



FreeExpression

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A NEWSLETTER OF FREEDOM FORUM

Challenges to freedom of expression continue

Freedom Forum organized a program marking the World Press Freedom Day, May 3, 2022, where it made three presentations- a policy analyses prepared on the basis of IT Bill, a study report on court verdicts on 100 cybercrime cases, and annual press freedom report-2022.

“We are here to celebrate our special day ‘World Press Freedom Day 2022’”, said Executive Chief Taranath Dahal starting an event organized in the federal capital Kathmandu. He informed that event would have presentation on important issues surrounding internet rights, press freedom and cyber crimes.

Representatives from Nepal Police, Nepal Bar Association, media, human rights and civil society organizations gathered on the day in the heart of Kathmandu city to share their views and greetings on the special day for journalists and media professionals.

Delivering the inaugural speech General Secretary at Freedom Forum, Dharmendra Jha, expressed worry that government was not committed to ensure free press in Nepal. He questioned whether rapid development of media causes loss of its credibility. So, this is the time to save journalism by preventing technology’s misuse, he underscored. Today, around 60% news come from the social media, thereby questioning news credibility. Wider stakeholder discussion is important to discuss how we use social media or understand the value of factual information. Time has come to think about innovative way of operating media, according to him.

Following Jha’s statement, Executive Dahal reminded that the United Nations had recognized May 3 as the World Press Freedom Day.



“After many years of recognition, press freedom still faces several challenges – lately, it is caused by digital transformation. But the government has not been proactive and committed to protect free press,” he argued.

During the event, Mr Narayan Ghimire presented the data on press freedom violations and media trend during the past one year. He said that less number of female journalists faced violation during the past year as compared to male journalists. Indicating a decade’s data, Ghimire stated that though the number of violation showed decreasing trend this year, hostility to press freedom was continuous in Nepal. The new trend was that more number of online media journalists were being targeted, he mentioned. According to the Freedom Forum’s annual May 3 report 2022, total 55 violations occurred in Nepal where 96 journalists were affected.

Similarly, Research Associate at FF, Suraj Ray, presented the findings of a study report on court verdicts on 100 cybercrime cases in Nepal. He highlighted the findings as- ambiguous court decisions, victims did not getting proper compensation, cyber-enabled crimes prosecuted under ETA, women target of cybercrime etc.

Executive Chief Dahal presented on the FF’s review on the problematic provisions of Information Technology Bill through from human rights perspective.

Advocate Rishi Ram Ghimire suggested that analysis of Supreme Court verdicts could add more value to the report. There are various underlying problems in the investigation of cybercrime cases like problems of understanding among lawyers and police persons, use of ETA in irrelevant cases and process of investigation by the police and prosecuting authority. While analyzing cybercrime-related cases, both private and public digital spaces should be observed carefully, he suggested. Most importantly, lawyers at Kathmandu District Court should also be trained on provisions of ETA and freedom of expression.

Adding to advocate Ghimire, Assistant District Attorney in Kathmandu, Siluka Lingthep, said that in some cases of high-level public officials like President, Prime Minister, they do not demand compensation in the legal case on character assassination on digital space. She however admitted that majority of the cases could be prosecuted under defamation, criminal law but victims themselves follow this route. Hence,

Message from Executive Chief

Digital safety for journalists' rights



Safety is essential to human life. It is impossible for anyone to carry out his/her profession and ensure effective result in the absence of safety. Journalists, as the people who have to seek reliable information and reach different sources for it, should be active in field reporting, editing and news dissemination. Similarly, the investigative journalists obviously make more endeavors for the journalistic professions- more than relaying information and informing public. They expose corruption and scam which are evil practices to dent good governance in the country. Due to their reporting and exposure of irregularities, the investigative journalists face the threats, assaults and intimidations.

Freedom Forum's periodic reports also show that the journalists reporting regularly and following the issues of corruption and irregularities are found to be the targets of attack and threats. The elements which work under protection of political power and near the authority sometime badly misuse and influence power, thereby continuing intimidation to journalists so that their wrong doings are hushed. At such situation, bringing to light the issues of public concern via journalism is undoubtedly a challenging job. The multiple transitions- political, legal and governance system- have been perpetuated in a way to give rise to such wrongdoers, where the violation of freedom of expression, including threat to journalists' safety are reported on a daily basis. Similarly, Nepal has no good track record on governance. Those playing on murky water are always the threats to press freedom and working journalists.

