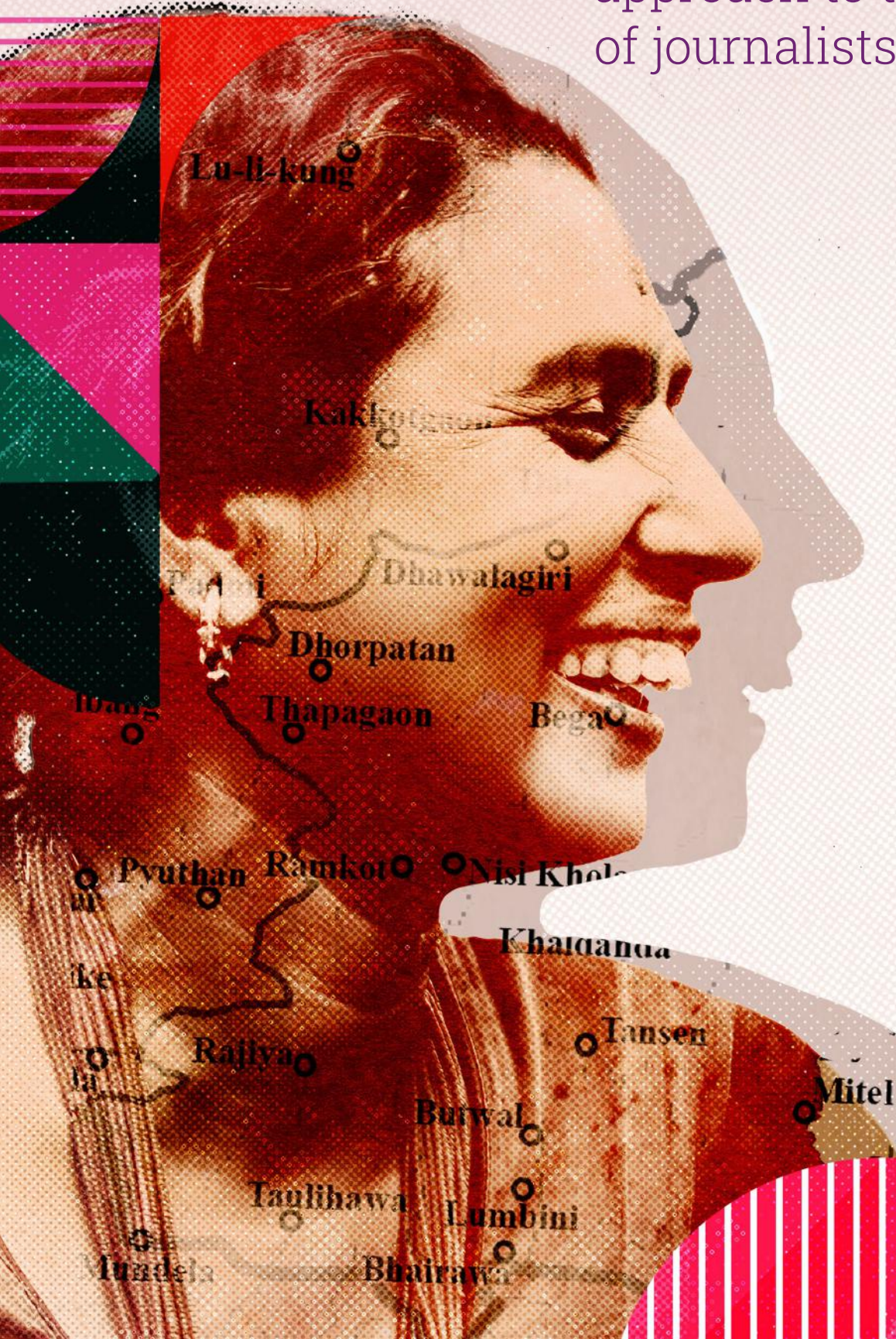


CASE STUDY

NEPAL

Equally Safe

Towards a feminist approach to the safety of journalists



ARTICLE 19

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About this project

What might a feminist approach to the protection of journalists look like? What concrete benefits might it bring? And could it provide solutions to the well-documented – and highly gendered – abuse that women² journalists face every day?

