

Role of Indigenous journalists and Media to sustain Right to information of indigenous people: Status and challenges in Nepal

Mrs. Meera Rajbhnadari Amatya

Abstract

Right to Information is a crucial component of Human Rights. To sustain good governance right to information plays a vital. Every citizen has a right to know how the Government and the state is functioning. As for transparency, balanced governance, social inclusion and sustained numbers of components of human rights, Rights to information is an essential part. Furthermore, Right to Information empowers every citizen to seek any information from the Government, inspect any Government documents and seek certified photocopies. Thereof, some laws on Right to Information also empower citizens to official inspect any Government work or to take sample of material used in any work. The Universal Declaration of Human Rights has recognized the Right to Information as the fundamental rights of Human Rights.

In Nepal the population of Indigenous people is 37.2 percent of total population. They are categorized in 59 communities by different. Most of the indigenous people cannot even speak the Official language Nepali yet. They use their own mother language in their community. Most of the Nepali media is in official language Nepali. That's why they have not been able to access their rights right to information. But somehow the indigenous journalists have been publishing and broadcasting the newspapers, radio programs and television shows in indigenous language initiatively. However, the article 27 Of Interim Constitution of Nepal 2063 has been addressed the provision of Right to information as the fundamental right of the citizen but in practice there is no proper and specific policies to develop indigenous media to sustain the rights of the indigenous people's right to information.

Key words: Indigenous, Fundamental, Declaration, Freedom, Constitution, Governance

Introduction

Right to Information is a crucial component of Human Rights. To sustain good governance, right to information plays a vital role. Every citizen has a right to know how the Government and the state functions. As for transparency, balanced governance, social inclusion and sustained numbers of components of human rights, Right to information are some essential parts. Furthermore, Right to Information empowers every citizen to seek any information from the Government, inspect any Government documents and seek certified photocopies. Thereof, some laws on Right to Information also empower citizens to officially inspect any Government work or take sample of material used in any work. The Universal Declaration of Human Rights has recognized 'Right to Information' as the fundamental rights of Humans.

M.Phil. - Public Administration Campus, President - Association of Nepalese Indigenous Nationalities Journalists, Kathmandu District Committee.

[Corresponding Email: amatyameera@gmail.com](mailto:amatyameera@gmail.com), amatyameera@yahoo.com

According to the article 19 of declaration, it states“ 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”.

In Nepal the population of Indigenous people is 37.2 percent of total population. They are categorized in 59 communities by different. Most of the indigenous people cannot even speak the Official language of Nepali yet. They have their own mother tongue so they have not been able to gain their rights. But somehow the indigenous journalists have been publishing and broadcasting the newspapers, radio and television in their own mother tongue language initiatives. Although the article 27 Of Interim Constitution of Nepal 2063 has been addressed the provision of Right to information as the fundamental rights of the citizen but in practice there is no proper and specific policies to develop *indigenous media* to sustain the rights of the indigenous peoples.

Methodology

The proposed study will focus on the status of indigenous media and their contribution to address right to information of the indigenous people. Both primary and secondary data will has been collected with stake holders. The study has been focused on the impact of indigenous media in indigenous people’s right to information as case study.

People’s right to information in Nepal

Right to information is for the people, of the people and by the people as the right to access information held by public authorities, is widely recognized as a fundamental human right. In other way it is the base for Good governance as it is a key tool for holding government to be accountable and transparent towards people and state. Common Article 19 of Universal Declaration of Human Rights (UDHR) and International Covenant on Civil and Political Rights (ICCPR) recognizes Right to Information as an implied right of Freedom of Expression.

Nepal adopted its Right to Information Act in July 2007 and became third country in Asia after Pakistan and India and also recognized as a first country in the region to have constitutional provision that was explicitly guaranteed at Article 16 of 1990 Constitution and at article 27 of the Interim Constitution 2006.

