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Article:	An Analysis of Challenges in Reporting by Journalists in Conflict Zone: Case Study of Muzaffarabad & Srinagar
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Abstract

Kashmir, an unresolved and longstanding dispute is among the most complicated global conflicts in present world. Due to high number of civilian casualties in the region, issues of human rights abuses are matter of great concern for the international community. Local media, a lone source of ground information is highlighting the human rights issues and facing multiple challenges like censorships, threats and target killings by the parties involved in the conflict. This study aims to explore the situation of freedom of press, challenges and capacity issues of the journalists on both sides of Line of Control (LoC) in reporting context. Journalists from both sides of divided state were interviewed through semi-structured questionnaire to assess the challenges they are facing regarding their reporting assignments.

Results showed that journalists working in Indian administered Kashmir (IaK) were facing more serious challenges than journalists in Pakistan administered Kashmir (PaK). These challenges were included unfavorable media environment, lack of access to information, unfriendly media laws and threats to their lives and livelihood.

Key words: Kashmir, Conflict Zone, Media Environment, LoC, IaK, PaK, Censorship

Introduction

The multifaceted link between media and conflict is ancient. News and views are mostly bestselling commodities in conflict zones where political, social and economic instability create great space for the traditional and social media to utilize it at full extent. Media being used to strengthen viewpoints and ideologies persuading intending readers, listeners and viewers and to influence opposing sides in conflict. Moreover, the conventional approach is also changing now. Now holding territory is not just the only target but to gain public and international support on an issue (Sigal, I. 2009).

The role of journalism and journalists become inevitable in any conflict situation where, a society at large become dependent on the news and views to form opinion about any particular issue or the event. In conflict situation, media takes the central role. It not only informs locals that what is happening around them but also update outside world about latest situation on ground. A news report published in a newspaper or broadcast on TV or Radio in a conflict zone can be the sole information for the readers or audience. (Bajraktari & Parajon, 2007).

When society becomes vulnerable and threatened by violent conflict, journalism also faces numerous challenges as parties involved in the conflict seek to control the media. In this case information can be unreliable and sometime censored too. There are great risks involved in such situation. Statistics showed that media workers are highly exposed to the hostilities, pressures, threats, unlawful detentions and kidnappings and one journalist being killed each-week in the world. Not all these injustices with the journalists are investigated and unfortunately perpetrators normally walk away without proper prosecution (Gender matters in war reporting, 2017)

Kashmir, which has been emerged as big conflict zone between India and Pakistan and both the countries have fought three wars (1948, 1965, and 1999) and engaged several times in small clashes over Kashmir. (Nabi & Khan, 2014).

Kashmir since early 90's, witnessed number of cases where scores of journalists lost their lives, kidnapped and tortured in the line of their duties. There are number of reported cases where published copies of newspapers were barred from circulation and publications have been forced to stop. Particularly after the assassination of Burhan Muzaffar Wani (July 2016) and scarping the special status of the disputed territory on August 5, 2019, the stringent measures such as imposition of curfew in the entire occupied territory wherein journalists were not even allowed to move freely to perform their duties and communication blackout, number of cases of torture and harassment to the journalists were reported in media. During the time, one of the leading English daily newspapers of the valley, Kashmir Reader was banned for months.

The Committee to Protect Journalists, which is an independent, nonprofit organization established with the aim to promote press freedom worldwide published a report on November 14, 2018 titled "Kashmiri journalists face multiple restrictions, attacks in October". The report unveiled the facts how authorities in Indian administered Kashmir suppressing free voices and threatening journalists in the Valley (CPJ. 2018, November 14). The New Arab also published a special report on January 8, 2019, that journalists in Kashmir facing tough challenges. The report stated that 21 journalists have so far been killed in Kashmir, either directly targeted or caught in the crossfire while reporting, as dozens more face hardships in their daily jobs. Terming IaK among the most dangerous places for journalists, Kashmir Media service (KMS) reported that people on journalistic assignments are performing their professional assignments in the hardest

circumstances. According to data released by the research wing of the organization on the eve of the World Press Freedom Day 2019, nineteen media men killed, scores injured since 1989 in IJK (India: Kashmir sees surge in intimidation of journalists, violation of sources,2020).