While journalists and communicators³ worldwide experience threats, surveillance, attacks, arbitrary arrest, detention, enforced disappearances, and murder for carrying out their vital work, women journalists deal with additional, gendered threats, violence, abuse, and harassment – in their workplaces, when out reporting, and online. They bear the brunt of not only the increasingly hostile environment affecting all journalists but also pervasive gender-based violence, gendered discrimination, and 'gendered censorship'. These risks multiply for women journalists who experience multiple, overlapping discriminations on the basis of race, ethnicity, age, sexual orientation, sex characteristics, gender identity/expression, and religious beliefs (among others).

Current policies and practices – even those deemed 'gender-sensitive' – are failing to protect women journalists from these risks. A bulletproof vest may be useful in some contexts, but it will not protect a woman from sexual harassment in her newsroom, abuse when she shares her stories online, or assault on public transport when she travels to an assignment. Due to this lack of effective protection measures, women journalists have, in some cases, taken the situation into their own hands, creating solutions to keep themselves and their colleagues safe. These solutions are grounded in diverse feminist approaches that place women's everyday experiences, lived realities, and protection needs front and centre.

In 2021, ARTICLE 19 set out to make these sometimes invisible practices more visible, building on our existing programmes on the safety of women journalists worldwide. We undertook original research globally and specifically in six countries – three in Asia (Bangladesh, Nepal, and Sri Lanka) and three in Latin America (Brazil, Chile, and Paraguay) – guided by the questions:

What might feminist approaches to the protection of journalists look like, and what benefits might they bring?

From national organisations to grassroots networks, our findings document women's monumental efforts to make structural changes, tackle entrenched patterns of gender-based discrimination and violence, and enhance the safety of women journalists. The initiatives showcased in these case studies are a testament to the creativity and resilience of those working on the feminist frontlines.

1. Introduction

Country context: Nepal

In ARTICLE 19's [Global Expression Report 2022](#) – a global, data-informed, annual look at freedom of expression worldwide – Nepal is ranked 78th out of 161 countries, with an overall GxR⁴ score of 56 out of 100. Between 2011 and 2021, the country fell ten places, from the Less Restricted category to the Restricted category.

Nepal has undergone significant sociopolitical transformations since 1990, and is still building its institutions and restructuring its largely feudal, patriarchal society. From 1996–2006, a violent Maoist insurgency disrupted the multiparty political system, followed by a peace process that culminated in the abolition of over 240 years of monarchy and the establishment, in 2008, of a federal republic. In September 2015, a new Constitution was finally passed, which guarantees equal rights for all citizens and specifically prohibits gender-based discrimination. Nepal also boasts one of the highest proportions (33%) of women in its federal parliament in the whole of Asia, and women's participation in provincial and local-level assemblies stands at 34% and 41% respectively.

But despite this progress, there is a wide gap between rural and urban Nepal with respect to women's empowerment, living conditions, and influence over decision-making and constitution-building processes. The ability of poor and marginalised women from remote rural areas to access political positions is a particular challenge.⁵ The gap between high- and low-caste people, and Hindus and non-Hindus continues to exist, and lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) people [continue to face attacks](#).

During the conflict years (1996–2006), journalists faced threats and attacks from both the government and the Maoist insurgents. Since then, threats have also come from other actors, including political parties and other interest groups, and the media is highly partisan. The Federation of Nepali Journalists (FNJ) has reported on journalists' safety since the mid-1990s, particularly following the conflict years. Between 2005 and 2006 – the height of the armed conflict – the FNJ [reported](#) 1,683 attacks against journalists, including two murders. Between 1996 and 2016, [16 journalists were killed and three were 'disappeared'](#), while two out of three of these cases remain to be investigated, indicating high levels of impunity. More recently, in 2021, 82 incidents of attacks on journalists were reported.

The number of women journalists in Nepal [increased by an estimated 100%](#) between 2004 and 2014. However, women remain underrepresented, especially at decision-making levels; most work as either 'faces' or 'voices' in broadcast media,

with little or no training, and are often paid less than men on the pretext that they do not need to support a family. Finally, the intersectional inequalities present throughout the population are also an issue within journalism; women journalists who live outside of Kathmandu and/or are freelance, LGBTQI+, ethnic minorities, or Dalit face additional protection challenges.