According to the Right to Information Act 2007 Right to information mean is "*Right to Information*" means the right to ask for and obtain information of public importance held in the Public Bodies and this term shall also include the right to study or observation of any written document, material held in Public Body or proceedings of such Public Body; to obtain a verified copy of such document, to visit or observe the place where any construction of public importance is going on and to obtain verified sample of any material or to obtain information held in any type of machine through such machine”.

Legal provision for Right to information in Nepal

- Article 16 Right to Information : Every citizen shall have the right to demand and receive information on any matter of public importance;

- Article 27 of Interim Constitution of Nepal: Right to information: Every citizen shall have the right to demand or receive information on any matter of his or her interest or of public interest.
- Right to Information Act 2007
- Right to Information Rules, 2065 (2009)

Indigenous people in Nepal

There are approximately 370 million Indigenous people in the world, belonging to 5,000 different groups, in 90 countries worldwide. Indigenous people live in every region of the world and about 70% of them live in Asia. In Nepal, the total population of the country is 26,494,504 with growth rates 1.35 per annum. The total population of Indigenous people is 37.2 percent of total national population.

The indigenous nationalities are generally non-Hindus with their distinct identities regarding religious beliefs, social practices and cultural values. But after the annexation of the numerous principalities' by King Prithvi Narayan Shah in the second half of the 18th century, these groups were forbidden from following their centuries' old rituals and were coerced into abiding by the new rulers' dictates which were based on the Hindu hierarchical caste system. The government itself has legally recognized to be 59 indigenous communities (called Adivasi Janajatis) in the country but has left to include in the census of some 16 indigenous communities. Nepal has three ecological zones such as mountain, hill and terai (low land) that portrait a dissent of its geography which bears primordial diverse ethnic cultures residing on these geographical areas. Census 2011 shows 123 languages speaker and 126 diverse caste and ethnic groups live in different ecological region with own culture, traditions, religion in the country.

The indigenous communities

Nepal is home to 59 (officially) recognized groups of indigenous peoples with distinct cultures, languages and belief systems. According to the National Foundation for Development of Indigenous Nationalities Act, 2058 (2002) there are 59 indigenous communities are in Nepal. They are as listed here.

1.Kisan 2.Kumal 3.Kushwadiya 4. Kushunda 5. Gangai 6. Gurung 7. Chepang 8. Chhantyal 9. Chhairotan 10. Jirel 11. Jhangad 12. Dolpo 13. Tangbe 14. Tajpuriya 15. Tamang 16. Tingaunle 17.Thakali 18.Topkegola 19. Thakali 20. Thami 21. Tharu 22. Thudam 23. Danuwar 24. Darai 25. Dura 26. Dhanuk (Rajbanshi) 27. Dhimal 28. Newar 29. Pahari 30. Free 31. Bankariya 32. Baramo 33. Bahragaunle 34. Bote 35. Bhujel 36. Bhote 37.Majhi 38.Marphali 39.Thakali 40. Mugali 41. Meche (bodo) 42. Yakkha 43.Rai 44.Raute 45.Rajbansi (Koch) 46.Rajhi 47.Larke 48.Limbu 49. Lepcha 50. Lhopa 51. Lhomi (Shingsawa) 52. Walung 53. Byasi 54. Sherpa 55. Satar (Santhal) 56. Siyar 57. Sunuwar 58. Sural 59. Hayu Hyolmo
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Educational status

The development of any nation depends on its educational system. It is regarded as a powerful tool for empowerment of individual. It helps in developing confidence in individuals and community about their own capacities to shape their lives and, thus, enhance their intellectual, political, social and economic strengths against oppression, exclusion, and discrimination. But the indigenous people of Nepal are backward from economically to educationally and politically. Their literacy rate is very low than other community. Only Thakali Newars are highly literate. According to Central Bureau statistics office the literacy rate of Thakali is 80.5% and the literacy rate of Newar is 80.1 respectively according to the National Report of the population Census 2011. Very lowest literacy rate in indigenous community is Dolpo and it covers 28.35% literacy rate.