Free press in each-side of a conflict zone plays pivotal role in bringing facts out, highlighting different aspects of the conflict driven society and challenges being faced by the public in the region. Both India and Pakistan found labeling allegations that their rivals have imposed curbs on independent media to silence the free voices, public sentiments and to hide the ground realities of the particular region. United Nations' Office of the High Commissioner for Human Rights in its first-ever report on the situation in Kashmir published in 2018 also pointed out about the restrictions on the right to freedom of expression, violence against human rights defenders and abusive treatment by the authorities against the journalists working in the disputed region (UNHRC,2018). The proposed study has been designed to fill the gap in the report which discussed overall situation of human rights in the Kashmir.

Objectives

1) To explore the situation of freedom of press on both sides of LoC.

The main objective of the study further elaborated in sub-objectives.

- a) To review the overall media environment on both parts of the disputed state.
- b) To identify the basic media laws that safeguard the fundamental rights of journalists, if any
- c) To find out if freedom of information or right to information laws exist in IaK & PaK.
- d) To understand the status of human rights of journalists working on both sides of LoC.

Research Questions

The study was conducted to investigate the following research questions: -

1. What kind of hurdles are journalists facing in access to the information and reporting in PaK & IaK?
2. Have they ever threatened or abused by the authorities for publishing any news or views?

Methodology

Qualitative Inquiry (Thematic Analysis Approach) was used to examine the challenges to journalists working on both sides of LoC, an internationally acknowledged conflict zone. Qualitative research is being widely used to get complete understanding of the primary reasons, beliefs and motivations and also provides insights into the problem enabling the researcher to develop the basic ideas and hypotheses for potential quantitative study. (Akinyode, 2018)

Thematic analysis is a wide-ranging process, which help identify the patterns and themes within the dataset. The process begins at the initial stage of data collection and continues till transcribing, reading, re-reading, analyzing and interpreting the data. (SAGE Publications, Ltd, 2017)

Sample Size. Fifteen (15) accredited and senior journalists from Kashmir Press Club (KPC) Srinagar, IaK and all members of Central Press Club (CPC) Muzaffarabad PaK were taken as participants.

- a) **Sampling Technique.** In IaK, snowball sampling technique has been used because the authorities in had imposed ban on communication after August 5, 2019 so it was almost impossible to locate the specific persons due to the inability of moving across the LoC. In PaK, Census Sampling technique was used to obtain the required responses.
- b) **Period of Study.** The period of study was October 2019 to October 2020.

- c) **Data Collection Technique.** Face to face meetings, in-depth interviews and FGDs in AJK while WhatsApp call/Video call, Facebook, Email and google survey questionnaire in Srinagar.
- d) **Research Design.** In-depth interviews of fifteen (15) accredited and senior journalists from Srinagar, IaK and fifty-eight (58) including freelancers and independent journalists from Muzaffarabad, PaK were conducted for the study. Due to sensitive nature of the data and considering the threats to the lives of IaK based Kashmiri journalists, in-depth interviews of fifteen were chosen randomly with the commitment to keep them anonymous. However, in Muzaffarabad, PaK, the maximum interviews were conducted to obtain utmost primary data for the study. In first phase, a structured written interview questionnaire was sent to the journalists on both sides of LoC through emails, social media networking sites like Facebook, twitter and few through their WhatsApp numbers but due to security reasons and constant monitoring of the emails, Facebook and WhatsApp accounts of the IaK based journalists; the number of respondents was less than expectations. Later, the same questionnaire developed through Google Survey Form was sent to them with the help of a UK based university's professor, which received the desired results.