The intimidation on media and journalists has now gone digital with the migration of many journalists to online news media. Currently, there are more than 3,500 news portals running in Nepal. It is fair to say that the professional safety of working journalists is directly related to the digital safety as most of the journalists now work in digital media. Although the expansion of internet, the digital spaces and use of social networking sites have contributed much to the citizen's freedom of expression, they have also been fertile spaces to issue threat and intimidation to working journalists. The people are bearing the cost of anonymity facilitated by the internet and digital platforms. Not only the convenience, but also the promptness of dissemination of information including issuance of threat and its impacts on scale are also the features of the internet platforms. Therefore, the elements against journalists quickly resort to digital spaces to issue threat to journalists. In addition to the reporters and investigative journalists, the women journalists are also targeted via internet. It is therefore important to mull the digital safety to journalists in Nepal too.

In this regard, a survey report that Freedom Forum prepared recently shows seven out of 10 journalists have faced digital threats in Nepal. The report prepared by incorporating the views of the working journalists representing all seven provinces serves as a wakeup call on Nepali media sector. During the difficult times including conflict period, Nepali journalists faced life threats and physical threats. Now, the digital threats are growing. The digital threats have the capacity to result in physical threats and social and psychological impacts on the working journalists. At a time when the media/digital literacy is in dearth on the one hand and threats migrating to digital media to journalists on the other, the attention and engagement from concerned stakeholders is imperative to protect journalists. Journalists can not perform well if they face digital threats.

It is necessary that journalists should be prepared to face the challenges, that is say, that they need to build skills and knowledge on how they can be safe. Technological vulnerabilities of journalists are the weak points the wrongdoers cash in to continue intimidation and panic media. Bearing this in mind, Freedom Forum has created a lot of resources on digital literacy, including 'safe use of computer and internet', 'report on verdicts of cyber crime cases', 'digital threats to Nepali journalists', and 'toolkit to stay safe in digital platforms'. The journalists across the country are urged to best utilize these resources and garner knowledge and skills to navigate safely the digital world and continue their profession. FF is always for the press freedom and journalists' rights. Digital safety kits are prepared to contribute to journalists' safety.

- Tara Nath Dahal

Pandemic did not undo accountable budgeting practices worldwide, survey finds

The International Budget Partnership (IBP) unveiled its latest Open Budget Survey, which found that most countries preserved accountable spending practices in their annual budget processes during the pandemic. The Dominican Republic has entered the top 10 performers who are leading the way in advancing and institutionalizing transparency, while South Korea is spearheading inclusive practices for public consultation in the budget process. Benin, Nigeria and the Gambia are among the biggest improvers in this round of the survey.

"Accountability systems are still weak overall, but several countries are showing that where there is political will, progress is possible," said Anjali Garg, Head of the Open Budget Survey. "Open budget practices are a winning proposition— they build public trust that governments can deliver and can lead to lower borrowing costs at a time when global debt and inequality is at all-time high. We hope more countries will be emboldened to open up their budget process to public consultation and scrutiny to ensure scarce resources reach those who need them most."

Somewhat surprisingly, the pandemic did not undo hard-fought gains in transparent and accountable budgeting practices worldwide. Most countries were able to maintain, and in some cases build on earlier gains in their annual budget processes, thanks to increased digitalization of information and the institutionalization of accountability practices. The average transparency score has increased by more than 20 percent since 2008. Eastern Europe and Central Asia, East Asia and the Pacific, Latin America and the Caribbean and Sub-Saharan Africa (after a dip in the OBS 2017) have made significant strides in transparency since 2008.

However, the survey found that legislative oversight has declined due to political unrest, the pandemic and executive overreach. Some executive governments have found ways to undermine Supreme Audit Institutions while staying within the boundaries of the law. Less than a third of countries provide sufficiently detailed information to understand how their budget addresses poverty and only 14 percent present their expenditures by gender. Only 8 countries worldwide have formal channels to engage underserved communities in budget processes. "We need an all-hand on deck approach so that everyone has a say in how and how much public money is collected, borrowed and spent," said Vivek Ramkumar, senior director of policy for IBP. "Reform-minded countries, and donors, must invest in fiscal accountability systems that empower key government agencies, legislators, national auditors, civil society groups and the public to ensure public funds are managed effectively and equitably."

"We are heartened to see the progress that Nigeria and other countries have made in the survey," said Austin Ndiokwelu, Nigeria country manager for IBP. "Inclusion pays dividends. We urge governments to sustain progress and engage communities more meaningfully around their revenue and spending priorities. Community feedback can help governments better manage vital public resources."