Violence against women journalists in Nepal

Under-reporting of gender-based violence

Under-reporting of violence against women journalists is rife in Nepal, for reasons ranging from cultural norms (for example, local elected officials often attempt to 'resolve' even cases of sexual abuse informally so as to maintain community 'harmony'⁶) to a lack of complaints mechanisms and fear of further victimisation.

FNJ only began reporting on violence against women journalists recently. Their 2020 safety report included a dedicated category for violence against women; however, of 45 incidents in the whole report, there were no incidents in this category. This is despite a 2015 study by the International Federation of Journalists finding that both sexual and non-sexual harassment of women journalists in Nepal was 'frequent', but that most media organisations did not have complaints mechanisms or procedures to address the issue.

Sancharika Samuha (SAS) – Nepal's largest network of women journalists and communicators – documented two incidents of gender-based violence in 2020,⁷ both of which involved sexual harassment. According to Nita Pandit, President of SAS, incidents of sexual harassment are under-reported:

'Sometimes, even journalists do not want to discuss such attacks with us, let alone report them fearing that they could be victimised further for speaking out. Most of the time, our efforts to get the victims to make formal complaints lead to nowhere as we don't have a dedicated mechanism to address this issue and the victims tend to give up.'

Also in 2020, SAS tried to document the safety-related challenges women journalists faced during the Covid-19 pandemic. The issues women reported largely related to layoffs and non-payment of salaries rather than gender-based violence. Similarly, violence against women rarely appears in official reports, and sexual violence is rarely discussed in editorial meetings or formal discussions.

Online harassment and abuse

Women journalists in Nepal are using social media to voice their concerns about gender inequality. Podcasts and social media accounts like [Boju Bajai](#) and [Period Ka Kuraa](#) ('menstrual talk') also discuss gender-related issues, from representation and intersectional feminism to menstrual discrimination (due to a deep-rooted cultural belief that women are unclean during menstruation, they are often treated as 'untouchables' and subject to severe discrimination when on their period).

The online space is not always safe for women journalists in Nepal, and more than two in three (67%) have reported experiencing some sort of online abuse.⁸ However, as with other forms of gender-based violence, most of these incidents are not reported due to cultural factors (like victim-blaming) and a lack of complaints mechanisms.

Existing protection mechanisms in Nepal

Nepal's Constitution

Nepal's Constitution guarantees freedom of opinion and expression, the right to communication, the right to information, and equal rights for all citizens. It specifically prohibits gender-based discrimination, though Article 11(5) provides for unequal rights for Nepali men and women in conferring citizenship to their children.

Nepal's Constitution and laws also include provisions on gender equality and protecting women, Dalits (traditionally the 'lowest' caste and considered 'untouchable'), LGBTQI+ people, indigenous people, Madhesis (people of Indian ancestry residing in Nepal's southern low land), Muslims, and people from underprivileged regions from discrimination.

Domestic laws and implementation gaps

Nepal has general laws that can be used to protect journalists, but [no specific law](#) dealing exclusively with their physical and psychological safety. The Working Journalist Act, adopted in 1993, outlines measures like contracts, minimum wages, and insurance, but does not address the safety of journalists, and its implementation is limited.

The gender-neutral [Sexual Harassment Prevention Act 2015](#) addresses harassment in the workplace, including at media companies, and affords protection to all workers (including those on contracts).

However, despite formal legal equality, [studies indicate](#) that even the mandatory legal provisions to safeguard journalists' safety and end gender-based violence are not implemented, for reasons ranging from a culture of impunity to political transition, attitudes that subordinate women, and a limited capacity and lack of professionalism among journalists.

International and national human rights initiatives

Nepal was one of five countries identified for the first-phase roll-out of the [UN Plan of Action on the Safety of Journalists and Issue of Impunity](#) in 2013.