Thematic Analysis

Thematic analysis was applied on a dataset of texts including interview transcripts to narrowly examine the data to identify common themes. The process involved examining the topics, patterns and ideas that came up repeatedly in the dataset.

Thematic analysis of the structured interviews was done using its most common six step process:

1. Familiarization

All primary data was carefully reviewed, transcribed audios and notes were prepared after thorough reading of the text. The process helped to get familiar with the qualitative data

2. Coding

In next step, the most used phrases and sentences in the respondent's answers were highlighted, assigned short labels/codes to describe their contents.

3. Generating themes

After assigning codes, patterns were identified among the generated themes. It significantly helped to extract broader themes out of the assigned codes. Several codes were merged into a single theme. It also helped in eliminating some of the too vague codes.

4. Reviewing themes

To make sure that extracted themes are the accurate representation of the data compared these with dataset. It helped to find out that if anything is missing or really present in the data. The review helped to further improve the themes. The process also helped splitting, combining, discarding and creating new themes.

5. Defining and Naming the Themes

After having final list of themes, these were given names and proper definition. In this process, the priority was given to those names that were easy and understandable. To make it further easy, these themes were categorized according to questions asked to the respondents, under which qualitative data was obtained for further examination.

Themes generated through the process are given below:

- 1) Media Environment
- 2) Availability of Basic Media Laws
- 3) Media Censorship

4) Violence and Abusive Treatment against Journalists

6. Writing up/Analysis of data

Each theme has been separately discussed in the light of the respondents' answers

Data Analysis and Interpretations

1. Media Environment

Q. Do you think media environment on both sides of LoC is positive towards human rights of the journalists?

IaK Responses

The hundred percent respondents believe that media environment in conflict hit state is not positive towards journalism. They are not able to work independently particularly after the Indian government's act of abrogating the special status of the disputed territory. Respondents mentioned that no journalist is allowed to talk over any such beat that revolves freedom of thought, speech and action and if one do so, he or she will have to face the anger of the government. The journalists are facing extreme problems while reporting anything, which negates the government's claim that it protects the fundamental rights of its citizen. Some of the colleagues of the respondents were beaten or harassed by security forces while covering their daily assignments.

PaK Responses

The 72.41 percent (42) respondents believes that media environment in PaK is positive enough towards the human rights of the journalists. 15.52 percent (9), however, did not agree with the statement and opted No in their answers. 8.62 percent (5) believe that media in PaK is somehow free but not completely independent while 3.45 percent (2) thinks that it may be free.

Commenting on the media environment in PaK, the respondents pointed out that as far as local journalists who have been working with PaK based newspapers are concerned, unfortunately they are not being properly given their rights by the employers both in terms of wages and other benefits they deserve.

Q. Do you think that private TV or Radio stations in territory are free to determine their independent editorial policies?

IaK Responses

All fifteen respondents believe that privately owned TV, Radio stations or newspapers operating in their territory could not independently determine their editorial policies. The media houses are under controlled by the government and being pushed to toe their line rather highlighting the actual ground situation.

PaK Responses

The 56.90 percent (33) respondents believes that all PaK based private media houses whether TV or radio channels or newspapers are free to determine their independent editorial policies. 29.30 percent (17), however, did not agree with the statement and answered No. 6.90 percent (4) believe that private media houses somehow free but not completely independent in adopting their own editorial policies while the same number thinks that these are free to some extent. Those opposed the statements were of the view that majority of the media houses are mainly dependent on government for their survival. It is hard to survive without taking government advertisement and according to them same advertisements are being used to influence the editorial policies of the newspapers.

2. Availability Basic Media Laws

Q. Are there any legal provisions that safeguard the human rights of journalists working in PaK/IaK or should there be any specific law in the territory?

IHK Responses

Eight respondents (53.33%) said that there are no such legal shields that protect the human rights of the journalists working in the territory while seven journalists (46.67%) acknowledged that laws exist to safeguard the fundamental rights of the journalist.

