues to face issues of self-censorship because the government and political leadership have failed to fulfill their commitments to arrest the perpetrators of crimes against journalists (Pant, 2020, as cited in Media Action Nepal, 2020).

It is important for all concerned to advocate and interact more closely with the judicial and security institutions for the effective implementation of press freedom mechanisms that focus on ways to end impunity for crimes against journalists (Pant 2020, as cited in Media Action Nepal, 2020).

Central Committee meeting of FNJ demanded to arrest the persons who are involved in the murder, arrest and attack to journalists, also decided to seek legal remedies on press freedom violations (FNJ, August 2021).

Missing debate: Responsible journalism

Securing press freedom has always been the priority of all stakeholders. But the debate on the responsibility of journalists is somehow missing or given less priority by stakeholders.

Journalistic Code of Conduct 2016 (Amended in 2019) states that 'journalists and mass media should always disseminate factual information for the protection and promotion of citizen's fundamental rights and the freedom of expression and opinion'.

The regular monitoring of PCN identifies many flaws on the part of journalists while publishing and disseminating the news. The implementation of journalistic code of conduct in online media has been dismal.

In the recent years, many journalists working in online media are being arrested on the ground of publishing news. Many have accused the media of peddling fake news and defaming people without any evidence. There is a tendency of publishing news without any fact-checking which either leads to seek apology or delete the news. Such a tendency weakens the debate on media freedom and provides a pretext to authorities to control the media.

Way forward

After the signing of the Comprehensive Peace Agreement (CPA) in 2006 and promulgation of constitution in the 2015, the situation of media freedom is gradually improving but the threats still loom large owing to the above-mentioned factors.

There is no prior censorship or systematic state control on media. There is a relatively peaceful and stable political environment so there is no threat to press freedom from non-state actors. There are still doubts about the intention of political parties and government. Instead of promoting press freedom, there are several instances of politicians intimidating media persons which are a worrying sign.

As discussed earlier, the draft of almost all the laws after 2015 has some provisions that intend to restrict press freedom and all the political parties are responsible for this. Government must engage

in broader consultations before preparing the draft of laws and politicians should keep a close eye instead of leaving all tasks to bureaucracy.

The proposed draft of laws should be amended in line with the constitution based on broader consultations with key stakeholders. At the same time, political parties must promote a culture of press freedom inside their party. Top political leaders should refrain from making objectionable speeches against the media.

They should instruct their subordinates and cadres should be made aware of the importance of press freedom. And parties should take strong action against leaders and cadres who are involved in attacking journalists. The existing culture of impunity has given a message that they would be granted amnesty even if they are attacked.

Organizations like Press Council Nepal and Federation of Journalists do have a great responsibility of promoting the principle of freedom with responsibility. Journalists should be empowered to strictly follow the journalistic code of conduct. There are several instances of journalists themselves spreading fake news and disinformation. This provides authorities to launch measures to control media freedom. So, journalists should act in a responsible way while exercising press freedom.

The current constitution is a very progressive document in terms of press freedom and political parties seem fully committed to press freedom. But doubts still prevail. The media fraternity is very alert because no matter which party is in government, there are high chances of introducing laws to limit press freedom. There should be a continuous vigil to safeguard press freedom.

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Multi-faceted impacts of Covid-19 on media

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Abstract

This study highlights the impact of Covid-19 on functioning of the media. It also identifies and assesses the areas which are badly hit by the pandemic. Various studies show the decline of at least 65 percent of advertisements in the news media which prompted the media houses to take austerity measures. Since the outbreak of the pandemic, journalists also faced economic and psychological pressures. This study explores the multi-faceted impact of Covid-19 on the media and suggests ways for the speedy recovery. Desk works and personal observations are used to conduct the study.

Keywords: Covid-19 Pandemic, Media, Journalists, Revenue, Crisis Management, Recovery.

Introduction

Like other sectors, Covid-19 pandemic disproportionately impacted the media industry. Despite facing hardships, the media continued to play a crucial role in informing and educating people. They played the role of advocacy on health issues, particularly on Covid-19, and informed/educated people about the safety measures. Since the outbreak of Covid-19 virus in December 2019 in Wuhan, China, the

entire world came to a standstill and lockdown was used as a key strategy to contain the spread of the virus.

Due to prolonged and repeated lockdowns, people's movements were restricted and other sectors including the economy, education, health, agriculture, and livelihood were badly hit. The current situation has affected the media business at large, and advertisement revenues declined. Decline in income forced the media houses to reduce the number of pages of newspapers, and electronic media were forced to reduce their programmes and broadcasting hours.

As the pandemic gripped them, media houses resorted to the strategy of keeping staffs on 'forced leave', and downsizing the newsrooms. The impact of Covid-19 on the media sector was marked by unprecedented disruptions in its services since the nation-wide lockdown began. Though the industry has been upended many times in the past, it is slowly and gradually taking steps to recover.

Covid-19 and media

Studies show media and journalists working amid Covid-19 situation were affected in one way or another. On the one hand, it was the responsibility of the media houses to disseminate information to the public about Covid-19; on the other, the revenue of the media had declined by up to 70 percent.

In such a difficult time, the media faced financial crisis, and journalists working in the big media houses, including the UK, US and India were targeted. In just four months since Covid-19 began, 37,000 media workers in the United States lost their jobs (Tracy, 2020).

Thomson Reuters Foundation Report (2020) showed news limits to media freedom, reporting challenges and restrictions, misinformation and the infodemic, health and safety, negative economics, digital dependency and mental health and wellbeing as the causes of Covid-19.

IFJ (2020) points out that about 7 percent of journalists have lost their jobs and 37 percent have had their pay cuts.

A survey conducted by International Center for Journalists (2020) among 1,406 journalists and media workers around the world has highlighted the multiple impacts of Covid-19 on the media.

70% of respondents rated the psychological and emotional impacts of dealing with the Covid-19 crisis as the most difficult aspect of their work, and 82% reported at least one negative emotional or psychological reaction as a result of the pandemic (Posetti, Bell, Brown, 2020, ICFJ). The survey further points out:

Likewise, 30% said that their news organizations had not supplied a single piece of protective equipment for field reporting. Similarly, 20% said their experience of online abuse, harassment, threats or attacks was much worse than usual.

Some governments also used Covid-19 as a weapon to limit or restrict media rights. Many governments around the world have been using the pandemic as an excuse to curtail media freedom, and clampdown on independent journalism and critical reporting (Pant and Bacalla, in press). Due to Covid-19, the Indian media was also severely affected; the print bore the brunt. The print media which include newspapers, magazines saw decreased production and sales (Khan, 2021).

Multifaceted impact of Covid-19 on media

Impact on journalists

The impact of Covid-19 was felt on the entire functioning of media. It also affected media support system such as human resource, revenue generation and other systems. Despite its shortcomings, the role of the media in the flow of information at other times was significant and applauded by the society.

Federation of Nepali Journalists Report (2021) points out that 1,007 journalists are recorded to have been infected with Covid-19 and 24 media persons, including journalists and media owners died from infection.

A study conducted by Press Council Nepal (2020) claims 'most of the newspapers were shut down during the nationwide lockdown from March 26 to July 20 in 2020'. Some media outlets were shut down, while others reduced contents and pages. And, there have been incidents to discourage the journalists working at the forefront despite the risk of Covid-19.

With the beginning of lockdown, big media houses showed their misery; as the economic support started to dry-up, they opted for the strategies to announce furlough to minimize costs, including salary cuts, forced unpaid leave and lay-offs.

There were reports that the jobs of the journalists were uncertain, their salaries were reduced and the media houses were reluctant to fulfill the minimum obligations to their employees. As the risk of Covid-19 continued, journalists were forced to take risks where they should fulfill their professional responsibilities being safe (CMR, 2021).

A joint survey conducted by Federation of Nepalese Journalist and Share Cast Initiatives (2020) among 2,008 journalists shows that 4 percent of journalists lost their jobs in Covid-19 period, 6 percent were sent on unpaid leave, 9 percent journalists' salaries were cut, 20 percent did not receive salaries on a regular basis and one-third did not receive their salaries for four months. Stringers in the district were also dismissed.

A study conducted by the Freedom Forum (2020) shows that 3,190 journalists had lost their jobs and the big media had used the epidemic as an excuse to axe jobs and not pay their salaries. A study conducted by the Media Advocacy Group (2020) found that the lockdown caused by Covid-19 and its aftermath had

a psychological and financial impact on most of the women journalists.

Journalists in all the seven provinces have been affected mentally and physically. A large number of news workers suffered financial difficulties, and some have lost their jobs altogether. There have been many notable changes to their newsgathering and news dissemination practices, including reduction in broadcast, print and radio outputs across the country (Sreedharan, Thorsen, Upreti & Sharma, 2020).

Journalists who served on the frontlines also faced problems in their society and home. A female said that due to the mistaken attitude of the society about the requirements of journalism she has been accused of spreading the virus while returning from work saying that she has not followed the health protocols (Sancharika Samuha, 2020).

Dwindling revenue sources

As discussed above, Covid-19 badly hit the revenue of media houses forcing them to take austerity measures. Despite economic hardships, they continued to play their active role.

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 annually (IFJ, 2019).

Though there has not been any scientific and comprehensive study, office bearers of Advertising Association of Nepal often share with media that their reading is that newspaper advertisement declined by 90 percent, with 60 per cent in television and 70 per cent in radio and FM.

Overall, AAN estimated that the Nepali advertising industry lost the revenue of about Rs. 6 billion (US\$ 50 million) in the four months of lockdown (Dhakal, 2020). The advertisement was stopped but the liability of salary and bank loan remained the same. Paper expenses, print expenses and staff expenses for publishing the magazine continued. Newspapers revenue reduced by 80 percent (Dahal, Shrestha, Karki, 2021). The media owners focused on the survival of most of the media despite the crisis as very important factor. (personal communication (n.d.), 2021).

A study conducted by PCN (2020) shows even though the government-owned Gorkhapatra was published regularly its average daily advertisement volume decreased from Rs. 3 million to Rs. 0.5. According to the same PCN report, regular income of community radio decreased by 75 per cent whereas commercial radio revenue fell by about 80 percent and television revenue decreased by one-third.

Overall, the situation in all the provinces assessed and studied shows that advertisement has been cut off by 80 percent in print media, 70 percent in radio, 60 percent in television and 45 percent in online media (PCN, 2020). With the ease of lockdown and vaccination campaign, media houses are gradually recovering. Newspapers have started to restore the pages that they reduced earlier and other media are also strengthening their economic position. However, it takes time for the media houses to fully recover.

Stimulus package and recovery

Government has taken some steps to support media institutions to recover from the economic crisis. The government had provided loans of up to Rs.70 million at 5 percent interest declaring media to have been affected by the pandemic.

Similarly, refinancing was arranged, and some media houses have taken loans to address financial crisis (Ekagaj, 2021). The

government has waived license renewal fee for radio and television. At the province level too, media are receiving support through publication and broadcasting public awareness materials. Covid-19 insurance was sanctioned to journalists. Various non-governmental organizations are offering fellowships and providing training on psychotherapy and safe measures against Covid-19. Professional associations including the FNJ had provided security materials to the journalists, and arranged quarantine facilities for infected people. FNJ is continuously putting pressure on the media houses not to expel journalists from jobs, not to reduce their salaries, and avoid the policy of keeping staffs on unpaid leave. The pressure campaign has yielded some results.

Mis/Disinformation: Major concern

During the pandemic, the social media are further spreading and social media users have become even more powerful. There was a massive flow of misinformation and disinformation about Covid-19. In February 2020, World Health Organization started expressing concerns about the infodemic. Defining infodemic, WHO (2020) said that 'infodemic is too much information including false or misleading information in digital and physical environments during a disease outbreak'.

WHO (2020) further stated that 'it causes confusion and risk-taking behaviours that can harm health. It also leads to mistrust in health authorities and undermines the public health response'. A policy brief of Article 19 (2020) points out that in many instances, misinformation has diverted the attention of policymakers, fostered distrust in governments, and sowed confusion among the public.

Fighting misinformation and disinformation is vital and to do that media, civil society and government should play their roles. Media and digital literacy are an answer to fight such infodemic in the future. The role of government could be to develop media literacy

strategy, identify key stakeholders, the gaps in provisions and opportunities for collaboration (Elliott. 2020).

In Nepal too, many research organizations started to pay a close attention to the issues of misinformation and have initiated research in this regard. Several stories have come up on the social media where Nepal's online news media have created the news stories without verification. In the times of crisis, it is highly necessary to check such viral information authenticity. To combat mis/disinformation, a new website was launched during the pandemic by Center for Media Research-Nepal viz- www.nepalfactcheck.org.

In the time of misinformation and disinformation, digital security has become a pertinent issue. Digital security is very important in these times, especially for the frontline defenders of people's rights such as journalists, right to information activists and human rights defenders. According to Google, "scammers are sending 18 million emails about Covid-19 to Gmail users every day." The company has said that it was blocking more than 100 million phishing emails a day (Tidy, 2020).

It shows the scale of risks and alerts that people have to be aware at this difficult time. In this context, a three-fold approach is necessary to help media serve the public's agenda during and post-pandemic situation, whereas also covering issues faced by the public and the society, continue providing factual information about the virus and related risks, and maintain public's ability to participate in public discussions through mediums they can access. So, the role of news media is vital in the times of crisis.

A study conducted to access news and information about COVID-19 in people of six countries - Argentina, Germany, South Korea, Spain, the UK and the US - concluded that people relied on different source of news and information on the coronavirus through different platforms:

“News use is up, news organisations remain central, and news media are trusted by a majority in all six countries. Most of our respondents also rely on various platforms, but regard the content they access via social media, video sites, and messaging applications (and to a lesser extent search engines) as much less trustworthy than information from news organizations (Nielsen, 2020).” The same study found that news media have helped the people understand about the pandemic, where relying on news organizations is associated with significantly higher levels of knowledge about the coronavirus in most countries.

Way forward

As the virus still poses threat despite the vaccination drive, the road to recovery is unabated but it is filled with challenges. Without adequate economic activity, the industrial sector will not be vibrant. Increasing economic activity creating a thriving environment for the advertising sector remains an uphill task. The issue of timely payment to journalists and media workers is not new but Covid-19 crisis further aggravated the concerns to implement the Working Journalists Act.

The low wages and odd payment to journalists are reflected in poor content production and good journalists opting for new jobs questioning sustainability. Covid-19 severely impacted the media and journalists. As discussed above, with dwindling revenue, the media houses opted for a strategy for survival. The studies have shown that journalists had to face psychological problems as well.