The history of Journalism in Nepal

The development of journalism in Nepal has short history. According to the history SUDHA SAGAR was the first magazine in Nepalese language which was published on literature base. The modern history of press and publication in Nepal starts after 1851 AD bringing the press from Britain by the Prime Minister Jung Bahadur Rana. This Press was also known as the *Giddhe Chhapakhana* (Adhikari, 2006). During Rana period in Nepal the literacy rate was very low. It is estimated that only 2 percent of total population was literate and not more than 300 hundred graduates before 1851 AD (Dahal, 2004)

It is a historical paradox that Janga Bahadur Rana, the first prime minister who established century long of hereditary premiers since 1843 was also the one of who introduced the first modern printing press in Nepal. Rana had visited Britain during the Victorian Era (1832-1901) and it was in its reform stage (Frawley, 1901). As he was influenced by the Victorian progress and ideology he tried to implement the same in Nepal through press to progress and expand Rana rule. Fifty years later in 1901 AD, using that hand press Prime Minister Dev Shumsher Rana issued the first news paper *Gorkhaptra*, and the first newspaper in Nepal. In first it was published as weekly paper and turned into daily paper after 60 years later.

Establishment of Radio Nepal is great achievement of modern media in 2007 BS (1951 AD). During that time Nepal had structured two news agencies namely *Nepal Sambad Samiti* and *Sagarmatha Samvad Samiti*, which played crucial role for disseminating the information and news all over Nepal. End of democratic regime, multiparty system was abolished and one party *Panchayet* system had been started and people's freedom and fundamental rights were restricted. It created thorny situation for journalists and situation of press freedom, initiating environment of media and media house and they had to face various problems and challenges.

Although Nepal was going through such autocratic rule, media and publication houses were quantitatively increasing during that time period such as *Rising Nepal* English daily, *Madhupark* and *Yuvamunch*. Same way the government media agency like *Rastriya Samachar Samati* (RSS) was also established in 1962 AD. Nepal Press Council was launched for the regulation and direction of Nepalese media in 1970 AD. This was followed by the formation of Ministry of Information and Communication. Various corporation houses were established, such as *Gorkhapatra Corporation*, *Royal Nepal Film Corporation*, *Ratna Recording Corporation*,

Cultural Corporation, National News Agency (RSS), Sajha Prakasan (Publication house), and Janak Education Materials Publication Ltd.

Nepal Television was established first time in Nepal in 1985 AD (2042 BS). After the restoration of democracy in 1990, the new constitution, constitution of Nepal 2047 (9th November 1990) was formulated. The constitution was serious for press freedom and freedom of expression and opinion. Such constitutional provisions has created fertile environment for the growth and development of media.

Most of media policy was reformed under the constitutional provision and new policies were restructured. Electronic and print media has been developed simultaneously in modern history of Nepalese media. Dozens of colorful broadsheet dailies, including Nepali and English language, have been dominant in Nepali news paper market. Among them, *Kantipur* and *Nepal Samachar Patra* have been on publishing line. This period is witnessed for emergence of news magazines in Nepal. Establishment of FM radios has positively influenced Nepalese media and community. Currently, private televisions have been established and this is in increasing trend. Seven private television stations has established and operating effectively all over the nation.

Now a days, there are 515 community and private radio stations and till 2013 (27th Feb 2011), 58 TV stations have achieved license by the Ministry of Information and Communication. Two private news agencies have also been established. According to Information department of Nepal, all over the nation 6847 print media have been registered till 2014 February (2071 B.S Chaitra). Among them, Daily 599, Bi-weekly 34, Weekly 2594, Fortnightly 442, Monthly 2061, Bimonthly 341, Tri-monthly 578, Quarterly 31, Half yearly 80 and Yearly 87 news papers paper have been registered.