Majority, which believes that no such law exists in the territory pointed out in their responses that not even a single law, is functional to protect the rights of journalists. Few of the respondents suspect that there might be some laws on paper, but on ground, journalists have become the worst victims of the Indian atrocities for highlighting the gross human rights violations by the Indian government and its deployed law enforcement agencies in the IaK.

PaK Responses

Thirty seven (37) respondents (63.79%) said that there are functional laws in the state that guard the human rights of the journalists working in PaK while twenty one (21) journalists (36.21%) believe that no such exclusive laws exist to safeguard the fundamental rights of the journalist. Those acknowledged the existence of such laws referred Journalists' Welfare and Protection Act while some respondent commented that majority of journalists are unaware about these laws because of the lack of their professional education and training.

Q. Is there any law related to freedom of information or Right to Information that makes it easier for the journalists to gain access to the information?

IaK Responses

Nine out of fifteen (60%) respondents were of the view that there is no freedom of information or Right to Information law which makes it easier for them to gain access to information. The respondents mentioned in their answers that they are unable to get the required information from government organizations through proper channel. Five out of fifteen (33.33%) interviewees informed about the existence of Right to Information Law and added that even then they do not have the access to information in the territory.

PaK Responses

Forty (40) interviewees (68.97%) stated that no RTI law is existed in PaK. The respondents were of the view out that getting required information from the government institutions is most difficult job in this part of the state. They opined that journalist bodies are striving hard to convince government to introduce RTI law in the state as adopted by the other provinces of Pakistan. A journalist informed that his senior colleague has also approached High Court in this regard. Two respondents told that state government has initiated work on RTI law which would soon be presented in the cabinet for approval purpose. Seventeen journalists (29.31%) believe that territory has such laws that guarantee access to information.

3. Media Censorship

Q. Have you ever experienced any form of censorship or hesitation on your part while publishing or covering any news or opinion article? If yes what was the issue you were intending to cover or covered?

IaK Responses

Hundred percent respondents believe that censorship is a routine business in the territory and shared their experiences while answering the question. Respondents told that their part of Kashmir has become the place of censorship and the reason behind it is coverage of anti-India demonstration, public sentiments and different features of the Kashmir liberation movement. Government does not want certain content to be published. They are not allowed to talk over any such beat that revolves around freedom of thought, speech and action. A respondent who is

covering the Hurriyat leaders' activities in the territory informed that authorities do not allow them to highlight the anti-India sentiments and those covering it facing consequences on daily basis.

PaK Responses

Seventy-seven (77.59%) respondents never experienced any type of censorship in PaK. A respondent affiliated with mainstream television channel commented that sometimes news pertaining to sensitive issues especially situation along LoC, either news editors or by other means it gets censored unless it is being published officially by the ISPR. Majority of the interviewees are filing their stories without any hesitation or fear of censorship by the concerned authorities or media houses. Thirteen respondents which comprise 22.41 percent of the total interviewees believe that such censorship exists in PaK as well.

4. Violence and Abusive Treatment against Journalists

Q. Have you ever witnessed any abusive treatment from any government body to yourself or your colleagues or fellow journalists? If yes, then what was the reason?

IaK Responses

Hundred percent respondents admitted that they have faced or witnessed abusive treatment to them or their colleagues by the authorities while discharging their journalistic duties. Sharing the reason behind such treatment, a 30-year female journalist from Srinagar ABC told that covering pro freedom topics particularly freedom fighters like Burhan Wani, Naikoo, Zakir Moosa is a crime in IaK. We can't write about the Hurriyat leaders, their ideology, followers or anything regarding the deteriorating human rights situation in the territory could cause such abusive treatment from the authorities. Another respondent told that they often face such situation mostly during covering elections, encounters and other major occasions.