The media houses lack crisis management skills and plans. Folding up the media institutions and using the strategies as mentioned just within a month shows their vulnerability. Media houses should ponder on preparing crisis management plan and strategies. Be it a natural disaster or a pandemic, media should

make contingency plan to navigate the crisis, including managing sufficient funds. The experience of both earthquakes and pandemics clearly shows that media houses are unprepared for crisis handling.

At the same time, government and non-government institutions should lend their support in the times of crisis. Government support in leveraging media houses for guaranteeing loans for their operation and exempting royalties and taxes for media houses could be helpful to recover from the crisis. This, however, should be provided with condition that the media houses provide full payments to their employees.

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Social diversity and code of ethics in Nepali media

J.B. Biswokarma

Abstract

This article critically observes the social diversity and code of ethics in the Nepali media. Examining recent trend of Nepali media in reference to social diversity and implementation of code of conduct is also an objective of this article. Nepal is a diverse society in terms of ethnicity, culture, language, religion, class and so on. However, a limited number of social groups have a hold in the state mechanism and decision making level. Media is not an exception in this regard. On the one hand the voices of marginalized communities like Dalits and indigenous people are not heard properly and on the other the overall state structure is discriminatory. The Constitution of Nepal has the spirit of ending all forms of discrimination, but there are lots of works to be done to bring the socially and economically backward communities into the mainstream. Media should play an important role to end all forms of exclusion. There are various aspects of social diversity, but media, an important tool for social change and awareness, should be more responsible and represent voices of voiceless communities regarding the sensitivity of social diversity as well as mainstreaming marginalized, backward and excluded people. Various related literatures, reports, news and websites are

reviewed before coming to a conclusion through descriptive and analytical methods.

Keywords: Diversity, Media Ethics, Inclusion, Exclusion, Justice, Equality

Background

Nepal is a multi-ethnic, multi-cultural, multi-lingual, multi-religious and diverse society. There are 125 ethnic groups that speak more than 123 mother tongues, and follow 10 different religions who live together in society (CBS, 2011). There is a diversity in the Nepali population including women (51%), indigenous nationalities (24.25%), Madhesi (15.44%), Tharu (6.56%), Newar (4.99%), Dalit (13.12%), Muslim (4.39%) and other marginalized communities. However, the Brahmin (12.2%) and Chhetri (16.6%) of Nepal have been dominant in the socio-political sphere of Nepal for a long period of time. These two caste groups are holding the major organs including the legislature, executive, and the judiciary, whereas the majority of different social groups, women, and other marginalized communities have been excluded. The excluded communities in Nepal have been struggling to ensure at least proportional representation in all state organs for equality, justice, and dignified life. As a result, the notions of proportional representation and non-discrimination have been accepted politically and constitutionally. However, the principles of non-discrimination and inclusion haven't translated adequately and effectively into practices.

The state power-dynamic is reflected in the state structure and society. Nepal has practiced an exclusionary state structure, where different caste and ethnic groups are excluded in every step of their life. As a result, exclusionary structure has been reflected in the media institutions of Nepal. Women, Dalit, Indigenous Nationalities, Madhesi, Tharu, and other excluded communities are underrepresented in the Nepali media.

Representation is important to reflect the reality of society in the media. The ruling elites create such political and social system and exercise power to fulfill their interests (Gramsci, 1971). The ruling elites had to depend on the army to control the state power, however, in modern society, they exercise power through a dominant cultural ideology which is constructed and embedded in the public consensus by media. The content of media is an outcome of the cultural product of the content producer (Gramsci, 1971). The hidden psychological and ideological perspectives on any subjects or issues of any journalist or editor determine the content of media (Biswakarma, 2016). For example: the perspective of a journalist and editor toward marginalized communities are reflected in the media content. If they have discriminatory understanding, ideology, or perspective towards them, it's obvious that the media always produces content either dominating the community or refusing their opponent voices against the ruling elites. The media have been vehicle for exercising dominant political power, expanding business, and injecting cultural hegemony. Before the 1980s, the voices were raised that the powerful countries had dominated the voices of margins or the developing and underdeveloped countries. Therefore, a commission was formed under the chairmanship of Sean MacBride called "MacBride Commission" to identify the key challenges of international communication. The commission prepared a report in 1980 with the key idea of "Many Voices One World: Toward a New More Just and Effective World Information and Communication Order". The core idea of the report was to create a New World Information Order which is balanced. In spite of that, the media have been promoting the dominant and hegemonic idea and perspective in a large audience that serve the interest of the dominant and ruling elites. In the context of Nepal, the media have been dominated by the interest of ruling elites, male and the dominant caste/ethnic groups.

Principally, journalism has been considered as voice of the voiceless. But, in practice those who dominate the media and society neither

fully accept nor completely reject the diversity of the society. Only the sensitive and responsible media institutions have taken serious consideration in the issues of excluded and marginalized communities. In a diverse society like Nepal, media must understand and pay serious attention to the social diversity for contributing to a progressive society, otherwise, the media can create conflicts in the society. Thus, respecting diversity and providing space for many voices in the media for public discourse is essential in Nepal.

Importance of diversity in media

Social diversity is a situation and status of differences which exist in society. Social diversity is a status of the society where different caste, religious, linguistic, cultural groups live in a society along with their specific traditions, language, socioeconomic status, gender and sexual orientation, values, and livelihood. Nepal is a diverse country where exclusion and discrimination have been exercised for a long period of time. A single ethnic group holds state power and the majority of the communities are politically excluded, economically deprived, and socio-culturally discriminated. As a result, the excluded communities have been fighting for equality, non-discrimination, and justice.

The media has been considered as a watchdog of the state including the political, economic, and cultural power centres. Therefore, media itself is related to the political economy of a country. Media can play an important role in transforming social, and political power-relations. Public sphere is a domain of social life where public opinion can be formed (Habermas, 1991). Media is an instrument to create a public discourse for building opinions through disseminating different issues and ideas. Theoretically, media has been defined as a voice of the voiceless, thus, they raise the marginalized and whispering voices and make the state authorities responsible to address their concerns. However, the critical theory describes that

media become a machinery of expanding a single cultural industry rather than promoting multi-cultural fabric and diversity of the society. The contents produced by the dominant groups serve to protect the cultural interest of the ruling elites (Thussu, 2000). Such media provokes for serving interests of the ruling class and communities that control the voices of marginalized and excluded communities.

The global phenomenon seems that powerful ruling elite and dominant groups have been influencing media content. For example, white supremacy continuous to suffuse political and social relations in the USA (Entman and Rojecki, 2000). The supremacy has been constantly reflected in the contents of the American media. Similarly, Sami in Europe, Indigenous nationalities in Latin America, Indigenous and Dalit in South Asia have fallen under the vicious cycle of exclusion, discrimination, and injustice. It is believed that the main characteristic of the state reflects in the media content, as a result, media also dominate and exclude the agendas of the marginalized communities (Biswokarma, 2020). It shows the powerful media are also not completely different from the state. It shows the contradiction between the principles and practices in addressing the concerns of diverse voices by the media.

Principally, media should reflect the real situation and scenario of the society regardless of caste, ethnicity, gender, religion and so on. Diversity should have been reflected in the structure, and contents in the media for creating a balanced public discourse. As a public sphere, media has to give diverse voices to reform the exclusionary and discriminatory power-structure.

In the context of Nepal, to some extent, different voices of the excluded communities including women, Dalits, indigenous nationalities, Madhesi, and other marginalized communities have been reflected. These contents are not enough to contribute to transforming the socio-political power-relation. As a result, the

marginalized communities have been criticizing the Nepali media for not bringing their voices appropriately and adequately. Nepali media is compared with an "Eco Chamber" which promotes a one-sided opinion and prohibits different or opponent voices (Dura, 2021). Similar opinion and perspectives block the ways of open discourse and shape the opinion on behalf of certain political interest groups. Different opinions play a deceive role to develop a new inclusive culture which is important in a diverse society like Nepal. In the last decade, the trend has slowly changed and the marginalized voices are getting space in the Nepali media which need to be promoted.

Media can play an important role to raise peoples' concerns and make the state responsible and accountable for their issues. It definitely helps in democratizing society. The media contents can create a wide range of discourse on the issues of diverse communities. It builds trust with the media which supports increasing the credibility of media institutions. Furthermore, it also contributes to creating a prosperous and harmonious society through increasing understanding and respect among the different social groups. Therefore, media should be sensitive and proactive on issues related to social diversity.

Causes behind lack of diversity

There are multiple causes for not representing the voices of marginalized communities adequately by the Nepali media. Few of them have been discussed in this article. The global media have been dominated by powerful political centres. The political power determines the contents of the news media. On the one hand, media exercise political power, and on the other hand, media also pray for political power with the ruling elites. In the context of Nepal, the powerful ruling elites want to protect their hegemony by creating favourable media content (Biswokarma, 2012). For example, the Supreme Court issued a directive order

against reservation quotas practiced in Nepal for the marginalized communities on 2nd August 2021. The SC verdict has ordered not to provide reservation to the Tarmara Varga (Privileged Class or creamy layers) without defining who they are. The marginalized communities are demanding reservation based on the community because they were discriminated, and excluded by the state based on gender, caste, ethnicity and geographic location. But, the court issued the order to provide reservation based on "necessity" without defining the meaning. The media which serve the interest of the ruling elites disseminate news and analysis favouring the elite class. It clearly shows that to some extent, Nepali media have been serving their interest.

The key decision-makers of the Nepali media institutions are also under the hold of the male-dominant caste groups of the country. It's hard to see the faces of diverse communities in media institutions. Representation is important to bring the reality of the diverse community to media content. In the past decade, media institutions have started realizing the importance of diversity within the media organizations. However, they haven't yet made a concrete policy to increase meaningful participation of the diverse groups, particularly the marginalized communities.

Media contents are the outlet of the cultural psychology of the content producer. The contents are always determined by the perspective of the producer, understanding of the diversity of the society, and limitation of the knowledge on those issues (Biswokarma, 2012). In the context of Nepal, very few journalists are aware of the sensitivity of the diversity of society. Those sensitive journalists or content producers are working in raising the issues. In the meantime, there are numbers of journalists who have a strong belief in the dominant narratives, are insensitive toward diverse groups. As already discussed, they produce prejudice and stereotypical contents, which can harm the dignity of the different social groups. Those who have poor understanding and less sensitivity to diversity are

biased due to their inherent psychological perception. Nepal is a country of diversity, however, the journalism curricula of the academic institutions, journalism training centres, etc., haven't adequately included those contents. In addition, media institutions also should provide orientation and training to the journalists on different issues, but the institutions rarely organize in-house training and include the issues of diversity. In addition, the state and media houses haven't made any specific policies or guidelines to sensitize content producers on social diversity. As a result, Nepali media still have been facing challenges in portraying diversity and its sensitivity in journalism.

Media ethics and diversity

The International Federation of Journalists (IFJ) Global Charter of Ethics for Journalists had adopted the principle of respecting the facts and the right of the public to truth is the first duty of the journalists. The ethic has mentioned that journalists shall ensure that the dissemination of information or opinion does not contribute to hatred or prejudice and shall do their utmost to avoid facilitating the spread of discrimination on grounds such as social or ethnic origin, race, gender, sexual orientation, language, religion, disability, political and other opinions.

Nepal's Journalist Code of Conduct, 2016 has accepted that journalists and mass media should enhance the protection and promotion of democracy, justice, equality, freedom, inclusion, humanity, etc. Similarly, the code of ethics has accepted the principle of Social Responsibility. It says journalists and mass media should disseminate information towards uplifting the helpless, differently able persons, the excluded class, community, region, linguistic groups, the minority and the obsolescent community. Journalists, and mass media should not produce, publish, broadcast, and distribute material that jeopardizes the harmonious relations subsisting among people of various castes, religions, tribes and cultures; incites racial

discrimination and untouchability or is contrary to decent public behaviour or morality. Furthermore, the code of ethics also has given emphasis that journalists and mass media should not produce, publish, broadcast, and distribute material that discriminates or creates hatred to anyone on grounds of racial, gender, religious, regional, linguistic, political beliefs, tribal issues, etc.

The national and international journalists' code of ethics has given emphasis to protect the human rights of diverse communities and follow the principles of non-discrimination while disseminating content through media. However, the provisions related to social diversity and marginalized communities are vague. A simple carelessness or negligence of a journalist or content producer may be a source of a social conflict. Therefore, understanding and respecting social diversity must be a fundamental requirement for a journalist. The media-related policies, guidelines and editorial policies of each media institution must pay attention to these principles. In practice, most Nepali journalists are yet to be sensitized to these issues. Media institutions have to empower content producers on the socio-political dynamics, caste and ethnic power relations, and responsibilities of journalists in bringing their issues for public discourse. So far, it has been seen that media institutions haven't paid serious attention to promoting social diversity, ending prejudices, discrimination, and exclusion which are key barriers to prosperous and harmonious society.

Conclusion

The fundamental characteristic of Nepali society is diversity based on caste, ethnicity, religion, language, etc. But, such diversity has been neglected by the dominant ruling communities. The excluded and marginalized communities have raised voices for ending domination, exclusion, and discrimination to ensure fundamental human rights, equality and dignified life, for which they have been struggling for

a long period of time. The discourse on media diversity in both representation and content has been strongly raised. It's important to strengthen the voices of marginalized communities, create a wider public discourse to create real inclusive democratic society, where all forms of discrimination will be abolished.

The media should be sensitive and responsible towards the excluded communities. Media ethics should have specific provisions to promote social diversity and creating a dignified and harmonious society. Media institutions need to train journalists on the socio-political power relations of diverse society, the importance of raising their voices, and sensitizing while producing content on the particular issues. The academic media institutions and training centers should develop curricula that provide knowledge on social diversity. Furthermore, the media regulating bodies like Press Council Nepal must pay attention to media contents whether the media houses and stakeholders are following the measures of inclusion and representation from the perspective of social diversity.

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Examining women's presence in media

Laxmi Pun

Abstract

Nepalese journalism like elsewhere has its own history and pace of development. It has moved gradually, traversing different political changes in the country. Journalism is still a male-dominated profession. Compared to the past, media now has become more gender-sensitive but there is still a long way to go to achieve progress at the desired level. This study attempts to find out the actual status of women journalists in media, and to assess how sensitive our newsrooms are from gender perspectives. Gender itself is a vast and wide area so this study limits itself to assessing the presence of women in media. The key methods applied here are desk reviews, personal interviews, and study of the documentation prepared by the government and non-governmental organizations.