The plan includes measures such as the establishment of an inter-agency mechanism to strengthen the contribution of each UN actor, cooperation with states to develop legislation and other mechanisms for safeguarding freedom of expression and the safety of journalists, and awareness-raising initiatives. While its roll-out sensitised stakeholders to the safety of journalists, efforts to establish an independent, multi-stakeholder safety mechanism have not yet materialised.

Media houses' policies

Nepal's largest media organisation – Kantipur Publications Ltd, which publishes newspapers and runs radio and TV stations – has a [fairly detailed policy](#) on workplace harassment, including severe sanctions for those found guilty. Two of Nepal's largest journalists' associations, the FNJ and the Association of Community Radio Broadcasters, have gender and social inclusion policies; however, as mentioned, reporting on violence against women often falls through the cracks.

Apart from these, media organisations in Nepal generally do not have safety policies to address challenges specific to female journalists. Even when such policies exist, we found that they are not truly functional in Nepali newsrooms – another example of the implementation gap. Furthermore, the policies in place generally only apply to physical attacks, and exclude sexual violence and harassment.

The feminist movement in Nepal

The history of the women's movement in Nepal dates back to 1948, when the first formal women's organisation – the Nepal Women Association – was established, largely to raise political awareness among women. Following a serious setback in the movement during the three decades (1960–1990) of the party-less *Panchayat* system (imposed by the then-King Mahendra), some social and political women's organisations came into existence in the early 1990s; however, most of these functioned as wings of the political parties, and the number of women politicians in key roles remained negligible.

In 1991, Nepal became a signatory of the Convention on the Elimination of All Forms of Discrimination against Women, and ratified both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights with no reservations, demonstrating its [commitment](#) to eliminating discrimination against women. Yet it was only after 1996, when the Maoist conflict began, that women were seen in non-stereotypical gender roles (such as combatants and breadwinners). Although women's NGOs were working on gender equality at this time, the most significant legal and political changes were only detectable after the armed conflict ended in 2006, when women began to assert their rights as citizens.⁹

Nepal reached a historic milestone in women's political participation when women assumed three of the top five government positions. Following the promulgation of a new Constitution in 2015, Bidhya Devi Bhandari was elected as President, Onsari Gharti Magar became speaker of the legislature, and Sushila Karki became the first female Chief Justice of the Supreme Court. At present, 34% of members the federal parliament are women. Similarly, in the provincial and local-level assemblies, women's participation is at 34% and 41% respectively. There has also been visible progress in women's participation in the civil service and private sectors.

Despite these improvements, there is still a wide gap between rural and urban Nepal with respect to women's living conditions and empowerment, which also intersect with the caste system and religion.



2. Case studies

Introduction

To identify feminist approaches to the safety of journalists in Nepal, ARTICLE 19 first conducted a month-long mapping exercise.

The first phase of this exercise involved reviewing relevant legislation and policy addressing challenges specific to women journalists. The second phase involved brief interviews with editors and reporters from eight media organisations with the aim of establishing whether the organisations had strategies or good practices on the safety of women journalists, as well as to enquire about incidents experienced by women journalists. The third phase involved interviewing officials from journalists' associations and NGOs working on media development and journalists' safety, as well as reviewing these organisations' guidelines, codes of conduct, and other relevant publications.

This mapping exercise enabled us to identify two relevant case studies, which are featured in this section.

For the first case study, a three-hour-long interview was held with Rupa Sunar. Social media posts and news articles related to her case were also reviewed, as well as the court document and police report. For the second case study, three women journalists (aged 21–40 years) were interviewed. Of these, one woman worked for the national news media, one was a freelancer, and one worked at a local radio station. One of these interviews was conducted face-to-face, while the other two were conducted online.

Rupa Sunar: The challenges of being a Dalit woman journalist

'Being a person from a Dalit community in Nepal is tough, and when you are a woman and in a challenging profession, it's severely challenging.'

– Rupa Sunar

In June 2021, 24-year-old Dalit journalist Rupa Sunar approached a landlady in Kathmandu with a view to renting a room. According to Sunar, the landlady initially offered her the room to rent, but then asked what caste she was. When Sunar told the landlady she was Dalit, the landlady said the room was no longer available.