PaK Responses

In PaK, 45 respondents which comprise 77.59 percent of the total interviewees informed that they never experienced or witnessed such abusive treatment by the any government body or law enforcement agencies throughout their professional journalistic career. However, 13 respondents (22.41%) confessed that they had gone through or witnessed such unpleasant situation while covering or after publishing, broadcasting their news reports. A journalist affiliated with mainstream news channel told that whenever, we (journalists) highlighted news of favoritism and nepotism of politicians, their relatives or other associated groups often threat or warn via third parties to stop doing this otherwise be prepare for consequences. Journalists in PaK face such problems from the politicians of big tribes or clans.

Q. Who do you think is solely responsible for the abuses/violence against the journalists?

IaK Responses

Eight respondents (53.33%) think that Indian government is solely responsible for the abuses against the journalists in Jammu and Kashmir. Four (26.67%) believe that law enforcement agencies are directly involved in abusive treatment to the journalist in the territory. Two respondents blame journalists for their nonprofessional attitude, which resulting into the abuses against them. A journalist commented that it is the state, which empowers men in uniform who are mostly responsible for 90% of the abuses against the media professionals in the territory.

IaK Responses

In IaK, seven respondents (29.31%) believe that owners of the media houses are responsible for the abuses against the journalists. Twelve (20.69%) thinks that absence of media person's protection laws is the reason behind such unpleasant treatment to the journalists. Seven (12.07%) alleged government, five (8.62%) to law enforcement agencies, four (6.90%) to non-professional

attitude of journalists, three each (5.17%) to state, government and journalists and non-state actors and one (1.72%) each to law makers, elected representatives, journalist bodies and government, Press & Information Department and society and journalists themselves.

Discussion

1. Media Environment

The study revealed that IaK is highly unsafe place for the journalists as over the last two decades 19 journalists were killed in the territory while scores of media persons have been abducted, beaten-up and tortured for simply doing their job. All the participants of the study belonging from IaK informed that they were abused, harassed or interrogated by the LEAs on daily basis for their work. The study illustrated that after the assassination of Burhan Muzaffar Wani in 2016, journalists were not being able to work freely in held territory. They were working under strict pressure both from administration and law enforcement agencies.

Due to such curbs on media in Kashmir, the India's rank on World Press Freedom Index dropped down two spots to 142. Reporters Without Borders quoting the World Press Freedom Index in its analyses mentioned that it has become virtually impossible for journalists to work in (Kashmir Siddiq, N. 2020)

On other side, in PaK, no single event of harassment, abduction or killing of any journalist/media person was reported so far. However, a small number of the participants of the study pointed out editorial limitation regarding stories on LoC cross firing and its impacts on the lives of local people and some issues relating to religious minorities. Major challenges PaK journalists' were facing non-payments of their remuneration and other incentives against their services by the media owners.

The participants also criticized the government's discriminatory media policy regarding official advertisements. It suggests that those media houses criticizing government's policies, performance and governance issues are being deprived of the advertisements by the Press and Information Department which causes economic loss and affects their independent editorial policies.

2. Availability of Media Laws

No special laws have been adopted by either side of the LoC governments to protect the fundamental rights of the journalists and to provide them positive environment to practice their profession. The respondents were divided over the questions regarding the existing media protection laws in their territories. The majority of the participants belonging to IaK were of the view that there are no such legal provisions that safeguard their fundamental rights. Those acknowledged that there are some laws that ensure protection of the journalists also criticized the authorities for not implementing these laws. They pointed out that neither the special laws were enacted to protect the lives, livelihood and belongings of the journalists, nor existing laws (if there is any) being implemented. Rather adopting media person's protection or freedom of expression laws, the Indian authorities are taking all possible suppressive measures to threaten and suppress all free voices through Armed Forces (Special Power) Act and other fully functional draconian laws.

The sixty nine percent PaK participants were of the view that getting required information from the government institutions is most difficult job in the state. Journalist's bodies were striving hard to convince government to introduce RTI law in the state as adopted by the other provinces of Pakistan.