Keywords: Women Journalists, Gender Sensitive, Participation, Newsroom, Policy

Introduction

History of journalism is a recent phenomenon in Nepal. SudhaSagar was the first press publication which was the second magazine published in Nepal in 1898 AD. It was the monthly literary magazine

(Pant & Acharya, 2011). After two years and 10 months of SudhaSagar publication, Gorkhapatra came into existence, marking the actual beginning of journalism. As growth of journalism was restricted during the Rana Regime, journalism began to take off mainly after 1950.

Since the inception, this profession is always dominated by male. It took almost 50 years for Nepali women to tag themselves as journalists and enter the profession. The launch of the magazine Mahila ("Woman") in 1952 allowed gender-related issues and women's stories to come to the forefront of society and gave women journalists a forum where their voices could be heard for the first time. Playing a singular role as a women's magazine, Mahila became a platform to disseminate information on gender-related issues and made way for more women to take up journalism and share their stories (IFJ, 2015).

Sadhana Pradhan and Kamaksha Devi were the proud editors. The magazine mostly highlighted the struggle of women, emancipation and gender equality. In 1951, Priyambada Sharma edited 'Prabha' monthly; in 1981, Kuntidevi edited 'Pratibha' followed by many others. It has been more than a century now, but the condition and participation of women journalists is still dismal. With the restoration of democracy in 1990, there have been significant improvements in the number of women journalists but compared to other countries numbers are still low.

Analysis of various aspects of women's representation in media

Media and women leadership

Newsrooms are generally headed by male. In mainstream media, there are hardly any female journalists who have reached the top strata. In government media, at times, we find some women reaching the top level. A woman journalist working for a state radio had reached a senior position but resigned due to mental tortures.

She said that she had saved herself and regained peace of mind after resigning (personal communication, September 3, 2021).

In case of small investment media, they have a good number of leading women journalists. Some women journalists are leading digital media platforms which is an encouraging sign. Dubbing women as inferior is a mindset and not a reality. Women can better manage and handle the media if they are given the opportunity' (N. Sharma, personal communication, September 3, 2021).

In the history of American journalism, Anne Catherine Hoof Green is known to hold the top job in newspaper. She had all the caliber required for a publisher and editor, but it was revealed only after her husband's sad demise. She published Maryland Gazette along with pamphlets, which protested against British actions and strongly supported colonial rights (History of American Women, 2020).

Even today two-thirds of by-lines in American reporting credit men. So even the advanced countries fail to recognize women journalists' capacity. A big portion of the battle, though, has been already won. In the United States on March 25, 2015 (the most current report available), women represented 38% of reporters overall: 40% of reporters in print/newspapers, 67% of reporters in radio, and 32% of reporters on television. The proportion of women drops still further in higher-visibility roles (presenters, who actually convey the news): Women represented 32% on television and just 12% on radio (Ford Foundation, 2019). In the least developed countries like Nepal, it is still a challenging job for women journalist to lead the newsrooms. Compared to America, our status is quite dismal.

Current status of women participation in media

With 1950's democratic movement, private media came into an existence; it was still at a pioneering stage for women journalists. The number of women journalists began to swell after the political

changes in 1990, and there has been a qualitative shift after the signing of the Comprehensive Peace Agreement (CPA) in 2006.

The emergence of radio was a turning point when it comes to women's presence in media. Though Nepal's formal journalism started in 1898, radio transmission began only in 1951 with the broadcasting of Radio Nepal. The private radios began to emerge after the restoration of democracy in 1990. Radio Sagarmatha is the first community radio of Nepal and entire South Asia.

The opening up of independent radios in Nepal has provided plenty of career opportunities to young journalists, especially women. Take the case of Gorkha, one of the historical mid-hill districts of Nepal. Altogether eight media outlets are in operation in Gorkha (six radio stations and two newspapers) with FM radio dominating the media sector (IFJ, 2015).

IFJ report paints an actual situation because the development of radio stations across the country provided an opportunity for hundreds of females to choose this profession. With a view of increasing the number of women journalists, FNJ has taken some pro-active measures. In case of male journalists, they require three years of working experience, while female journalists can apply for FNJ membership with one year's experience. It has actually helped in increasing the number of the women journalists in the country. Earlier, there were only four women reservations in the FNJ central committee.

When Govinda Acharya was FNJ President, the apex-body of journalists announced to increase women quota to 12. Earlier, there were only one secretary and three female members, which made total four reservations for women journalists in the central committee. Such reservations help in providing opportunity to female journalists to reach the topmost platform, with less competition as a part of compensation. FNJ, now, has 18% women journalists as its general members. This provision has been helpful to bring women in the leadership position of FNJ.

According to Sancharika Samuha Research (2015), out of total 114 women surveyed, 26.6 percent were just from Kathmandu valley and the rest were from other parts of the country. The majority of them work in FM stations with their share as big as 62.1 percent. Domination of women journalists from Brahmin and Chhetri castes was evident in the research. 58.6 percent of the surveyed women belong to Brahmin and Chhetri castes. Only 21.9 percent of women journalists have pursued professional journalism courses in college.

Another indicator to assess the number of women journalists is their byline in media. Over the past few years, Freedom Forum is continuously conducting surveys to find the status of women journalists in media from the perspective of byline of women journalists. Freedom Forum Report (2020) shows, out of 540 news materials, only 9 percent was contributed by women and rest 91 % sent by male journalists. This shows the lower presence of women in media.

Another reason for women's less contribution or publication is the disbelief or less trust shown towards them. Incidents of favouritism shown towards male colleagues are a commonly heard issue. During promotions, male employees are given priority, whatever the understanding may be. In case of women photo journalists, they have been facing more hardship. They have to move quickly with heavy equipment including camera and tripods, even during their monthly periods.

When I was the convener of the FNJ-women committee, we had honoured 25 women photo journalists from different media which shows that the number of women photo journalists is increasing. Also, there is no proper gender policy in the media houses. Among 467 participants - 37.7 % reported they had gender policy; 38.3 had no policy, and 24 % reported they had no idea about it (WWJ, 2019).

Women's participation in our media is truly encouraging and competition between media houses has ensured fresh news and fresh perspectives. Meanwhile, there is a mushrooming growth of

colleges amidst poor regulation and running a media-only college in Nepal is certainly proving to be a challenge. I find satisfaction working in this industry, although in countries like Nepal this is the most challenging profession (Mishra M., n.d.).

Capacity building of women journalists

Even today, there is no offset press in Mugu and Dolpa districts. Newspapers are printed in Nepalgunj or Birendranagar of Surkhet and are transported to those districts by plane. One can easily imagine the condition of women journalists in the region. The state should build conducive environment for the publication of media in such remote regions.

Trainings are the main course that can widen the thinking power, confidence and professional skills of journalists. Many are found starting their job without any proper training, though some have studied mass communication. Basic training should be compulsorily given, no matter the duration.

The traditional concept of training should be also revised and the journalists should be given advanced courses and updated within proper intervals. Women journalists are found sincerely observing the Code of Conduct. Only in exceptional cases, they are found violating it. The media with no women staffs are found displaying the tendency of publishing vulgar matters, in order to increase the viewers and followers. Upgraded and revised skills should be imparted, so that women journalists can stand high in the competition of modern era. In-house media trainings are best sometimes. The media founders and editors should seriously look into it, rather than only assigning them tasks continuously.

Sancharika Samuha designs programmes in a way that helps to build the capacity of women in the journalism sector through improvement of their professional skills and their access to Nepali media (Sharma,

N, as cited in IFJ Report 2015). Policies are guiding principles for sustainable development. Making news media inclusive at large and addressing gender concerns following policies could help bring better results in the future. They also work as compulsory guidance.

Women journalists have also been pursuing their further studies, along with their career. According to Working Women Journalist (2019), 36.8 % have achieved Bachelors, 28.0 %- Masters, 27.6-plus two and 0.4-primary education. FNJ has begun providing scholarship to the students of journalism of different colleges of Kathmandu. It has coordinated in providing scholarship to journalists aspiring for higher education and three among four are women journalists.

Seminars, conferences and interaction gatherings do work in developing positive perspectives in women journalists. Such events become a platform to share their views and problems. It also becomes a common forum to find solution to problems. It enlarges the circle of women journalists and helps them guide professionally.

Newsrooms sensitivity

Maintaining diversity in the operation and management of newsrooms is key to increase the number of women journalists. To do so, chief editors of main influential media houses play a pivotal role and there are always questions over their commitments.

Instead, they often face the charges of being biased to women colleagues. Women are generally allotted 'less important' beats like entertainment, lifestyle, etc; while politics, finance, defence and others are reserved for male journalists. One inspirational figure is Elizabeth Jane Cochran, with her pen name as Nellie Bly.

She desperately tried for a job in newspapers, but was laughed for being a woman. In 1887, she feigned herself as mentally ill to expose the inhuman treatment at a mental asylum in Blackwell's Island.

In fact, the editor had challenged her with the assignment. The 23-year-old Nellie Bly stayed there for ten days. After coming out, she wrote a story on how the ill people were treated like animals. She was named by the New York Journal as the 'Best Reporter in America'. Once rejected for being a woman, Nellie won fame as an investigative journalist.

Sancharika Samuha Report (2011) states that regarding human resource policy, among 46 media, only 12 included women in such policy. Meanwhile, the other 34 revealed they had no such provision. In general, only 24% media had human resource policy regarding women and 74 % lacked it. In 473 women journalists, 1 among 5 i.e. 18.6 % were facing uneasy environment at the office.

Key problems faced by women journalists

Earlier, journalism was thought to be an exclusively male profession. The early women journalists had to battle the rough world of journalism. Gradually, as the media industry flourished, many women joined it. However, there are many problems prevailing in the sector which discourages women to continue their career. Here are some such problems faced by women journalists.

Sometimes, though the tasks or the assignments given are same, women journalists are paid less than their male colleagues. Salaries are lower at the district level than in the capital. In addition, some women journalists complain of discrimination in payment, especially in terms of allowances and other facilities. Despite their qualifications, women face discrimination in reporting assignments, with key areas such as politics and business considered out of bounds for them (IFJ, 2020).

Some media houses don't pay salary on time. There are instances of gap of even 3-6 months. There are also instances that media houses discriminate journalists by adopting the policy of paying some on

time and not paying the rest. The married women journalists carry a lot of social burden as well. The family expects them to reach home in time, especially when there are kids. They need to perform different gender roles as wife, daughter-in-law, mother, etc. They have a hard time to balance between home and office. If the family is not supportive, the only option is to find a 10 to 5 job. Female journalists face unreasonable treatment, harassment by male colleagues and job insecurity as the common reasons that compel them to give up their profession.

Female journalists face different kind of discriminations on the basis of their physical appearance, age, during pregnancy and in motherhood. In case of online harassment, the female journalists are targeted and attacked more compared to their male colleagues. The simple reason is they are considered frail, someone fit to be bullied and made fun of. They are targeted for the news written by them. Generally unmarried ones are harassed more.

Way forward

National policy for the professional growth and protection of journalists with a special focus on women journalists is a need of the hour. Due to a lack of proper policies, there are verbal commitments by policymakers but they have not been translated into action. All the stakeholders should join hands to put pressure on policymakers for more gender-responsive laws and policies to ensure increased participation of women journalists in media, enabling them to reach higher positions without any kind of bias.

And most importantly women journalists themselves should be strong enough to move ahead putting aside all the obstacles on the way. The media houses should treat all the journalists equally in regard to salary and other facilities and refrain from discrimination based on gender, religion, region, community, physical appearance, etc. Women journalists contributing decades of their lives in this

field should be also honoured. This will in turn encourage the new generation too. There is still a long way to go for empowerment of women journalists in Nepal and achievement of equal status.

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Media monitoring under federal structure in Nepal

Liladhar Upadhyaya

Abstract

This article critically examines media monitoring situation under the federal structure. The nation formally adopted the federal set up with the promulgation of the new Constitution in 2015. However, several institutions, laws and related mechanisms have not been streamlined with the principles and practices of federalism. The nation needs federalization of all institutions as federalism envisions division of powers and resources as per the constitutional spirit. All mechanisms, laws and media operation system should maintain the basic concept of free press under a democratic society. Press freedom does not exist in a vacuum but underscores responsible and accountable act and behaviour of all stakeholders. Thus, every effort made from the government and private sector should uphold the norms and values of federalism as federalism is a medium to promote and sustain democracy. Democracy shall sustain when there is a free press strictly abiding by professional ethics or code of conduct. Analytical and descriptive methods are applied in this study, mostly using secondary data. Telephone conversations with the concerned officials, website visits are conducted and some relevant laws and literatures are reviewed in course of the study.

Keywords: Federalism, Press Freedom, Division of Powers, Media Monitoring, and Provincial Structure

General introduction

Federalism is a division of powers and resources horizontally and vertically to ease the governing system and bring the state powers to people's doorstep. At least two orders of government, one for the whole federation and the other for the regional units, act directly on its citizens (Watts, 2008). It is an alternative system of governance that Nepal adopted lately against the age-old practice of unitary system with the promulgation of the new Constitution in 2015. Earlier, different movements, particularly the Maoist movement and movement in Madhes, contributed significantly to introduce the system of multiple layers of governments in Nepal (CA Secretariat, 2009).

Among various features of the Constitution of Nepal, federalism, inclusion, republican set up and secularism are taken as unique and progressive components. Cooperation, co-existence and coordination among the multiple layers of governments are the key features of federalism in Nepal (CA Secretariat, 2015). This denotes that there should be cooperation and coordination among multiple layers of state organs while running the state under federal principles and practices. Introduction of federal structure is a new experiment in Nepal. The nation has got seven provinces against the unitary state. All seven provinces and their governments are equally competent, autonomous and independent to discharge their responsibilities under the jurisdiction set by the Constitution.

Full freedom of press, which is ensured by the Constitution of Nepal (CA Secretariat, 2015), cannot be executed in a vacuum. It needs a certain mechanism for its smooth operation. A dignified, reliable and credible functioning of media definitely helps achieve the goal

of full freedom of the press set by the Constitution. The very term press freedom offers multiple values and practices of democracy. A democratic society cannot be imagined without implementation of the component of free press.

Press Council Nepal is an independent and autonomous statutory body under the federal government to support and promote the concept and practice of free press by maintaining standards under a democratic society (PCN, 2021).