History of Indigenous journalism in Nepal

Bir Nemawang was jailed when he provided the education in Limbu Mother language and Limbu script. Only Newari and Mailty language were free to provide education and information in Panchayati Regime. Amrit Younjan and his team first published *Syo Mehndu* (Morning flower) in Tamang Language in 2052 B.S. After publishing *Syo Menhdu*, Nepal government jailed them. Before *Syo Menhdu*, *Menhdu* was first Tamang mother journal was *Mehndu* and it was hand written. In Interim Constitution 2007 there was provision of Linguistic right in article 5 and article 1, the journalism in mother tongue was freed and from then, drastic changes developed. Similarly *Sandhya Times*, *Inap*, *swaniga* are the newspapers that were in Newari mother tongue. Now there are 43 Neawri supplements, 13 Tharu supplements, 10 Tamang supplements, 2 Rai supplements and 294 in have been publishing in other languages.

Status of Indigenous media and journalists

Indigenous media are medias initiated by indigenous journalists so as to voice their concerns to their rights. Furthermore, media are even managed and run by communities to inform, educate and entertain the communities. Media being published in their respective mother tongue are also considered under indigenous media .In Nepal 93.07% newspapers have been publishing in Non-Indigenous languages. Where it covers 68.42% in official language Nepali and 24.65% in English, Hindi and English Nepali. The media in indigenous language covers only 6.58% whereas in perspective of population the indigenous covers 37.2% of total national population.

According to the Media Directory of Nepal 2014 published by Department of Information of Nepal, there has been 4685 newspapers publishing in Nepalese language or official language and 434 newspapers are publishing in Indigenous languages like Newari, Maithili, Bhojpuri, Tharu and Limbu etc. In National level Gorkhapatra Daily publishes one supplement per day in one language from 32 of indigenous languages.

Status of Indigenous Journalists

The reason why population of indigenous journalists are less is because of lack of education, socio cultural effect and economic condition. There are different amount of indigenous journalists in different organization as follows:

Status of Indigenous Journalists in different organizations

Organization	Indigenous Journalists	Non-Indigenous journalists	total
Department of Information Nepal	432	2643	3066
Federation of Nepali Journalists	1686	8169	9855
Federation of Indigenous Nationalities Journalists	1539	0	0

Source: Nepali Mediama Adibasi Janajati, Federation of Indigenous Nationalities Journalists

Status of Woman in journalists in different organizations

	Indigenous woman Journalists	Non- Indigenous woman Journalists	Total
Federation of Nepali Journalists	277	1110	1387
Federation of Indigenous Nationalities Journalists	483	-	1539

Source: Nepali Mediama Adibasi Janajati, Federation of Indigenous Nationalities Journalists

News paper in Indigenous languages

Newari	43
Tharu	13

Limbu	3
Tamang	10
Rai	23
Total	92

Directory 2071(Department of Information)

Conclusion

No doubt, Indigenous media is playing a vital role in empowerment of indigenous people. In Nepal the debate of right to information was started in 90s while Nepal was in the path of making New constituent after restoration of Democracy in 1990. Right to information was provisioned as fundamental right of human rights in the constitution of Nepal in 1990. After Maoist movement in Nepal and assigning Comprehensive peace accord 2006, the interim constitution of Nepal 2007 also continued this provision as the fundamental of human rights. They love to listen, read the information in their own mother tongue so the indigenous journalists started to publish the news papers and started the radio and television programs in their mother tongue. It influenced in two ways :One it developed the linguistic development on other hand it provided people's 'Right to information'. Now days, most of the FM radio and Television has been broadcasting the news and other entertaining programs in different mother tongue of indigenous communities. But yet 26 communities are not able to publish their mother tongue publications due to economic to educational cause. Similarly the government has no specific policy to develop and sustain the indigenous media. Chandra Kulung, the first president of FoNIJ (ANIJ) rightly said "Indigenous media can play a vital role to sustain peopl's right right to information, but government has no specific policy and plan to develop indigenous media, the government must build the policies to develop and sustain indigenous media, on the other hand the population of indigenous people covers 37.2% in total population Nepal the indigenous journalists are lower than other journalists from other communities the government must make new policies and implement it as in human development perspective"

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