With the support of human rights activists, journalists, and lawyers, Sunar lodged a complaint against the landlady under the Caste-Based Discrimination and Untouchability (Offense and Punishment) Act 2011. This Act requires police officials to act on such cases of discrimination and detain the suspect for investigation, and the landlady was held in custody.

The case is now being heard in court. The sanctions for caste-based discrimination, if upheld, include imprisonment for between three months and three years, a fine of NPR 1,000–25,000 (approximately USD 8–200), or both.

○ The price of speaking out

Sunar spoke out about this caste-based discrimination in a three-minute video that she shared on social media. By speaking out about her experience, she inspired many other women journalists, and some politicians, to share their own stories of similar challenges.

However, because she was a familiar face – she wrote for a Kathmandu-based daily newspaper, presented a programme on the Image Channel, and was one of very few Dalit women working at a media organisation – she also became an easy target, receiving hundreds of abusive messages online, including rape and murder threats. Growing up in rural Nepal, it was not the first time Sunar had faced discrimination, although this intensified when she started working for a TV channel.

'I have noticed women colleagues being harassed but comparatively, I can say I have faced the worst ... from unwanted touch to statements like: "You don't look like a Dalit, you are so beautiful."'

Women journalists who are harassed online often choose to leave social media. However, Sunar fought back; she reported all the abusive comments about her to the Cyber Crimes Bureau of the Nepal Police and filed cases against two offenders (the others used fake accounts, and the police could not track them down).

○ **'We would have helped, but we can't do anything'**

Many media organisations were supportive of Sunar and reported on her story. However, the media company she worked for did not cover the incident, and some news reports even blamed her for provoking caste-related violence. Sunar [lodged a complaint](#) with Nepal's Press Council against nine online media outlets, which she accused of defaming her. The Press Council subsequently sought clarification from the media outlets.

She also reached out for support to journalists' associations and organisations working on journalists' safety, but their responses were not encouraging. According to her, one official from a journalists' association said: 'If you had received these threats because of a news story, we would have helped, but we can't do anything in this case.' Sunar believes that, to change this, it is necessary for women from minority groups to be accepted into decision-making roles – including in journalists' associations:

'It's high time we start
including journalists from
more vulnerable groups in
leadership positions.'

However, some human rights organisations, including those working on Dalit rights, offered Sunar moral support and assisted her in filing report against caste-based discrimination and online harassment.

○ **'Those who do not move do not notice their chains'**

Sunar's case clearly shows the challenges of being a Dalit woman journalist in Nepal. And she is not alone: She told us that many Dalit women journalists have approached her with their own stories of discrimination and harassment. Despite this, the mainstream feminist movement, media houses, and journalists' associations – even those that speak out against gender-based violence – have failed to acknowledge the additional forms of discrimination that Dalit women face. As a result, journalists like Sunar have no choice but to fight their battles alone – or, worse, to suffer in silence.

At the end of our three-hour interview, Sunar quoted Polish feminist Rosa Luxemburg: 'Those who do not move do not notice their chains.' However, she also told us she had reached the 'verge of psychological collapse' as a result of the discrimination she experienced. She has been on unpaid leave since the initial incident, first

voluntarily and later because she was forced to take leave until the court case was resolved. She told ARTICLE 19 that she was unsure whether she would get her job back or when the court case would end:

‘I don’t know how the legal battle [is] going to end, but I strongly believe that if I don’t continue, I will have to live with the discrimination and harassment all my life.’

Even so, she has no regrets about fighting for what she believes in:

‘As a journalist, I have always felt it’s important to fight against discrimination, which makes me different from many members of my community who have decided to tolerate such incidents.’

‘You get the feeling that you won’t be judged’ : Peer support to tackle online abuse

Our second case study focuses on the experiences of three women journalists who – like Rupa Sunar – are fighting back against online abuse and harassment. Although the three journalists have varied backgrounds, they have all experienced severe harassment on social media, mainly Twitter. Over time, the online abuse evolved into threatening phone calls – and, for two of the women, stalking. All three women also took a similar approach to combating this abuse: calling out sexism online, reaching out to other survivors, and forming peer-support groups.