Seven provincial governments or sub-national units have tried to ensure a free press with the enactment of media related laws, establishment of structures and mobilizing resources. There is a lack of ample discussion on the federal structures of regulating bodies like the Press Council. There is also a lack of federalization of other constitutional bodies as per the spirit of the Constitution. Constitutional Commissions like Dalit Commission, National Inclusion Commission, Tharu Commission and Muslim Commission are yet to embrace a federal shape in line with the constitutional provision of seven provinces. They are only in operation in the centre which does not match with the principles and practices of federalism as well as the spirit of the Constitution of Nepal.

The situation of media monitoring, operation and regulation is also facing the same fate that other state bodies are facing as media cover a wide area ranging from electronic to new media. It has become so vast that full monitoring of media is extraordinarily challenging.

Full-fledged discussion on monitoring media at the provincial levels is the need of the hour to sustain newly introduced federalism itself and to protect the democratic rights of the people in the context of new governance system which is still in the experimental stage.

Constitutional provision

The federal Constitution of Nepal has mentioned exclusive and concurrent powers of the federal, provincial and local governments. The Constitution of Nepal has ensured full freedom of press. However, there was no detailed discussion in the Constituent Assembly on the federal, provincial and local level mechanisms to ensure full press freedom under the three tiers of governments. Some powers related to media monitoring and press freedom are placed under the jurisdiction of the respective governments. However, the Constitution has not detailed illustration of powers relating to media jurisdiction. There is a repetition of media operation and lists of powers are vague to perform specific responsibilities. As per the Schedule 5-9 of the Constitution of Nepal, the division of powers is stated below:

Federal Powers	Provincial Powers	Concurrent Powers of Federation and State	Local Level Powers	Concurrent Powers of Federation, State and Local Level
<ul style="list-style-type: none">● Telecommunications● Allocation of radio frequency● Radio● Television and● Postal matters	<ul style="list-style-type: none">● Operation of Radio● FM● Television	Matters related to means of communication	F M Operation	Newspapers

Line ministries and jurisdiction

All seven provinces have line ministries to look after media related matters. There is no consistency for naming the ministries. Gandaki Province and Province 2 have different names from other provinces. These two provinces have given name as Ministry of Internal Affairs and Communications and Ministry of Law, Communication and Province Assembly Affairs respectively. Other five provinces

have uniformity in the name which is called Ministry of Internal Affairs and Law. The line ministries of all the seven provinces are named Ministry of Internal Affairs and Law in Province 1, Ministry of Internal Affairs and Communication in Province 2, Ministry of Law, Communications and Province Assembly Affairs in Gandaki and Ministry of Internal Affairs and Law in Bagmati, Lumbini, Karnali and Sudurpaschim province.

Jurisdiction

Provinces have incorporated wider jurisdiction regarding media operation, regulation and monitoring. For instance, Ministry of Law, Communications and Province Assembly Affairs of the Gandaki Province has incorporated the following jurisdiction. They are preparing policies, laws, standards for the operation of electronic media at the provincial level and implementing and regulating them; registering, providing licenses, preparing code of conduct for print and online media and monitoring them, maintaining their record, classifying them, operating them and regulating them; providing press information, producing, publishing and distributing information related materials; monitoring minimum wages of working journalists; works related to provincial level registrar; infrastructure development, management and regulation of wired and wireless broadband in the province; monitoring cyber security inside the province; promoting information technology, building, operation and regulation of information technology park inside the province; operating, managing and regulating telecentre within the province; renewal of license and regulating of cable-based television and building policy, law and standard relating to right to information within the province and implementing them.

Province-wise media related laws and their status

Over two and a half dozens of laws are formulated in the province levels. This indicates the provinces are well aware of monitoring,

operating and regulating media under their jurisdiction. They also want to generate revenue through media operation. Some proposed media related laws have become a matter of criticism. Lumbini is the case in point. Some provinces like Bagmati and Province 2 have effectively implemented media related laws. They have established office bearers like press registrar in Bagmati and members of media council in Province 2. Some representative laws relating to media regulations are mentioned below:

SN	Names of Laws	Provinces	Status
1	Bill formed to Manage Province Radio, FM and Television Broadcasting, 2019	Province 1	Approved
2	Provincial Communication Authority Regulation 2020	Province 1	Implemented
3	Bill formed to Manage Province Radio, FM and Television Broadcasting (First Amendment) Regulation 2020	Province 1	Implemented
4	Provincial Communication Authority (First Amendment) Regulation, 2020	Province 1	Implemented
5	Bill formed to Manage Media at Provincial Level 2020	Province 2	Approved
6	Bill formed to Manage FM Radio and Television at Provincial Level	Province 2	Approved
7	Province Communication (First Amendment) Regulation 2020	Province 2	Implemented

8	Province Media Management Bill, 2019	Bagmati	Approved
9	Province Right to Information (First Amendment) Act 2020	Bagmati	Approved
10	Province Media Management (Second Amendment) Regulation 2019	Bagmati	Implemented
11	Bill formed to Manage Broadcasting under Province 5	Lumbini	Approved
12	Bill formed to Establish and Operation of Information and Communication Technology Authority in Province 5	Lumbini	Approved
13	Bill Formed to Manage Media (2021)	Lumbini	Registered(under consideration
14	Procedure/Guideline to produce Programs for Media and Distribution of Grants for Broadcasting Media, 2020	Lumbini	Implemented
15	Province Communication Policy 2018	Lumbini	Implemented
16	Bill formed to Manage Broadcasting of Radio, FM and Television, 2019	Sudurpaschim	Approved (not effective because of some controversy)

17	Bill formed to Manage Province Mass Communication (This bill is registered in the Legislative Committee of the Provincial Assembly of The Gandaki Province, but not passed by the assembly)	Gandaki	Under Consideration
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Existing mechanism in provinces

Some provinces are well prepared to implement media monitoring, promotion and regulation through different mechanisms. For instance, Province 1, Province 2 and Bagmati have set up separate institutions to regulate, operate, monitor media while Lumbini Province has not established separate institutions to monitor the media.

Moreover, Province 1 has established Provincial Communication Authority. And, as stated by Spokesperson of the Ministry of the Internal Affairs and Communication, it has appointed office bearers of the authority as well. (K. Thapa, personal communication, September 1, 2021)

The Bagmati Province has established Office of the Province Press Registrar and has appointed press registrar. Activities ranging from license renewal, press pass renewal to training journalists are incorporated under the office of the Press Registrar.

Likewise, Province 2 has two authorities viz Mass Communication Authority and Media Council, informed Spokesperson of the Ministry of Internal Affairs and Communications (A. Kuswaha, personal communication, September 1, 2021). The provincial government has also appointed officials of the institutions. Similarly, the Province has also appointed members of the Film and Mass Communication Promotion Board (Nepal Page news portal, 2021).

Sudurpaschim Province has not established any separate institution to monitor and regulate media sector. "The Ministry is planning to establish press registrar and introduce mass communication policy," stated Secretary of the Ministry of the Internal Affairs and Law Ministry of the Sudurpaschim Province (C. Paudel, personal communication, September 1, 2021).

Gandaki and Lumbini provinces are discussing media related bills. "We have not established any authorities but the ministry itself is looking after the issues related to media monitoring and regulation," stated secretary at the Ministry of Law and Internal Affairs of the Lumbini Province (R. Pantha, personal communication, September 1, 2021).

Gandaki Province has not established a separate institution like in Bagmati and Province 2. "The ministry has prepared a list of media operating at the provincial level," informed spokesperson of the **Ministry of Law, Communications and Province Assembly Affairs of Gandaki Province** (K. Gaire, personal communication, September 1, 2021). Karnali Province also does not have a separate institution to monitor and regulate media operation. Ministry of Internal Affairs and Law of the Province is looking after the issues relating to classification and code of conduct, informed Secretary of the Ministry of Internal Affairs and Law of Karnali Province. (P. Paudel, personal communication, September 1, 2021)

Key issues and recommendations

Provinces are established as per the constitutional provision. Several state organs are in the process of restructuring them in line with the federal set up. Communication and mass media related organizations need to be given federal set up to ensure free and independent press. The Constitution of Nepal has ensured full press freedom, but there was no sufficient discussion about the structure

of the media and mass communication under the federal set up during the constitution drafting process in the Constituent Assembly.

Neither the federal government nor the provincial governments formed after the promulgation of the new federal Constitution have paid adequate attention to smooth functioning of media and mass communication at the provincial levels. Some of the issues of media monitoring under federal set up are discussed hereunder:

a. Maintaining uniformity in laws and mechanism

Concerned government authorities should pay attention to maintaining uniformity in monitoring, regulating and operating media under the federal structure. There is no uniformity in naming the communication related ministries at the provinces. Gandaki and Province 2 have different names compared to other provinces. Similarly, there should be uniformity in agencies to implement media monitoring. Service seekers will feel comfortable when there is uniformity in enactment of laws and establishment of mechanisms to monitor media.

b. Making media-friendly laws and regulations

Media monitoring and operation in the provinces should be guided by the principles of free and independent press. No laws should be guided to curtail press freedom in any pretext. Media monitoring should be for promoting free and healthy press. Formulating media-friendly laws should be the prime focus of the provinces.

c. Avoiding controversy

Drawing controversy is not a good practice while operating media related matters. Controversy does not only degrade the value of the institution but also

defames the entire mechanism which are dealing with the media issues. There should be no question against the intention of the law enforcement mechanism from the time of its drafting process. For example, some of the provisions of the law named Bill Formed to Manage Media (2021), which was registered in the Assembly of the Lumbini Province, invited some criticism. The Bill is under consideration in the provincial assembly. Stakeholders have realized the need of reforming the law before passing and implementing it in the province.

d. Avoiding duplication of laws and works

Nepal's federalism is implemented under the concept of holding together where sub-national units hold together to build a federal country. In such a case, laws and infrastructures of the federal government become the model for provinces. There is always a risk of copying the laws and subsequent mechanism in the provinces. This trend invites duplication in law making and works of government agencies in the provinces. Avoiding duplication in the process of law enactment in the area of media is the key issue and challenge in Nepal.

e. Promoting coordination and cooperation

The beauty of federalism is to promote coordination and cooperation between the multiple layers of governments and their mechanisms. They should promote a culture of cooperation and coordination horizontally and vertically. The laws enacted in the area of media and mechanisms established to implement the laws should uphold the spirit of cooperation as enshrined in the Constitution of Nepal.

f. Upholding the norms and values of full press freedom

Every law and implementing mechanism should follow the norms and values of full press freedom as envisaged by the Constitution of Nepal. Full press freedom should be realized, reflected and materialized in the state organs, particularly in the context of federalism because federalism is also a democratic governing system.

g. Mechanism to support federalism

Every mechanism relating to media monitoring should have an objective to support the federal set up that is adopted by the country. The new structures to be established in the provincial level should uphold the basic principles of shared rule and self-rule of federalism. Sustaining federalism is the best way to sustain democracy itself.

h. Full implementation of code of conduct

Full implementation of conduct of journalists is the key to make media reliable and credible. Any form of anarchy, partiality will endanger federalism as well as democracy itself. The media should be able to avoid any form of political tag by being independent, impartial and ethical. The concerned provincial governments and their mechanisms should be guided by effective implementation of the code of conduct.

i. Safeguarding national social harmony and representing voices of voiceless marginalized community

Media and media related state mechanism should be inclusive in its nature and function. Media should

represent the voices of voiceless and marginalized community. Institutions under a federal structure should perform their duties for broader national interest and public good. Media should not be the cause of disturbing social harmony.

Conclusion

Efforts are made to monitor, regulate and operate media in the provincial levels as Nepal is in the preliminary stage of implementing federalism. Laws are enacted and implemented for mass communication. Some provinces are ahead in introducing laws and establishing media related institutions while some are planning towards this end. Avoiding duplication in works, laws and mechanism are the major thrust for institutionalizing media monitoring and operating in the provinces. Stakeholders may feel various hassles when there are multiple laws and institutions to implement similar things. Federalism is not to duplicate the works but to work separately under the jurisdiction set by the constitution and laws. The provinces should prove the contextual relevancy while enacting laws and institutions rather than copying the model of other provinces or of the federal government. Another factor is that the provinces can maintain uniformity in terms of laws and institutions while operating and implementing media monitoring and regulating matters.

If things happen as stated above, stakeholders will feel comfortable to seek services from the state. Maintaining institutional as well as human relations with the development of federal culture by upholding the constitutional norms, cooperation and coordination is an important factor in the federalizing process in Nepal either in the field of media or in other fields of governance. Federal idea is concerned with specific forms of human association, with how we organize human relations in order to achieve welfare (Burgess,

2006). Federal governance should be guided by the principle of welfare of humanity at large and related institutions should focus on civil liberty where press freedom prevails significantly. It will be better to follow simplicity rather than complicating and duplicating the services in the name of setting norms in line with the principles and practices of federalism. The stakeholders or service seekers should have easy access to services under a federal set up upholding norms and values of full press freedom.

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Modern trends of Nepali media laws: A critical overview

Ananta Raj Luitel

Abstract

This article evaluates the current situation of the media and media related laws with a critical view point. A democratic society cannot function well without smooth operation of media. There may be tussles between media and government because of their nature of operation. Every state tries to regulate the media in order to bring healthy development of the society and the media under the national or internationally developed principles. Constitutional provisions, laws and the policies are enacted in order to regulate the media time and again due to which sometimes they create rift between the state organs and the fourth estate.

Due to these facts, both media and the laws are in difficult relation. Conflicts emerge between the media and the law time and again in various situations i.e. sometime law may try to restrict the media and the media may also try to violate the law and vice versa, but there must be a cordial relations between them for the betterment of the society. Keeping these things in mind, this article has tried to evaluate the current situation of the media and media related laws with a critical view point.

Keywords: Media Law, Freedom of Expression, Restriction, Regulation and Free Press

Introduction

Every state has been trying to regulate media in order to bring healthy development of the society and media prosperity under the national or internationally developed principles. Constitutional provisions, laws and the policies are enacted in order to regulate the media time and again due to which sometimes rifts emerge between the state organs and the fourth estate.

Due to these facts, both media and the laws are in difficult relation. Conflicts crop up between the media and the law, time and again, in various situations i.e. sometimes law may try to restrict the media and the media may also try to violate the law and vice versa, but there must be a cordial relations between each other for the betterment of the society.

Effective, healthy and harmonious implementation of laws definitely helps create a democratic society having the full press freedom. Several efforts are made to regulate the media by enacting different laws after the promulgation of the new constitution. Some laws invite controversy and criticism from the stakeholders. Every law making process should be participatory and should have followed democratic and constitutional norms of press freedom. A liberal democratic perspective is a minimum standard for introducing media related laws in the present context.

