

**Mission Statement by  
International Organisations**

**International Press Freedom and Freedom  
of Expression Mission to Nepal**

**July 2005**

From 10 to 16 July 2005, twelve international organisations, including UN agencies, global media associations, freedom of expression advocates and media development organisations, undertook a mission to Nepal concerning freedom of expression and press freedom.

These twelve organisations met with persons and institutions with a broad spectrum of opinion on the current media and freedom of expression situation in the country. In specific, these meetings included Government Ministers, senior officers of the Royal Nepal Army, civil society representatives and a cross-section of the media community in the Kathmandu Valley. In addition, the mission team visited Butwal, Biratnagar, Nepalgunj and Mahendranagar and met with local media and civil authorities from these regions. The organisations also participated in a conference with national media practitioners on press freedom and press freedom in Kathmandu on 15 July.

During the mission, the international organisations strengthened dialogue and relations with the media and freedom of expression community in Nepal, and highlighted grave concerns with national authorities over the situation for media and freedom of expression in the country. The mission stressed the crucial importance of press freedom, freedom of expression, freedom of association, and the right to be free of persecution in any situation as fundamental components of democratic society and a driver of development and poverty eradication. In that spirit, the mission acknowledged the importance of accuracy in media reporting.

Based on the findings of the mission, the international organisations wish to make the following observations and recommendations in relation to guaranteeing and promoting press freedom and freedom of expression:

**General Observations and Recommendations**

*We, the international organisations, wish to:*

1. Highlight the invaluable contribution that the media in Nepal has made during the past decade and a half as an integral part in upholding and promoting democracy, peace, development and good governance, as well as contributing to the eradication of poverty;
2. Express grave concern that since 1 February the press freedom and freedom of expression situation in the country has significantly deteriorated, despite the lifting of the State of Emergency in April;
3. Praise the national media community for its dynamism in defending press freedom and freedom of expression and note that the national media community are taking active steps in an attempt to address a number of the press freedom and freedom of expression concerns outlined in this statement;
4. State our awareness that all combatants in the conflict have been responsible for abusing and contravening press freedom and freedom of expression;

5. Recognise that the district media, including both broadcast and print media, work under particularly difficult conditions as described in the observations and recommendations below;

### **Observations and Recommendations addressed to the Royal Palace and National Government**

*We, the international organisations, wish to:*

#### *Press Freedom and Freedom of Expression*

6. Request assurances that freedom of expression and press freedom are respected throughout Nepal with particular emphasis on the district media and correspondents of national media in the districts;
7. Welcome the assurances given to the international organisations by the Vice-Chairman of the Council of Ministers, Mr. Kirti Nidhi Bista, and the Minister of Information, Mr. Tanka Dhakal, that all articles of the Constitution are in force, and request that a formal public statement be made that clearly and unambiguously reaffirms this;

#### *Harassment, Detentions and Disappearances*

8. Express grave concerns about killings, attacks, disappearances, intimidation, harassment, detention and displacement of media practitioners and freedom of expression advocates, and demand that all such incidents cease immediately;
9. Clearly reiterate that media practitioners are protected under national and international law and agreements and that those who violate these must be held accountable and prosecuted;
10. Demand that all detained media practitioners and others imprisoned for the free expression of their opinions be released and that anti-terrorism legislation not be used or abused to curb freedom of expression and press freedom;
11. Demand that substantive steps be undertaken to discover the whereabouts of all 'disappeared' media practitioners and freedom of expression advocates;
12. Welcome the assurances given to the international organisations by the Minister of Information, Mr. Tanka Dhakal, that the cases of three detained media practitioners (namely Binod Dahal and Bhaikaji Ghimire held in Nakku prison and Maheshwor Pahari held in Kaski prison) would be looked into, with the strong request that this be done with the serious intention of securing their release;

#### *Media and Legislative Environment*

13. Highlight the importance of preserving and respecting a media environment based on international norms and standards as enshrined in the 1990 Constitution and other legislation, with particular reference to the restoration of civil liberties and fundamental rights after the lifting of the State of Emergency in April 2005;
14. Strongly urge the national authorities to refrain from introducing any new media ordinance, decision or ruling which would alter or override existing media-related legislation, including Supreme Court decisions, with a particular reference to civil and criminal defamation and licensing regulations;
15. Express grave concern over the lack of transparency by the national authorities in dealing with media and freedom of expression and request that all media-related issues be dealt with in a transparent and accountable manner;