They told ARTICLE 19 that, in their experience, reporting on any story from a feminist perspective can be daunting. Our own observations of comments on articles they had written online confirmed this: Every time a woman journalist questions gender stereotypes or Nepal’s patriarchal culture, the comments section is awash with derogatory sexist remarks.

Menuka Dhungana, a reporter at *Kantipur Daily*, is based in Sudur-Paschim Province, where social stigma is more deeply rooted than in other provinces in Nepal, leading to increased risks. She told ARTICLE 19:

‘Reporting from a remote district is very challenging, my family members are in constant fear that I could be abducted, if not killed.’

Victim-blaming, for example, is often more common in remote regions:

‘They come after our character and question our morality, the most common way is to spread rumours involving our alleged involvement with men colleagues, superiors, even sources.’

Menuka has faced various forms of harassment throughout her career. In 2019, for example, after she reported on irregularities regarding a school-construction contractor, the contractor later **posted** derogatory and defamatory remarks about

her on Facebook. Journalists' organisations like FNJ, SAS, and Working Women Journalists took up her case and successfully demanded that the government arrest the accused for cybercrime (although he continued to post similar defamatory comments when in detention). However, when she first started out as a journalist, Menuka did not know how to deal with harassment and never told others. For that reason, she told us, 'I mainly reach out to young journalists as my experience says they are more vulnerable.'

Sabitri Gautam, from Pokhara in Gandaki Province, is a freelance journalist who is very active on Twitter, where her comments have been met with abuse, harassment, and even rape and murder threats. Like Menuka, Sabitri has attempted to reach out to other women who have been targeted on social media, providing moral support and even responding to their abusers.

Mina,¹⁰ an ethnic-minority radio journalist, is also based in Gandaki Province. After working as a journalist for a few years, she realised that no organisation was addressing the issue of online harassment. When she reached out to discuss her experiences of online harassment with another woman journalist, Mina realised their experiences were very similar. She told ARTICLE 19:

'We both felt some sense of relief after being able to share with each other and we thought it would be nice to have a platform to discuss such experiences.'

Besides setting up a peer-support group online, Mina is also a member of a social media group for women journalists from ethnic communities, which discusses challenges specific to ethnicity and gender.

○ **Peer support: strengths and limitations**

Menuka, Sabitri, and Mina set up their peer-support groups to deal with the abuse they faced. All three groups were initially formed with the aim of trying to create an organisation, but their members found them more useful as solidarity platforms.

As such, they now take the form of private social media groups where women journalists encourage each other to report abuse and provide each other with emotional support.

'We encourage and support each other, we make all in the group feel that they are not alone.'

– *Menuka Dhungana*

This peer support, even if only online, can help others to stay safe while continuing with their professions – especially in rural areas, where other support mechanisms are not available.

‘There are times we can’t talk about it face-to-face, but when friends/colleagues talk about the incidents they faced and other challenges, it’s easier to contribute to the discussion. You get the feeling that you won’t be judged.’

– Mina

However, it should be noted that unfunded peer-support groups are neither a panacea nor a permanent solution, and can only form one part of the response to online harassment and abuse against women journalists.

‘Our social media groups are like a safe haven for us, but certainly there are times when we feel like we can’t take more threats and harassments.’

– Menuka Dhungana

While there is division even among feminist media workers regarding how to tackle online harassment and abuse, it is important that organisations working on the safety of journalists do not neglect the digital realm:

‘There are organisations working for the safety of women journalists, but it is important they show their presence in digital platforms and call out cases of cyber-bullying and harassments.’

– Sabitri Gautam

Women journalists should not be held responsible for ‘solving’ online harassment against them – this should be the job of the state. However, in the absence of formal protection mechanisms, it is clear that these informal private groups can provide some level of support and solidarity. Because little is known about how these groups operate, it is difficult to suggest how to make them more effective. It is clear, however, that many women journalists do not know they exist, and scaling them up would be useful to ensure they are accessible to all women journalists in Nepal.

3. Conclusions

The cases discussed earlier clearly indicate that even though some intersectional-feminist strategies are being employed, they are fragmented and obviously lack an institutional approach.