Constitutional provisions

With the promulgation of Constitution of Nepal, 2015, the three-tier of governments under the federal structure are doing one job after another to regulate the media (Nagarik Daily, 2018). Despite

the Constitutional guarantee to protect the rights of the media, the government authorities are trying to attack the media in various perspectives either by pressing for revealing the sources of news or by imposing pre-censorship and also by trying to bring the laws in order to curb the rights of social sites.

The free media is a major pillar of democracy based on which people have the faith in this best political system but the police, administration, and the security forces tend to curb the rights of the media one way or the other and when the people are adapted with the social sites as their part of lives, the government has been trying to regulate the behaviour of the public by enacting Directives to use the Social Sites and also the government had promulgated the Social Sites Use Directives, 2018 in order to connect the public through social sites who became habitual with the sites as their tools in order to address the concerns of the public.

The directives aimed to establish connection of the government offices to the public through social sites justifying that the public are familiar with the social sites so the government offices have chosen these mediums to communicate with the public. As a modern trend, most of the people have used the social sites as their tools of information, entertainment and empowerment.

According to Article 19 of the Constitution, 2015 media is free from pre-censorship, free from the seizure of the printing equipment and free from cancellation of the media's registration. The same provision was guaranteed by Article 13 of the Constitution of the Kingdom of Nepal, 1990, which was further advanced by the present constitution.

Restricting intent

There is a popular perception on absolute power according to which absolute power corrupts absolutely or the power tends to corrupt.

This perception is relating to the power exercise by the government. Such practices are common in every political system therefore there must be a mechanism for controlling such misuse. In fact, executive branch of the government tend to curb the rights of the other branches of the government and the rights of the public therefore it is expected that the executive may curtail the rights of the media.

There are some instances that the government tried to curb the rights of the media either by promulgating new laws or by derailing the practices of enjoying such rights. The government was dragged into serious controversy when it had drafted the Information Technology Bill with an intention to curb the social sites by proposing for the registration of such sites by every individual who has been exercising their freedom of thought through such sites.

Though some of the provisions of the Bill were necessary to make the information technology sector further trustworthy because the existing laws were not sufficient to address the concerns in relation to cyber-crime, crime investigation, use of the social sites by the common people and so on. The advancement, promotion and monitoring of information technology, acceptance of the electronic records, signature, their acceptance as well as the genuineness and trustworthiness, the guarantee of cyber security, addressing cyber-crimes, making the social sites trustworthy were the main objectives of the Bill.

There are so many other problems unfolding in the society therefore there must be a mechanism to address such concerns. The Bill has also proposed for a separate Information Technology Court in order to settle the newly developed disputes in relation to the information and technology sector which is good in terms of providing timely justice and specialized the dispute settlement.

The Section 115 of the Information Technology Bill, 2018 has invented this concept of deciding information technology related

disputes by setting up this special court in which three persons will be designated as the judges of the court comprising member of law, member of information and technology and another member of commerce (Federal Parliament, 2018). The member of law would be the presiding judge of the information technology court who either comes from a district judge or is qualified to be a district judge and the rest of the two members would be the experts of their concerning filed.

A number of new problems are being raised with the advancement of information technology and its daily use. The security of the personal data, the passcode security, the personal document, details, message are the sensitive issues in terms of the right to privacy (Federal Parliament, 2018). The people have been adapting to the virtual world following the coronavirus (Covid-19) pandemic because teachers are teaching their students through this alternative, students are adapted with the virtual world to continue their study, and even the courts have begun virtual hearings in order to settle the disputes and all the professionals are compelled to follow this alternative way to carry out their daily routines. The figure of the Indian judiciary which settled 4.9 million cases during the first one year period of Covid-19 pandemic proved how people are busy with the virtual world and how significant it is to ensure security of the Internet use (Indian Express, 2021).

The Information Technology Bill 2018 has proposed some provisions which are essential in order to address the concerns raised over a long span of time after the advancement of the information technology in the society. Since when Internet became an unavoidable resource to carry out the office works it has become a part of the official use. As discussed above, the government could not avoid the use of information technology in the government offices hence it was necessary to make the newly advanced sector more trustworthy. Not only the cyber security, data security has become essential in the government offices but the security of the social sites is equally

essential for every individual, therefore it is a must for security. Section 3, 4 of the Bill has proposed for maintaining the security of any electronic document in safest way and also recognized such documents.

Section 6 states that if any document is maintained safely, it shall be taken as safe document. As a result, any individual is able to sign contract but such a contract cannot be taken as legitimate contract if it does not have a sign and presence physically. But Section 10 of the Bill has proposed such contract signed virtually equally valid and Section 11 has guaranteed for amendment and modification of such contract (Federal Parliament, 2018).

There are so many provisions in the Bill which are essential for addressing various new problems. But the registration of the social sites, their misuse may pose threat against our sovereignty, integrity as well as the personal liberty.

Regulating vs. gagging

A number of media are being developed in the present context. Not only Internet based social sites but YouTube and other new concepts of civic journalism have been developed. These new mediums of journalism might have posed a threat to regulating mechanism but these mediums have also been protecting the right to information of the citizens. In this context, there should be freedom for their exercise as well as regulating them is also necessary.

In the modern world, the Internet-linked social sites have been widening the freedom of expression by widening the interpersonal relation. However, the same Internet-operating social sites may be used for shaking the society if any wrong element got it in his or her hand which may destroy everything. Keeping these things in mind, a policy in regard to the media is essential in line with the new Constitution of Nepal which may also help in the protection

of the right to information of the people and that may also protect the social dignity as well. For this a regulatory body as well as appropriate policy is required. If we could protect all our values learning from our history, it may also foster our nation.

The freedom of speech has a high scope in check and balance in the function of the other organs of the state even though the fourth estate has no role in check and balance in the formal state organs as defined by the separation of power and check and balance theory propounded by Montesquieu. Neither the state organs directly encroach in its function nor take action against what has been done by the media because it would be presumed that the free media itself is sufficient to keep its own self-restraint in terms of printing issues and in terms of punishment or everything. It has not been defined in the Constitution as well but what role it has been playing in the reality by exposing unlawful activities issues has already been proven.

The government has promulgated Advertisement (Regulation) Act, 2018 with some provisions allowing the province governments to direct the media to set time for printing and broadcasting the time of the advertisement, set policies on the advertisement, and its provision of monitoring and punishment to the editor has created a serious question on the freedom of the press.

The controversial provisions of the Act are: Section 8(1) and (2) allow for determining specific time for the advertisement; Section 15 (B) standard shall be determined for printing and broadcasting the advertisement; 15(e) monitoring for whether falsified advertisement has been printed or broadcast; Section 23(1) the Information and Communication Ministry would monitor whether or not the standard is followed while publishing or broadcasting the advertisements; Section 24 allows the local level to monitor the advertisement; and Section 25(4) allows for punishing the editor directly contravening the freedom of the press. This issue has been taken to the Supreme

Court and its Constitutional Bench has issued a show cause notice to the government authorities demanding their stance on the provisions of the law (Nayapatrika Daily, 2021).

Freedom in real terms

The freedom of press in real terms is a very sensitive freedom in democracy; without this freedom, rest of the other freedom will be meaningless. This freedom is known as the first generation freedom right and known as the political right based on which all political changes occurred.

The freedom of opinion and the freedom of the media are guaranteed by the national and international laws as the universally recognized freedom. Universal Declaration of Human Rights, 1948 has guaranteed the right to freedom of thought, conscience and religion; this right includes freedom to change one's religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance while article 19 states that everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers (UDHR, 1948).

This right has also been upheld by the International Covenant on Civil and Political Rights, 1966 guaranteeing that everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice. According to Section 9 of the Nepal Treaty Act, 1990 we are compelled to abide by these provisions of the international instruments at par with the national laws as a member country of the United Nations (ICCPR, 1966).

The Right to Information Act, 2007 has also guaranteed the right to information on matters of personal and the public concern held in the government bodies. As per Section 4 of the Act each Public Body has to respect and protect the right to information of citizen which shall have the responsibilities -- (a) to classify and update information and make them public, publish and broadcast, (b) to make the citizens' access to information simple and easy, (c) to conduct its functions openly and transparently, (d) to provide appropriate training and orientation to its staffs in order to ensure the right to information of the public.

Recent judicial trend

Democracy is an accountable political system and the state functionaries are responsible to the public. Whatever acts the public office holders do they need to inform the public if something is not required to keep secret according to the law.

Right to information is a right which cannot be neglected even during a difficult situation such as a pandemic. This right was active during the hard time of the coronavirus (Covid-19) when people were facing hardship about all the daily needs but this right was vigilant to address all the concerns of the people around the globe.

The right to information is a significant right of the people which could ensure the good governance by pressing the government authorities to act in a right way. In a right to information related case, the Supreme Court of Nepal has issued a mandamus order in the name of the government to ensure the right to information ensured by Article 27 of the Constitution and the Right to Information Act, 2006 even during the pandemic situation of coronavirus.

A division bench of Justices Dr. Anandamohan Bhattarai and Hari Phuyal issued a directive to the government in response to a writ

petition filed by advocates Kritinath Sharma, Pratibha Uprety, Manish Kumar Shrestha and Santosh Bhandari stating that the authorities concerned had the duty to give the information in regard to their works to address the scarcity of the goods to the public and the measures adopted to cope with the problems facing the public in such a difficult time (SC, Decision No. 10524). In the first case of the pandemic situation, the apex court directed the government authorities to give information to any citizen if demanded in relation to the Covid-19.

The Supreme Court in another case observed that the citizens have the right to know the information of any government action exactly without censorship in democratic system and they have to be informed (SC, Decision No 8594). People need to be informed essentially because the government would get the feedback of any of its action through the public opinion. Secrecy should be an exception and information should be the rule in a democratic system. Democracy is based on openness, therefore the state should inform everything except what has to be kept secret for the public and private welfare.

The Supreme Court precedents state that the government offices should inform the public about their every act as long as they should not maintain secrecy according to the existing laws or they should prefer openness of everything as much as possible.

Major problems

A report submitted in the meeting of the Commissioners of Council of Europe by the representative of Organization for Security and Cooperative, Dunja Mijatovic, in 2011 states that still there is serious threat towards right to information as well as the press due to which the journalists have been facing threat from various quarters. The report states: "Today, in this 21st Century, it is dangerous to be a journalist, a photo journalist and a member of a media today.

It is dangerous to be a journalist and have dinner with a source of information in a restaurant. It is dangerous to be a friend of a journalist and a neighbour of a journalist. It is dangerous to write an article against corruption and investigate on the news. There is a problem to be a vigilant of the time in any part of the world and be an independent individual to speak the truth freely what has been observed."

The major problem of emerging media is nothing but a challenge to bring them under the ambit of the law. Media is not the enemy of anyone but when they operate without any accountability and responsibility that may lead to a serious problem in the society.

A number of defamation cases are being lodged in the court, a serious dissatisfaction is being reported in the regulatory agencies including Press Council of Nepal and a number of complaints are being reported in editor's offices of concerned media. This trend reflects that there might be some problems in the media or with the perception of the public. If the public is right, the media might be wrong or if the media is right, the public might be wrong.

There is a trend that some of the online news portals and YouTubers are operating without registration and regulation, some of them are not abiding by the laws of the land and the code of conduct for journalists. Additionally, social media is operating without monitoring by any agency of the government. As if they are above the law, as if they cannot be questioned by anyone but they have the right to question any high authority of the state without any censorship of language. Those who are in the power are the victim of such language but the opposition might have been enjoying what has appeared in the social sites without language censorship. Any party may face the same problem if it reaches in the power no matter what the political ideology the party or the Prime Minister or ministers have. Personally, for any citizen it may be good but for

a good cause--this unaccountability in the media must be ended and regulated by any independent authority of the state under the ambit of the Constitution to foster further prosperity of democratic culture.

Conclusion

There are so many issues unfolding with the advancement of information and technology insisting the society and the government to introduce laws time and again to keep vigilant on them but still there are questions whether the government has the right to gag the freedom of thought and whether it has the right to regulate the media.

Definitely, there is a growing need to protect the personal details of the public, there is a need to guarantee the personal privacy of the common people because there is an immense threat of cyber-attack on such data and privacy but the government is handcuffed in terms of the freedom of thought, freedom of press with the provision of Constitution, the laws and the internationally accepted principle related to the media so it does not have any other choice but to act within these limitations by protecting the rights relating to freedom of thought and media.

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Community broadcasting in Nepal: Challenges and the road ahead

Suman Basnet

Abstract

This article seeks to examine some of the major roadblocks in the path of community radio development in Nepal. While acknowledging the sector's important achievements over the years, it places the spotlight on the shortcomings that exist not only due to policy gaps but also emanating from within the sector. By moving on a path that is somewhat removed from the common narrative found in discussions around community radio, this article attempts to touch upon areas that are often not mentioned or cited as weaknesses besieging the sector.

This article suggests a few remedial measures that community radios of Nepal could adopt in order to move closer to the fundamental principles of community broadcasting such as community ownership and rootedness. By challenging the majority's narrative about community radio in Nepal and by identifying factors that are dousing the fire in the sector, this article opens up new dimensions for discussions and counter arguments.

Keywords: Communication History, Community Radio, Ownership, Broadcasting

Background

It was way back in the year 1997 that the first 'non-governmental' radio was set up in Nepal by an enthusiastic group of media activists. The sector has grown manifold in those 25 years and has achieved significant milestones that are lauded in Nepal as well as internationally. For example, the role of the 375 or so community radios in ensuring access to information in the farthest corners of Nepal and providing life-saving information in times of calamities and emergencies are just some of the examples (ACORAB, 2019).

As Nepal reels under the impact of the COVID-19 pandemic, the value of local broadcasters has been amplified like never before. Large tracts of rural and semi-urban Nepal depend upon local broadcasters for reliable information, a premium product during the pandemic. That local radios are the most accessible and freely available source of information in Nepal for the general public is a foregone conclusion. Community radios have played their role to the hilt in this regard.

Community radios operating in locations poorly served by the government and commercial broadcasters are the most important link between the marginalized persons and the public service providers, including government offices, especially in times of a disaster.

Out of the approximately 740 FM radio stations (MoCIT, 2017) in Nepal, close to half operate as not-for-profit media outlets, mostly in rural and semi-urban locations. Community radios cover almost the entire population of the country. This is not a small achievement by any yardstick, especially when contrasted with Nepal's fledgling governance and human rights situation.