*FM and Community Radio*

16. Recognize that FM and community radio in Nepal is a respected leader in the global radio community, and that it can significantly contribute to promote development, awareness, peace and stability;
17. Clearly note the fact that FM and community radio stations in many countries around the world do indeed broadcast news and that radio stations in Nepal should not be prevented from broadcasting news in compliance with the Constitution, Supreme Court decisions and national legislation guaranteeing press freedom and freedom of expression;
18. Express concern that in banning and inhibiting news, the authorities are depriving the population of free access to information, threatening the financial viability of media as well as causing large-scale unemployment and declining incomes for media practitioners, particularly amongst the district media and FM and community radio stations;

*Direct and Indirect Censorship*

19. Clearly state that all direct and indirect forms of censorship on the media must cease, with particular reference to interference in editorial independence, the prejudiced allocation of state advertising, pressure on commercial entities not to advertise with particular media, increases in postage costs for print media, disruption of print media distribution and the threat of non-renewal of broadcast licenses. In addition, the national authorities should not impose 'coercive measures', such as firing particular editors and journalists, on media institutions as a condition to continue to operate;

**Observations and Recommendations addressed to the Royal Nepal Army and Police**

*We, the international organisations, wish to:*

*Press Freedom and Freedom of Expression*

20. Express concern over the lack of transparency of the security forces in their role, intentions and dealings with the media and media-related issues;
21. Request assurances that the security forces respect freedom of expression and press freedom across the entire country, with a particular emphasis on the media in the districts outside of Kathmandu;

*Harassment, Detentions and Disappearances*

22. Express grave concerns about killings, attacks, disappearances, intimidation, harassment, detention and displacement of media practitioners and freedom of expression advocates, and demand that all such incidents cease immediately;
23. Highlight particular concerns about the treatment of female media practitioners, with an emphasis on molestation, verbal and physical humiliation, and all other forms of intimidation and harassment;
24. Demand independent investigations are carried out into armed 'vigilante groups' that perpetrate attacks against freedom of expression advocates, media practitioners and media facilities, as well as all human rights violations and criminal acts, and that such individuals and groups be held accountable and prosecuted for any such actions;

*Direct and Indirect Censorship*

25. Clearly state that all direct and indirect forms of censorship on the media should cease, with particular reference to interference in editorial independence and 'coercive measures' being imposed on media institutions as a condition to continue to operate;
26. Strongly state that independence of media must be respected and that media must not be forced or coerced to carry any specific messages or content, and that media facilities and infrastructure must not be shut down, damaged or removed;

### **Observations and Recommendations addressed to the Communist Party of Nepal (the Maoists)**

*We, the international organisations, wish to:*

#### *Press Freedom and Freedom of Expression*

27. Demand that freedom of expression and press freedom and pluralism are respected;

#### *Harassment, Detentions and Disappearances*

28. Clearly state that media practitioners and freedom of expression advocates are protected under international law and agreements, and that those who violate these laws and agreements must be held accountable;
29. Express grave concerns about killings, attacks, abductions, disappearances, intimidation, harassment, detention and displacement of media practitioners and freedom of expression advocates, and demand that all such incidents cease immediately;

#### *Direct and Indirect Censorship*

30. Strongly state that all media, with particular reference to district broadcast and print media, should not be obstructed or prevented in any way to disseminate news and information, and that media should not be forced or coerced to carry any specific messages or content;
31. Strongly state that media facilities and infrastructure must not be damaged, shut down or removed;

### **Observations and Recommendations addressed to the National Media Community**

*We, the international organisations, wish to:*

32. Encourage the media community to continue to work with the dedication and solidarity shown to date in defending press freedom and freedom of expression;
33. Encourage all editors and media owners to support and protect media practitioners in undertaking their work, and remain mindful of the impact amendments to original copy can have on the safety of district reporters;

### **Observations and Recommendations addressed to the International Community**

*We, the international organisations, wish to:*

34. Reaffirm the importance that the international community continue to address press freedom and freedom of expression in Nepal and seek to further such rights with the national authorities at all given opportunities and through supporting substantive activities on the ground;
35. Welcome moves by foreign governments to make the provision of lethal military assistance contingent on adherence to human rights, including press freedom and freedom of expression;

The international organisations will soon produce a mission report providing further substance and detail relating to the observations and recommendations outlined above.

The international organisations will continue to work with the national partners to monitor, document and make known internationally all violations of press freedom and freedom of expression, as well as work with and assist monitoring mechanisms covering press freedom and freedom of expression established in the country.

The twelve international organisations participating in the mission included:

UNESCO, World Association of Community Radio Broadcasters - AMARC, ARTICLE 19, Committee to Protect Journalists, International Federation of Journalists, International Media Support, International Press Institute, Press Institute of India, Reporters sans Frontières, South Asian Free Media Association, World Association of Newspapers, and the World Press Freedom Committee

For further information about the mission and this statement, please contact:

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