Journalists outside Kathmandu, freelance journalists, LGBTQI+ journalists, and journalists from ethnic-minority groups and the Dalit community face additional challenges, which have fallen below the radars of women journalists' associations based in the large urban centres. Furthermore, while workplace harassment and threats resulting from news stories are sometimes taken up by some media organisations and journalists' associations, intersectional experiences largely fall through the filter that aggregation of data allows. Despite Nepal being one of the most progressive countries for LGBTQI+ rights in the region, the majority of LGBTQI+ people struggle to get equal treatment before the law. Lack of proper implementation of these laws poses a serious question for their safety; something which the study found was completely overlooked even by journalists' associations. Therefore, NGOs and associations working for the Dalit community, LGBTQI+ people, and women journalists need to come together.

A multi-stakeholder mechanism for the safety of journalists can improve safety measures. Effective implementation of the UN Plan of Action on the Safety of Journalists and Issue of Impunity – by establishing a nationally applied independent mechanism – can play a significant role in providing a framework to tackle the issues of journalists' safety and impunity while ensuring specific safety measures for women journalists.

The social challenges faced by women journalists are important because they limit their ability to perform to their full potential, which is also something that policymakers in Nepal have yet to understand, and put into practice. Although the majority of women journalists have received some sort of safety-related training, they stated that it was not enough. 'Training programmes are very short and often lack [a] proper resource person,' Dhungana said.

Participants in the study also highlighted that journalists from marginalised communities were almost invisible in journalists' associations and in leadership positions: 'It's high time we start including journalists from more vulnerable groups in leadership positions.' Sunar suggested that policymakers and media researchers should consult with women journalists from the Dalit community before drafting guidelines or formulating a policy.

As discussed in the second case study, while women journalists are using digital platforms to call out abuse and discrimination, this is not enough. Worse is that these women are further targeted for their initiatives. 'There are many organisations working for [the] safety of journalists, but when it comes to women journalists, I don't think any substantive work has been done,' one of the journalists stated. She also said that if peer-support programmes were more structured, through monitoring and trauma-informed training, they could be more beneficial.

A lack of proper implementation of existing guidelines and codes of conduct has definitely amplified safety challenges for all women journalists including LGBTQI+ individuals. Our findings indicate that training on the safety of journalists has ignored gender and intersectional approaches. While the challenges facing all journalists might be similar, undermining an intersectional approach in policies in a multi-ethnic and multi-cultural country like Nepal¹¹ cannot address multiple forms of systemic discrimination. All men and women journalists, including those from the LGBTQI+ community, deserve to be heard and their unique needs should be addressed through specific programmes and policies.

Notes

- 1 Pseudonym provided to protect journalist's anonymity.
- 2 ARTICLE 19 uses 'women' and 'men' to refer to all those individuals who identify themselves as such.
- 3 ARTICLE 19 uses a functional definition of journalists and communicators, as per the [UN Human Rights Committee General Comment 34](#): 'Journalism is a function shared by a wide range of actors, including professional full-time reporters and analysts, as well as bloggers and others who engage in forms of self-publication in print, on the internet or elsewhere'.
- 4 ARTICLE 19's [Global Expression Report](#) metric (the GxR metric) tracks freedom of expression across the world. In our 2022 report, 25 indicators were used to create an overall freedom of expression score for 161 countries, on a scale of 1–100, which places each country in an expression category.
- 5 Koirala, S. (2018) 'Gender Representation in the Nepali Press during Pre-Conflict, Conflict and Post-Conflict Periods', PhD thesis, University of Oslo.
- 6 Tobias, V. (2021) 'Restorative Justice in Nepal: An Analysis of the Approach in Cases of Sexual Violence Against Women', PhD thesis, EUCLID University.
- 7 Personal communication with Nita Pandit, President of SAS.
- 8 Koirala, S. (2020) 'Female Journalists' Experience of Online Harassment: A Case Study of Nepal', *Media and Communication*, 8, 1: 50.
- 9 Pant, B. and Standing, K. (2011) 'Citizenship Rights and Women's Roles in Development in Post-Conflict Nepal', *Gender & Development*, 19, 3: 409–421.
- 10 Pseudonym provided to protect journalist's anonymity.
- 11 Based on census data from 2011, there are 131 different ethnic groups in Nepal.



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