The purpose of this article is not to repeat what has been told often already. Its purpose is to analyze the challenges facing the sector. In order to do that, it will focus on what are termed as the

shortcomings of the sector, the external roadblocks and possible ways of mitigation.

The shortcomings and the roadblocks confronting the sector can be attributed to very specific reasons. While some are due to the way community radio was envisioned in Nepal in the first place, many challenges have emerged due to lack in media policies and regulations.

Ending government's monopoly over broadcasting

The founding of Radio Sagarmatha is considered to be the starting point of community broadcasting in Nepal. The demand for the right to broadcast by non-governmental entities had grown in the preceding years following the reinstatement of multiparty democracy. An organized effort to establish people's right to broadcast led by the Nepal Forum of Environmental Journalists (NEFEJ) was ably supported by the Nepal Press Institute, Himal Association, World View Nepal and other partner media organizations. UNESCO extended its support as well. A significant movement thus evolved around the rallying call 'for ending the government's monopoly over broadcasting'.

NEFEJ and the partners advocated for democratization of media, right to information, media freedom and freedom of expression. It was after a long and dedicated movement spearheaded by these organizations that Radio Sagarmatha was established. The station happened to be the first non-governmental radio station in all of South Asia. It may be recalled that the demand made by media activists was for independent broadcasting and not community broadcasting, which is understandable given that the partner organizations were dedicated primarily to media freedom and not to community media or community development.

As a result, almost all community radio stations in Nepal -- setup and operated mostly by NGOs and cooperatives -- are overwhelmingly staffed by journalists only. It is commonly observed that those in charge of community radios to those advocating for free media, as well as the donors, bureaucrats and politicians generally understand community radio as an extension of journalism and part of the mainstream media milieu. Such a situation, which is in contradiction with the fundamentals of community broadcasting, is accepted with little questioning.

Diversity of ownership is essential

Almost every community radio in Nepal has a unit of the Federation of Nepali Journalists (FNJ), whereas representation of mother's group or the farmer's association or sexual minorities, human rights organizations, labour unions are all but missing. None of these and other social and political movements are found to have a direct representation in the community radio sector thereby limiting the imagination of community ownership over community radios.

In recent times, arguments have been made for 'minimum wage' for journalists in community radios. The reason is obvious. However, this is an anomaly. The history of the medium is a testimony of the fact that community broadcasting was imagined as an alternative to mainstream media – not only for content but also in the way they are owned, set up and run.

That journalists are part of the community is undeniable. However, a 'community' is neither monolithic nor single-dimensional and community radio is a common platform for the diversity that is there in every community. One way to rectify the anomaly is by promoting volunteerism in community radios. Community radios were meant to be volunteer-based, anyway. Somehow, the concept of volunteer-run community media has so far not gathered momentum in Nepal. Those running community radios often express doubts, mostly

unfounded, about the effectiveness of volunteerism. However, serious discussions about volunteerism in community radios is overdue in Nepal.

Community broadcasting against status quo

While community radio is a quarter century old in Nepal, globally it is about 75 years old. Many historians argue that the sector is older, depending upon where they start counting. Some media historians trace back the history of community broadcasting to when "communities seeking to access the latest communication technology started to take to the airwaves just before the First World War. During this 'Experimental' period, disparate instances of community-based broadcasting took to the radio dial in Europe and the Americas (King, 2017).

Others consider the simple forms of radios setup by miners, as part of a labour movement in Bolivia (Minares, 1949, as cited in King, 2017) and Colombia (Sutatenza, 1947 as cited in King, 2017) as the beginning of the modern-day community broadcasting. The 26 radio stations established under radio 'Minares' (miners in Spanish language) folded mainly due to military oppression. The Colombian network of Radio Sutatenza eventually shut down due to severe financial problems. The KPFA in USA, another example of early community broadcasting started around the same time, continues to function till date. These early examples of community radios were dedicated to promotion and preservation of cultural and linguistic plurality, promotion of education among the marginalized and to receive a space that was denied by the mainstream media of the time. Regulations for managing community media were introduced in in the early 1970s in Australia and Canada. Several media historians consider these events to be the more definite beginning of community radios.

While the history of community broadcasting is of much academic value, it has important lessons for today's practitioners of community radios. There are clear indications in that history that community radios were initiated by communities of people that felt neglected by the mainstream media and were denied any participation. Community radio was found to be the only medium of broadcast that allowed the communities to become producer and consumer of the media at the same time. Community radio was conceived as an 'anti-establishment' entity that spoke for the people and against oppressive regimes. It was organized in a way to represent the voice of those who had been systematically marginalized and neglected. These were the ideals established by the pioneers of community broadcasting and have fueled the modern-day community radio movement to a large extent.

Devoid of the ideals, community radios run the risk of becoming an ordinary extension of the mainstream media – perhaps loved by everyone that can pay to have a message disseminated but never standing tall among the masses as an upholder of rights and dignity of the common person. The well-known activist and author Arundhati Roy once wrote that "there's really no such thing as the 'voiceless'. There are only the deliberately silenced, or the preferably unheard". Community radios can and must try to change the status quo (Basnet, 2021).

The missing community

Ibrahim (2004) stated that community radio is 90% community and 10% radio. Those in the sector know that this is a simplified version of the definition of community broadcasting but is true nevertheless. On the other hand, discussions around community radio are seldom about community; they are mostly focused on the 'radio' aspect. Issues such as participation, reliability, accessibility, trustworthiness, etc. are equally applicable to any other local media

including commercial broadcasters. What are unique to community broadcasting are community ownership, not-for-profit, community rootedness, etc.

There are two important questions that need to be asked to verify the legitimacy of a community radio station – (1) which community does the station serve, and (2) what form of ownership does that community have over the station?

Most community radios will answer the first question with relative ease. It's easy to state that the station is for serving women or the Dalits or the elderly or the poor and so on. It is the second question that is harder to answer and it is so because ownership is not an emotional matter alone. It's not enough to say that a radio belongs to a specific group of people. It has to be verifiable as well.

The issue of ownership over community radio is seriously challenged in Nepal mainly due to the flaws in the way broadcasting licenses are given. On one hand, regulations require for a pre-existing NGO or a cooperative to apply for a license. On the other hand, it only takes application from about nine persons to register an NGO and 25 for registering a cooperative. Today, the situation is such that hundreds of small NGOs claiming to represent communities own and operate community radios. An interesting remedy is in practice in Indonesia where 300 households from a specific geographical community can receive, as a group, broadcasting permit for a community radio. The capacity of community radios to be inclusive is strongly linked to the way NGOs and cooperatives are structured. Any discussion about enhancing access to community broadcasting needs to be coupled with revising the way non-governmental organisations are set up.

Many 'community radios' in Nepal have very powerful transmitters and can be heard across districts and provinces. For the 'last mile and last post' listener, there is little difference listening to a government broadcaster from the capital city and the community radio station.

These are examples of how the principle of community-rootedness is seriously undermined in the current context of a community broadcasting in Nepal.

Community radio, a media policy dark spot

Advocates of community radio in Nepal often complain about the lack of community radio policy despite having had community radios for 25 years. This is a valid complain. Lack of a formal recognition by the state of the grassroots initiatives has led to much suffering and losses for the sector.

However, there is another side to the argument -- many community radio stations will probably find it difficult to adjust to a community radio policy, should such a policy adhere to the universal principles of community broadcasting such as community rootedness, community ownership, community content, etc. A pertinent example is offered by Thailand where, in 2010, the national broadcasting regulator NBTC called upon the 6,000 or more community radio stations in operation across the country to apply for broadcasting permits based on a newly formed framework of regulations. Only 1,600 were successful in receiving the permits. The rest of the stations were offered to transform into commercial broadcasters or to move to some other trade. There is nothing to indicate that a similar situation may not arise in Nepal, should a principled community radio policy be brought into the scene.

Conclusion

The situation can be rectified for community radios in Nepal and the onus for corrective action is mainly on the practitioners.

First and foremost, the sector needs to develop a set of policies or codes of conduct to promote a robust internal governance of

community radios. Some work has already been done in this regard. AMARC Gender Policy for Community Radios and the codes of conduct for community radios for election reporting by ACORAB are among the examples (AMARC, 2008). Similar arrangements have to be made for ensuring representation of linguistic and cultural diversity, values of human rights, space for the marginalized including the sexual minorities, Dalits, women in special conditions, etc. Community radios in Nepal stand to benefit by clearly identifying the communities that they seek to serve, ensuring that the target communities are involved in all stages of the station's operations and avoiding duplication of coverage areas and issues among stations.

It is time that renewed attention is given to the call for 'community radio-friendly' policies. While advocating for enabling policies, the sector must not submit to the government's version of community radio, which limits the sector to FM band only. Communities are indeed found in FM but they can also be found on AM or MW or satellite radio or on social media, podcasting, narrow casting, cable casting and even with loud speakers. Community radios can also exist in convergence of two or more media types.

In most of Nepal's neighborhood, community radios are controlled by applying unreasonable restrictions in terms of transmission power, content, advertisement space and so on, thereby tempting sections of the sector to think that no-policy is better than poor-policy.

However, appropriate policies and regulations can help resolve some of the main problems that prevent the sector from operating at its full capacity and potential, especially at times of emergencies. Distance broadcasting, decentralized production and provisions for remote broadcasting are topics to be pursued in this regard. It's high time to bring in the idea of emergency broadcasting with a clear strategy and timeline. This has policy as well as resource implications that have to be sorted out.

Community radios must continue doing what they are meant to do, which is to provide correct, appropriate and relevant information to the communities in dialects and languages that are best understood locally. At the same time, the rest of the actors in the media ecosystem need to step up advocacy for media policy reform.

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Television media in Nepal: Some issues and prospects

Lal Bahadur Airo

Abstract

This article focuses on television in Nepal and its practice. As media access in Nepal expands from the centre to the grassroots, investment in the television industry has intensified since 2008. Television stations are operating not only in the federal capital but also at the district and ward levels. Although the numerical development of television and the development of technology have highlighted the possibilities, it is not without challenges. Adopting broadcast technology, increasing access of people and maintaining quality of content are the main challenges of Nepali television. Television journalism has become an important dimension and a good source of information for the Nepali society. This article focuses on television media in Nepal, its development and practices. Some historical aspects and current scenarios of television broadcasting are analyzed by reviewing secondary sources of information. Descriptive as well as analytical methods are followed to derive a conclusion of the study.

Keywords: Grassroots, Technology, Psychological Effect, Sustainability, Quality and Ethical Issue

Background

At a time when radio journalism was gaining ground across the world, the introduction of television broadcasting made journalism more impactful. The television journey began four years after the BBC formally launched radio broadcasting in 1922, when J L Baird's group succeeded in broadcasting the scene. Ten years later, in 1936, the BBC started broadcasting for the first time.

Television broadcasting did not reach its current state all at once. The development of communication since the invention of the telegraph must be examined in order to dig into its detailed history. After a long series of discoveries and efforts, television has been brought to its present state. There are various opinions about the beginning of television broadcasting. However, the contribution of the United Kingdom and the United States in the development of television is at the forefront (Humagain, 2018, 104).

Just as radio was different from print media, so had television more and different features than radio. Due to this, the attraction towards television was increasing. After the end of World War II, most countries in the world made television operations a special priority. Television became an important tool in reducing the psychological effects of World War II on people, and its popularity grew.

The 50's became a golden decade for television. Inventions that had been halted by the war resumed. New inventions began to appear in the field of television. While television had become a popular and sought-after technology around the world, its impact in a limited number of countries was beginning to be felt around the world. During this period, television became colour from black and white, and the need to broadcast live ended, and recorded tapes were developed (Humagain, 2018, 108).

With the end of World War II and the founding of the United Nations, the world's interest in communication technology grew. Countries

that had recently recovered from the war were now focused on development. It linked the development of communication and information. At the same time, the scope of operation and use of television became wider. Television was being used and expanded without limits.

The world was excited by the effectiveness of television. In most countries, the wave of its spread continued. After China and Japan, in South Asia a television station was established in India in 1959. Its impact was also felt in Nepal. Nearly 35 years after radio broadcasting, Nepal established its own television station (Sharma, 2008, 49).

For a long period of time since the establishment, access to television was limited in Nepal due to poverty, geographical remoteness, inequality, and policy ambiguity. With the change of politics and socio-economic transformation, Nepal's television industry is now flourishing. Its influence and professionalism is growing. Television journalism has become an important dimension of information for the Nepali society.

Television in Nepal

Television started in Nepal almost 50 years after the introduction of television in the world. However, the attraction towards this was already significant. In particular, television sets had entered Nepal in the 1980s. Some elites had brought television sets to Nepal for hobbies and entertainment. Foreign channels and videos including Indian Doordarshan were watched in Nepal. However, their influence was limited to a few communities. Because a large part of the country's population lived in extreme poverty. They could not buy television sets from abroad and did not know much about it.

In the 70's, Nepali society was politically divided into two poles. There was political struggle with the demand for a democratic system on

one side and the exercise to save the Panchayat on the other. At the same time, during the Sixth Five-Year Plan (1980-1985), the debate on the establishment of television in Nepal began. Nepal and Bhutan were the only countries in Asia where television was not established at that time. After the Sixth Five-Year Plan included a feasibility study for the establishment of television in Nepal, a formal debate began.

Television was established in Nepal at the behest of the then King Birendra Shah. After watching television while traveling abroad, Birendra was interested in setting up a television in Nepal. Television was established in Nepal through his hobbies, support and direction (Sharma, 2008).

Another thing to note is that in this decade, the influence of Hindi film was increasing a lot. It was understood that it was affecting the Nepali culture, religion, tradition and lifestyle. Therefore, voices were raised that one should set up one's own television channel to prevent such an effect. This also acted as a kind of pressure (Sharma, 2021).

During the Sixth Convention of the Rastriya Panchayat, King Birendra's directive, the suggestion of the Feasibility Study Committee to set up a television in Nepal and the pressure to expand television in other Asian countries, eventually led to the establishment of Nepal Television on 30 January 1985. About a year later, Nepal Television started broadcasting on the occasion of King Birendra's birth anniversary. In an underdeveloped country like Nepal, the establishment of a television station, considered a luxury, was also interpreted as the beginning of the modern age.

Due to the lack of professional and institutional development of journalism, the launch of Nepal Television from the government level became another milestone for Nepal's broadcast journalism.

Private television

When the government introduced communications policy for the first time in 1993, the way was opened for the operation of private media in Nepal with private investment. After the restoration of multi-party system, the constitutional provision in favor of freedom of expression and press had reached this stage. Similarly, the development of television from the private sector had been created due to the development of information technology.