3. Media Censorship (IaK, PaK)

Being the main battlefield of conflict zone, IaK is facing worst media censorship which involves both news and social media censorship. It has been reported on several credible media channels that Indian authorities blocked the access to the internet of the held territory at-least 31 times from 2012 to 2016. Following the martyrdom of Burhan Muzaffar Wani, the authorities put imposed serious restrictions against those media outlets covering the mass agitation and statewide protests in the held valley. The Indian backed state government shut down several news channels, cable TVs, private cell phone services and banned the publishing of dozens of daily newspapers. Post August 5, 2019's Indian act, the complete shutdown of the communication networks and censoring several newspapers and magazines including Lost Kashmir History, Wande-Magazine and Free Press Kashmir. Journalists, media houses and owners were threatened to censor the riots against Indian government in publication or highlighting the Kashmir liberation movement.

Contrary to the IaK, the seventy eight percent participants of the study belonging to PaK informed that they never ever experience any-type of censorship in the state. They, however, admitted that sometime their LoC related news were being censored but the reason behind that censorship is the editorial decision of the concerned editor to wait and verify the incident from ISPR's press release. The study shows that most of the PaK based journalists are filing their stories without any hesitation or fear of censorship by the concerned authorities or media houses.

4. Violence and Abusive Treatment against Journalists

Since the Indian government revoked the special disputed status of the held Kashmir, journalists have become the victim of constant harassment, violence and abusive treatment by the police and other law enforcement agencies. Reporters Without Borders in an investigative report on March 5, 2020 published a summary of recent cases of police harassment of journalists and violation of confidentiality of their sources in IaK. It includes the incidents of confiscation of Cameras and Cell Phones of journalists Qayyume Khan, CNN, Qisar Mir TV9 Bharatvarsh due to the coverage an operation carried out by Indian National Investigation Agency. The Report further highlighted the systematic violations particularly examining the personal belonging of the journalists like cell phones and cameras. Kamran Yousaf, a local reporter in Pulwama district was summoned in Police Station to examine his phone. Naseer Ahmed Ghani and Haroon Nabi, two journalists were also summoned in the police station and interrogated for hours regarding their work and sources. Local journalists Basharat Masood, Safwat Zargar were detained while reporting in Handwara. Similarly, Muzzamil Mattoo, Zubair Dar, Azaan Javed, Anees Zargar and several others were beaten up by Police for covering protests in Srinagar.

All fifteen participants of the study from IaK revealed that they as well as their colleagues were facing the violence and abusive treatment of the authorities particularly law enforcement agencies on daily basis. They were of the view that Indian governments and law enforcement agencies were solely responsible for the abuses against the media professionals in Jammu and Kashmir.

The study shows that majority (78%) of the PaK based journalists never experienced any violence or abusive treatment throughout their professional career in the territory. Those witnessed it was caused by reporting against the influential political figures, tycoons of real estate industry and some top government functionaries. They believe that the responsibility of such abusive treatment lies on the shoulders of owners of the media houses as according to them they are directly responsible for the abuses against the media professionals. Twenty one percent of the participants of this study think that absence of media person's protection laws is the basic reason behind such unpleasant treatment to their community.

Conclusion

The study concluded that journalists working in IaK were facing more challenges and hardships in reporting news than the journalists working in PaK. These challenges are unfavorable media environment, abusive treatment, and violence, threats to their lives and livelihood and absence of special media person's protection laws. In addition, journalists from both sides of LoC are struggling in access to information particularly from state institutions. Although, the Central (Indian union) right to information law is applicable in IaK but even then, journalists were not being provided the required information promised by the law. All those laws that empower the journalists were not functional in the held territory.

The journalists belonging to PaK face acute problems in their reporting assignments as the region still not adopted the right to information law, which gives them access to information held by public bodies. It is worth mentioning here that Pakistan has five independent RTI laws and these laws are enacted by the central and all the four provinces' governments.

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