The government had published the information and called for a proposal to start broadcasting from the private sector. After the formulation of the National Communication Policy, National Broadcasting Act in 1993, the proposal was called by making rules accordingly (BC, 2019).

Breaking the dominance of the broadcasting sector, the Communications Policy and the Broadcasting Act of 1993 had opened the door for private and community broadcasting organizations as well. After all, even an autonomous organization or a private company would get permission for an FM radio or television station. After this, the Spacetime Network started broadcasting Channel Nepal via satellite on July 3, 2001 (Gautam, 2007).

The series of political ups and downs was not stopped. The then King Gyanendra Shah, who ousted the popularly elected Prime Minister on July 2, 2002, was trying to control the private sector media. However, in the midst of these various challenges, the expansion of privately run televisions did not stop. The private sector Kantipur TV and Image Channel came on air on 30 July 2003.

According to Nepal, 2008, after the establishment of Channel Nepal, other private sector bodies also got attracted to television broadcasting. Kantipur, which has a nature of mixed broadcasting of news and programmes, started broadcasting after Image Channel, Avenues (July 16, 2007), Sagarmatha (July 13, 2007) and ABC

(September 4, 2008). Along with these capital-centric televisions, Terai Television started broadcasting from Birgunj and Lumbini Community Television in Butwal (Nepal, 2008).

The country's political transformation has had a direct impact on the development and expansion of Nepal's media sector. Amidst the politics of ups and downs, the development of media seemed to be fast and slow and television was not untouched. Until 2000, there was only one channel in Nepal, two in 2001 and five television channels by December 2008. The establishment of a republic in the country in 2008 and the development of electronic media along with other political uncertainties have taken place at a very fast pace. As of mid-July (2021) 221 televisions have got permission to broadcast. In terms of technology, they are state-of-the-art and in terms of geography not limited to the federal capital.

The number of media outlets operating in Nepal by June 29, 2021 is as mentioned below.

Table 1

S N	Media	Number	Remarks
1	Television	221	
2	Radio	1,143	
3	Newspaper	7605	
4	Online	2,839	

(Source: Department of Information and Technology)

As the numerical development of television has gained momentum, the access of citizens to information and entertainment through it has widened. However, even now, television broadcasting in rural areas is not easy. With the increase in number, the question of accessibility and quality is becoming more vital.

Opportunities of television media in Nepal

With the development of modern media, the dependence on traditional media is declining. Although development of technology has increased the availability of sophisticated means of information, in a developing country like Nepal, access to such means is still insufficient. As information and entertainment can be provided at the same time, the attraction towards television in the Nepali community is still quite high. Nepal's socio-economic and educational situation also confirms the justification for the expansion of television broadcasting. With the development of technology and the transformation of society, the opportunity of television has been opened. However, only a few key opportunities are mentioned here.

- a. **Good attraction:** Confidence and effectiveness of television is increasing in the Nepali society. At present, television users are not only concentrated in urban markets but also in rural areas. This was not the case until a few years ago. According to the Economic Survey 2020/21, Nepal Television has an outreach among 72 percent of the population. Similarly, it has spread to 52 percent of the geographical area and 146 countries across the world. This fact also indicates the attraction towards television in Nepal. Along with traditional sets, you can also listen to and watch television broadcasts on Internet-based apps.

One can also see and listen to the latest television products in Nepal on YouTube, Facebook, Viber, Twitter handle, website. Television channels have also made their own apps to ease broadcast. The method of giving quick and concise information by creating an account on social media has increased the attachment towards it thereby making it more sustainable.

In terms of technology, Nepal's television channels are using terrestrial, cable to satellite mode. With the expansion of technology, information can be shown to the viewers as soon as possible. Broadcast quality is up to HD and Focus via SD. Investment in television is also increasing in terms of industry. Due to its numerical development, investment and expansion of access, the attraction towards television has been seen growing in Nepal.

- b. Growing numbers and markets:** As media access in Nepal expands, so does its market. Investment in the television industry has intensified since 2008. Television stations are operating not only in the federal capital but also at the district level. Per capita income is showing signs of improvement in the overall economic index.

The number of people securing license and broadcasting television is increasing every year. Although this number was slightly lower in the last fiscal year due to the COVID-19 epidemic, the number is rising. This is confirmed by the number of televisions that have been allowed to broadcast in the last few financial years.

Table 2

Fiscal year/Number of Television						Remarks
2072/73	2073/74	2074/75	2075/76	2076/77	2077/78	*Number TV means: New broadcast Allowed
11	23	8	136	170	4	

(Source: Economic survey 2020/21)

It is seen that the environment of industrialization is being created in the country. The improvement in the economic condition of the country has a direct impact on the media sector. Although the

advertising market is not strong enough, it is improving. The media's reliance on visual content has also increased. Initially, Kathmandu Valley was dominated by Nepali Valley-centric topics. Most of the news topics were political activities. It has gradually improved. Initially based on entertainment, Nepali television has gradually become news-oriented. During the establishment period, content with very few visuals and many texts was presented. That is not the case now. All of this points to a bright future for television.-

- a. Electrification and Internet:** Electrification and the Internet are expanding rapidly in Nepal. The benefits of both of these things have also been directly felt in television broadcast access and content production. At the time of the establishment of television, there was a debate as to why television was needed in villages where there was no electricity. But now things have changed.

With the development of the Internet, access to television is also expanding, as television broadcasts can be viewed on Internet-based media rather than traditional television sets. On the other hand, by producing programmes and news in different parts of the country, it has become possible to broadcast immediately and live with the help of Internet. Due to this, Nepali television has become more powerful.

Internet access has now reached 82.8 percent of the population in Nepal. Last year, the number was 73 percent. As of mid-July 2020, there were 24.7 million Internet (including data) users. Similarly, 93 percent of the people have access to electricity (Economic Survey, 2020/21).

Thus electrification and increasing number of Internet and sophisticated mobile users has facilitated the use

of and access to television. It has also expanded the sphere of influence and market of Nepali television. In order to diversify the products, the content has been incorporated in different places.

Challenges of television media in Nepal

Although the television industry is developing rapidly in Nepal, it is not without challenges. Nepali television is facing major challenges including the use of up-to-date technology, quality development, efficient manpower management, and unstable policy arrangements. The low economic activity of small economies has had an impact on television revenue.

Editor-in-Chief of Kantipur Television Dil Bhushan Pathak has interpreted the fact that the TV journalist is lazy and the owner is dumb that constitute a major problem of Nepali television. The challenges of Nepali television are old-fashioned newsroom, untargeted presentation style, lack of timely training for journalists, lack of passion, poor understanding of visuals and lack of representation of geography (Pathak, 2021).

Although the numerical development of television and the development of technology have highlighted the possibilities, the challenges are not insignificant. Broadcast, access and quality of produced content are the main challenges of Nepali television. The main challenges of the Nepali television sector can be summarized as follows.

- a. **Financial sources:** The main source of income for television is advertising. There is a narrow economy, the advertising market is not strong in a country like ours where there is not much economic activity. Moreover, political instability and the recent COVID-19 pandemic have shrunk the market. Due to this, lack of strong

financial resources is a major challenge for the Nepali television sector.

Nepal's advertising market is worth Rs. 12 billion annually. The media alone handles transactions worth Rs. 6 billion. Television alone has an annual advertising turnover of Rs. 3 billion, print has Rs. 2 billion and online has Rs. 1 billion. The rest are hoarding boards, digital boards, calendars and other expenses (Basnet, 2021).

Although the market is expanding, it has not become reliable. More recently, the economy has shrunk due to the coronavirus epidemic. It is estimated that the media sources will be affected for a long time.

- b. Sustainability:** The development of media in Nepal has been rapid over the last decade. However, the question of continuity is becoming critical. There is a problem of taking permission, operating but not giving continuity.

The relatively complex and expensive medium of television continues for a while but then shuts down. According to the statistics up to mid-February 2020 only 51 out of 176 televisions have been allowed to operate. Although the increase in number is a good thing for the overall television industry, inability to operate in a sustainable manner has become a challenge.

- c. Technology:** Due to the development in information technology, television technology is also changing over time. Even if you set up a television by investing once, the change in technology will lead to more investment in the long run. Due to this, the television owner is burdened.

Similarly, viewers are also seeking access to television broadcasts with up-to-date technology and equipment. If that doesn't happen, it's still a way to get more involved. Due to Internet-based technology, you can watch television on your mobile. Not only the sites of television channels but also mobile apps are being made and broadcast. Not all television channels in Nepal have been able to create apps. Even though the technology of television broadcasting has come a long way, most of the channels in Nepal are still broadcasting in SD.

- d. Human resource and remuneration:** As much as technology is needed for television, so is manpower and its skills. The combination of the two is a kind of television production. Timely technology and that technology-friendly manpower are needed for television. Nepali television has not been able to fulfill that need easily. Leaving aside technical manpower, the manpower working in television journalism is negligible in Nepal. The standard of work in television is determined on the basis of experience of the print media. While print is a medium to play with letters, television is a combination of sound, sight and technology with words.

There is a shortage of manpower in the television sector. People who have formally studied journalism also need training and study for television. When a television station has a correspondent outside the capital, it chooses to work on the basis of having a camera and knowing how to operate it (Nepal, 2008).

In the Nepali media industry, manpower is not considered as an asset. They are used as per use and throw principle. This problem is even worse in case of television owners. Television journalists have to spend

more physically and mentally than the press. However, the owners are not ready to pay accordingly. There is a practice of determining the remuneration by comparing it with the print. Timely skills and abilities, including security, are in short supply.

Owner and editors do not seem to be thinking about timely training for television journalists. There is no sense of responsibility to teach new writing and technology to the working manpower (Pathak, 2021).

The manpower working in television does not even get the minimum wage set by the government. In particular, journalists have more of this problem than other technical manpower. There are problems in television such as working without an appointment letter, not being paid as prescribed, not being paid on time, being fired from one's job, working overtime (FNJ, 2021).

Lack of adequate manpower, not paying attention to the growth and development of the existing manpower, lack of honest operator in terms of remuneration and service facilities, lack of job security for the manpower have affected the development of Nepali television industry.

- e. **Quality and digital platform:** The pace of development of television in Nepal is not as fast as expected. The above mentioned technology, manpower and resources also make it clear that the quality is not maintained. There is very little investment in television production. There is no understanding that the production of news and programmes gives a return on investment. Programmes and news search have not been able to cover the whole country. Not all geographies of the country have been

included in the community. The themes are superficial rather than research based.

Lately, the influence of digital platform has been increasing in Nepal. With the development of Internet, everyone has access to new media. The advancement of technology and the easy availability of means of communication have created the pressure of survival for traditional media. Transformation into production and presentation is necessary for television, taking into account the impact of new media. Until a few years ago, one had to rely on television for initial information and visuals, but now it is necessary to focus on questions and not on such information.

a. Ethical issue

Television has a direct impact on human psychology. What the eye sees directly affects the brain. The sensitivity of the video is an important aspect. Studies have shown that the implementation of journalistic principles and codes of conduct in the field of television is weak. Television journalists do not have enough visual consciousness. A short clip from the video speaks a million words.

In print it is enough to take care of the use and presentation of words in the media, but in television it is enough to take care of the use and gesture of these two additional video. The lack of professionalism seen in Nepali journalism is felt in television as well. Moreover, due to the special features of television but limited resources, equipment and knowledge, it is found that television workers have failed to follow the ethics.

Nepal's television and television workers have not been able to follow the code of conduct. The number of

incidents of violation of the code of conduct is increasing every year. The figures of the regulatory body Nepal Press Council also confirm this. In the last financial year, 192 complaints of violation of code of conduct have been registered in the Press Council. There are 19 complaints related to newspapers and 173 related to electronic media. Electronic TV 16, Online TV 6 and other radio related (PCN, 2021).

In a country like Nepal, which is in the process of institutional development of journalism, there is a numerical development of journalism. But the matter of ethics must be considered fundamental to maintain quality. The television will have to take care of that too.

Conclusion

Television journalism has become an important part and a rich source of information and entertainment for the Nepali society. Business area of television journalism is wider as there are several media based on television in the market. Number of televisions is also increasing as per the need of the time. However, there are several works ranging from strict implementation of code of conduct to technological advancement which are the key challenges of the sector for the proper development of television journalism. Nepal's television and television workers are not found abiding by the code of conduct. Records show that the number of incidents of violation of the code of conduct is increasing every year. As much as technology is needed for television, focus should be on human resource development and skills. The combination of them will definitely boost the television journalism making it a reliable source of information. The human resource working in television journalism is negligible in Nepal. Lots of works need to be done in the sector of television journalism when we compare it to other media like print media.

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PCN is relentlessly working for the promotion of professional journalism

Jhabindra Bhushal

Abstract

Primary duties of Press Council Nepal (PCN) include formulation, implementation, and monitoring the code of conduct. Additionally, PCN conducts policy review, collects feedback from the concerned stakeholders, and offers recommendations and advice to Nepal government for the promotion and development of professional journalism. This study focuses on the status of PCN's monitoring, the impact of Covid-19 on the media, efforts made so far to resolve it, and PCN's future plan. It aims to provide insights into ethics violations, current state of press freedom, achievements and identify PCN's future plan and vision. This article uses study/observations, various records, publications, reports on the impact of Covid-19 on the media.

Keywords: Press Council, Journalists, Covid-19, Media Development Fund, Study Report.

Introduction

PCN aspires to create a conducive environment for the development and promotion of healthy, independent, and accountable journalism,

thus ensuring high degree of professionalism. It functions as per the Press Council Act, 1992. Originally, PCN was established during the Panchayat regime on September 22, 1970. After the promulgation of a separate Press Council Act in 1992, it has been operating as an autonomous and independent institution. PCN is observing its 52nd anniversary on September 22, 2021. In its 52-year journey, PCN has witnessed many ups and downs but it has not deviated from its core values and responsibility. Since its inception, PCN is contributing immensely for a healthy growth of journalism.

With the passage of time and growth of media, its scope of work continues to expand. From the time of its establishment to the promulgation of the separate Act in 1992, there was the domination of print media. In recent decades, there has been a paradigm shift with the growth of radio, television and online portals.

Rapid technological advancement has led to the mushrooming of online media in Nepal. On the one hand, journalism has become quite simple and easy; on the other, development and use of various social networks, including YouTube and online, have posed some challenges.

Misuse of social media has raised serious questions about credibility of the overall media sector. So, PCN is also working to ensure dignified and responsible journalism in the context of new scenarios and challenges.

It is important to increase the effectiveness of PCN in making journalists and the media feel more responsible and leading them on the right path rather than the fear of penalties and fines (PCN, 2020). Hence, with the development of technology, PCN has to put in additional efforts in making the journalism sector dignified, credible and accountable in terms of policy, laws, and code of conduct.

Major tasks of PCN

Covid-19 impact and PCN's response

Like the other sectors, the media was badly hit by the pandemic. Many journalists lost their jobs due to prolonged lockdown. Many working journalists were forced to stay on leave and hundreds of journalists were deprived of salary on time. Advertising, the main source of revenue for the media, was severely reduced. Radios and televisions reduced the duration of their broadcast times and programmes, while some media houses chose to shut down. Following the outbreak of Covid-19, more than a thousand journalists tested positive for the virus and 25 of them lost their lives. In such a situation, the Council could not sit silent and idle.

When journalists face any hardships, PCN always comes forward and supports journalists providing them relief. Soon after the pandemic began, a task force was formed under the leadership PCN chair comprising members President of the Federation of Nepalese Journalist, President of the Association of Community Radio Broadcasters Nepal, President of the Broadcasting Association of Nepal, Chairman of the Minimum Wage Determination Committee, Director General of Information and Broadcasting Department, and a representative of the Advertising Association Nepal.

The report prepared by the taskforce recommended the government to provide immediate and long-term relief and support to journalists. The task force suggested chalking out a policy to be applied in the mass media sector to minimize the effects of pandemic. The report finding shows 75% reduction in community radios' income and it is 80% in BAN-affiliated radios; cable televisions accounted for more than 17 million rupees of the affected period while the spot-line and terrestrial technology television, the national broadcaster, reported a one-third decline in their annual income.

According to Advertising Association Nepal (AAN), newspaper advertisement was reduced by 80 percent, 70 per cent in radio, 60 percent in television and 45 percent in online news portals.

Journalists have become job holders in all three-level governments as press coordinator (G. Budathoki, personal communication, September 3, 2021).

Budathoki provides further insight:

Many journalists lost their job due to Covid-19 which has resulted in an increase of registration of online news portal. There is a lack of qualitative and investigation content and to some extent, there is lack of maturity in the content of media.

The numbers of media outlets have gradually increased. As of July 2021, the registered number of print, FM stations, cable TV and online has reached 7874, 1143, 221 and 2839 respectively. A study prepared by Print Media National Network (2020) mentions significant cut in the revenue in the fiscal year 2019/20, compared to the previous year due to the Covid-19. In fiscal year 2018-2019, the total tax paid by the print media was Rs. 64,17,24,805, while the same for fiscal year 2019/20 was only Rs. 46,27,40,893. It has also been mentioned that the government distributes public welfare advertisement of 200 million rupees to print media and 80million rupees to electronic media per annum.

The other issues pointed out by Print Media National Network (2020) are:

Media houses are facing various problems such as lack of paper, technology, manpower, electricity, internet and issues related to distribution. Due to market constraints and competition, smaller media are facing difficulties to compete with large-scale media, and due to online media, copy and paste of the news has become easier. Similarly, some journalists are found to be engaged in different places and media, number

of newspaper publications has been decreased by 60 percent in 10 years and around 200 media have been closed down due to Covid-19.

The report outlines that despite the commitment made in the budget statement, business loan schemes have not been implemented and media have not been able to get the facilities from the state including the industrial facilities and electricity tax. Through the Media Development Fund, PCN is supporting the journalists and media facing various problems; 21 journalists including three from each province, were provided writing scholarships of fifteen thousand rupees each. Selecting two persons from each province, 14 journalists from backward districts, women, Dalits and journalists with disabilities have been supported with twenty thousand rupees each for internet facility.

A total of 67,600 thousand rupees has been distributed to 40 persons as a relief including the journalists who have been receiving treatment in the ventilators and intensive care units and the journalists and their families from low economic conditions whose lives have been claimed by Covid-19.

Last year, the Media Development Fund provided support of 4,37,000 thousand for the establishment of three radio stations and two offset presses. Grant support of 443,000 thousand has been provided to 12 journalists for the procurement of laptop and camera as per the specified rate (now the grant is 40%).

The PCN Welfare Fund was established with the objective of supporting the journalists who meet with accidents and suffer from other illnesses. The revolving fund currently has 10 million rupees and from the interest earned from it, treatment assistance is provided as per the working procedure. Last year, the treatment support of 676 thousand rupees has been provided to 40 journalists.

Motivating and inspiring hard-working journalists always remain a high-priority of PCN. Every year, PCN awards journalists with Press Council Journalism Award. It aims to honour, inspire and encourage those who have been active in journalism sector and have made significant contributions to the development and expansion of this field. Last year, Gopaldas Journalism Award, Surendra Bahadur Basnet Journalism Award, Code of Conduct Award and other genre-wise journalism awards were provided to two organizations and 24 journalists.

With a view of promoting awareness about the implementation of code of conduct, PCN is organizing programmes at district, provincial and central level. Last year, code of conduct awareness programmes were conducted in 32 districts. Similarly, Code of Conduct Training for the Trainers (ToT) has been conducted in Lumbini Province and Far Western Province.

Karnali province lags behind in terms of development indicators that is why this province is accorded high priority in PCN's policy, programme and activities. Media Development Fund of PCN in collaboration with Nepal Press Institute conducted 80 hours of journalism training on basic language and code of conduct. Sixty journalists benefited from this. Likewise, virtual programmes have been conducted in all the provinces even during the lockdown on 'impact of Covid-19 on media and journalists code of conduct.'

Monitoring, complaints and actions

The main function of the PCN is to monitor the Code of Conduct for Journalists, to hear complaints received against the content of the Code of Conduct, to monitor, and act within the framework of its mandate. In fiscal year 2020/21, a total of 678 unfavourable materials were recorded through complaints, self-monitoring and public grievances, out of which 639 have been settled. This is a decrease of 27.48 percent compared to 935 recorded last year (PCN, 2021).

Recently, breaching of the Code of Conduct for Journalists seems to have increased in the online media compared to print, radio and television. Some news portals are publishing news with nonsensical and sensational headlines. The number of journalists and media are dramatically increasing but the quality is declining. There are some responsible journalists and the media too, but they have been overshadowed by non-journalists who spread rumours. PNC is working round the clock to monitor the implementation of code of conduct.

Monitoring, research & publications

In Section 5 of the Press Council Act, 1992, under the objectives of the Council, it has been stated that the Council will strive to prevent interference upon the freedom of the press, and the dignity of journalism. Having the responsibility to prevent interference against and to protect the freedom of press, the Council has established a Division for the monitoring of the press freedom since fiscal year 2020/2021 . Out of the 61 incidents of violation of press freedom recorded in the Press Council, 3 were related with the arrests, 5 were seizures/obstructions, 12 were assaults, 40 were abuses/threats, and 1 other. (Press Council, 2021).

The Council, in the course of studying various issues in the media, has prepared a report considering the Covid-19 outbreak last year by consulting with experts regarding the positive/negative news content, status of journalists' code of conduct, establishment of press museum as well as proper administration and implementation of new media.

Just like previous years, PCN has published its annual report and Samhita, the quarterly journal (four issues). In addition to this, several works were published last year that include "Fifty Years of Press Council", "Council during Coronavirus Pandemic", "Press Council Nepal in Pictures", "Status of Nepali Maithili Journalism",

"SailiPustika (Style Book)", "Press Council Nepal in the development of literary journalism."

The Council has published its work progress and bulletin from time to time. Booklet on Journalist Code of Conduct, which is available both in Nepali and English languages, has been translated and published since last year in Nepal Bhasa and Maithili languages as well.

Recording and monitoring the media remains another top responsibility of PCN. Currently, the system has been developed and implemented in such a way that the publishers from all over the country could upload the PDF files of their newspapers on the same day, as they are prepared, in PCN's Newspaper Management System.

Similarly, the system has been developed for the documentation of the radios that are broadcast online from across the country. The online media, registered under the list of PCN, are monitored and documented through Online Monitoring System. Likewise, TV Monitoring System, that has been continuously monitoring and documenting all the contents of 32 television channels, is now having some problems and needs to be updated. Therefore, all types of media are being recorded and monitored in the online system. Such systems need to be further developed and expanded over time.

There is a legal provision which authorizes Audit Committee of Circulation of Newspaper to classify newspapers published regularly from all over the country considering the distribution as well. Although it is necessary to classify the newspapers and magazines published every year from June of the previous year to July of the next year, so far only classification up to 2017/18 has been completed. 881 newspapers for fiscal year 2017/18 and 878 newspapers for fiscal year 2018/19 have submitted applications for classification. The work of classification is still in progress.

International relations

In recent years, PCN is expanding its international relations. It has expanded its relations with press councils or similar organizations in various countries including neighboring ones by signing Memorandum of Understanding (MoU) with India, Bangladesh, Myanmar, and Cyprus and exchanged visits with the aim of expanding relations and exchanging journalistic experiences. PCN is a member of the World Association of Press Councils (WAPC). In the past, it has served as the general secretary and senior vice president of the organization. Similarly, the process of signing MoU with the Press Councils of Pakistan and Sri Lanka is underway. It has a plan of expanding relations with many other countries in the future.

Policy and legal discourse and achievements

Every year, PCN conducts a discussion programme on policy and legal issues related to journalism and internal management. Last year, a writ petition was filed at Supreme Court seeking the repeal of the third amendment in the Press Council (Working Procedures) Rules, 1993 related with the provision of designating Acting Chairman which was against Press Council Act 1992. There was no interim order from court.

The issues of making Media Council independent, autonomous and empowered have been raised in various discussions conducted by the Council in regard to the Media Council Bill in the Parliament that aims at upgrading the Press Council as a Media Council. The Council has been taking the initiatives. The Ministry has been requested to make policy arrangements regarding the regulation of social media such as YouTube and online TV, which are not in the form of media but are claiming to be so.

As the media sector was also affected by the Covid-19 outbreak last year, the Media Development Fund Policy, 1996 (7th Amendment in

2020) has been approved and implemented with the provisions to provide writing scholarships, internet facilities and relief to journalists during the crisis. Similarly, Journalist Welfare Fund Working Procedure, Employee Loan Working Procedure, and Contribution Based Employees Retirement Fund Facility Working Procedure have been prepared and approved.

Many of the newspapers could not be published during the lockdown imposed to contain the coronavirus spread, and as they resumed their regular publications after the lifting of the restrictions, PCN has recommended the government to pay the amount of Public Welfare Advertisement of the interval period as well. Based on the recommendations, decisions have been made and implemented. A request letter has been submitted at Ministry for making necessary arrangements to continue the previous provision for posting the newspaper through post office without postal stamps.

Future plan of PCN

PCN has identified some areas for the future work. The key areas of future work are: Regularly and effectively monitor the Journalists' Code of Conduct, hear complaints and take action, and raise awareness about Journalists' Code of Conduct.

Publicity and publication of the Code of Conduct in different languages, completion of the classification of the newspapers from previous years and do it timely now onwards, training regarding the journalist code of conduct, study and research, continuation of various publications, prioritizing the research-based contents and management of a building and other infrastructures as well as materials for the establishment of Press Museum will be attended to. Similarly, formulation of Council's periodical plans and strategies, developing the capacity of journalists and recommend a policy to bring the media sector affected by Covid-19 back to normal, expand foreign relationships, conduct discussions for the timely updating of

the policies and laws related to journalism and uphold the dignity of the citizens while protecting the freedom of the press are other key areas where PCN will work.

Way forward

Since PCN is the guardian and facilitating agency between media and government, it has been supporting them in their difficulties and hardships. It has not only focused on complaints and actions but has also been providing various kinds of assistance to journalists and the mass media. As it is also a responsible body of the state, it has been emphasizing development of clean independent, and dignified journalism in the country. Acting as a bridge between the government and media sector, it has been providing recommendations to the government periodically.

In order to implement this role in practice, it has been preparing its annual report and submitting it to the government. Besides this, it has been studying the international practices of journalism sector and international standards of journalist's code of conduct. Sharing the experiences, it has been maintaining the fraternal relations with Press Councils of South Asia and the World to formulate common codes of conduct. The Council is determined to continue such work. Therefore, in the 52 years since its inception, the Council has made many achievements.

For the purification of journalism, a communication mechanism should be set up at the district level to provide systematic monitoring of journalists and media, facilities and services including press passes. Fellowship, public information communication and financial package programmes should be implemented. There should be proportional distribution of the advertisement.

The media should be allowed to operate only after scientific evaluation of all aspects regarding the capacity, sustainability and practicality.

For enhancing the capacity and minimizing the effect of Covid-19, there should be a provision of soft loan. If these issues could be addressed in one way or the other, this sector will feel relieved and the morale to stay engaged in the profession will increase.

PCN and the concerned authorities need to focus on identifying the effects and problems of journalism sector, paying attention to the new dimensions and challenges that have emerged with the passage of time and technological development and using long experience and knowledge in this field for timely resolution of the discrepancies and maintaining the highest degree of professionalism. For this, the budget of 50 million rupees for administrative and other programmes seems insufficient and needs to be increased.

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Bhuwan K.C. has two decades of experience in journalism, and one decade in teaching. He holds Master's Degree in

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Apart from developing his career in journalism and research, he has also worked as press advisers in the government agencies such as Ministry of Finance. Having worked as a senior political correspondent at Kantipur Television and in various political weeklies and Rajdhani national daily, he has attained extensive knowledge of print journalism. Former Chairperson of Centre for Media Research-Nepal, he has published several research reports/articles about media and politics. He is currently pursuing his PhD at Tribhuvan University.

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Laxman Datt Pant is a media researcher, trainer, media rights advocate, & communications strategist. Chairperson of Media Action Nepal and South Asia Journalist for Development Aid, he hosted/produced over 300 episodes of POWERchat, Nepal's only TV talk show in English that

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Laxmi Pun hails from Sanibheri Rural Municipality of Rukum West in Karnali Province. She has been active in journalism since 1998. However, her professional journey has been different from other journalists, as she started her course in media as a correspondent in an English informer 'Vasco Inside' from the city of Vasco in Goa, where she was born. The beginning was not for a passion but for pocket money during the plus-two years. Later, she joined the Maoist movement and during her underground life she got an opportunity to work for the 'Radio Jana Ganatantra Magarath Bishesh Prasharan Kendra' broadcasting from the mountains of Rukum and Rolpa. She was the press coordinator for former Home Minister Janardan Sharma 'Prabhakar'. She is also the former Central Secretary of Federation of Nepali Journalists and Vice-president of

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