The Open Budget is the world's only comparative, independent and regular assessment of transparency, oversight and public participation in public budgets in 120 countries including Nepal. According to the OBS report, budget transparency score of Nepal has dropped in the year 2021 in comparison to the 2019 round of survey. Nepal did not produce pre-budget statement and citizen budget out of key eight budget documents used to assess the budget openness, the survey report states.

Freedom of Expression Violations

Province 1

Freedom Forum did not record any incident from this province during this period. It is good that no incident of press freedom violation occurred in Province-1. 🌱



Madhesh Province

RTI activist held in detention for reporting on irregularities

Journalist and right to information (RTI) activist Kailash Majhi was held in detention for four days for his critical reporting about local leadership in Saptari. Saptari lies in Madhesh Province of Nepal.

Talking to Freedom Forum, also the reporter at Himalaya Television, activist Majhi said that he had been reporting on the irregularities and malfeasance of local authorities for long. He also uses RTI to collect information on the ongoing issues in the district. Recently, he had sought

information on the activities of a construction consumer committee in the district using RTI.

Following this, the committee members abused him for seeking information. On June 13, Nepal police arrested Majhi and charged him in indecent behavior. The case is registered at District Administration Office (DAO) under the Local Administration Act, 2016 BS, Majhi informed.

"I am a journalist and RTI activist but they treated me like a criminal while in detention.

I even do not know what crime I committed. Is reporting on irregularities a crime", wondered Majhi.

Majhi was released on June 17 with Rs 1,500 bail amount.

Senior Officer at Chief District Office, Saptari however refused to speak on the case with FF reasoning the case was sub judice at DAO. 🌱

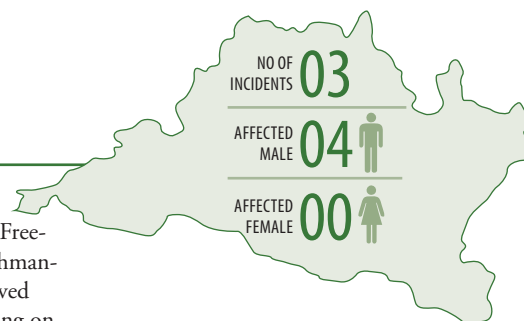


Bagmati Province

Obstruction

Reporter at Himalaya Television Prince Mishra and the cameraperson Ashvit Magar were obstructed from reporting in Kathmandu. Kathmandu is the federal capital of Nepal.

According to the information received at Freedom Forum, newly elected Mayor of Kathmandu Metropolitan City Balen Sah misbehaved with the reporters while they were reporting on waste management at environment and waste management division, Teku.



Mayor Sah also asked his subordinate to delete the recorded footage and ordered reporters to leave the KMC premises immediately.

Media discredited

Freedom Forum is concerned over an attack on a leading online news portal www.onlinekhabar.com for a blog published on the online. The blog entitled- Viral candidate and insult of National Flag- was published on May 6.

The blog bearing byline of Sambhu Suskera reads- The way one of the candidates of Mayor of Kathmandu Metropolitan City wears Nepal's national flag on his back during the election campaign is the insult of the national flag. The wearing style is also against procedure of the use of national flag.

Following its publication, supporters of the candidate Balen Shah emerged against the news portal for publishing the blog. They argued that the way Balen Shah wore the flag is in no way insult of the flag.

Digital abuse

Journalist Ganesh BK and a businessman Prithvi Bahadur Shah made an abusive post on their social media pages about noted journalists Krishna Acharya and Matrika Dahal on April 13, 2022. Journalists Acharya and Dahal are associated with the Kantipur national daily.

“Nepal is holding the local level election in May 13, 2022. In this regard, Election Commission has issued code of conduct on March 17, 2022 which came into effect from April 8, 2022.”

Journalist BK posted photos of social media profile page of the journalists Acharya and Dahal on his Facebook page along with a status mentioning- Kantipur daily blackmails a person living with depression in midnight through phone calls. On this post, businessman Shah has written abusive and threatening comments about the journalists.

The posts and comments came after the news critical to businessman Shah was published on the Kantipur daily.

Election Commission urged to respect free speech while enforcing election code of conduct.

Nepal is holding the local level election in coming May 13 2022. In this regard, Election Commission has issued code of conduct on March 17, 2022 which came into effect from April 8, 2022.

There is no denying that election is one of the fundamental pillars of democracy. The election code of conduct is brought in a bid to maintain electoral integrity. Free, fair and credible election is the reflection of electoral integrity. At the same time, other fundamental rights of citizens can not be ignored during the electoral process and campaigning.

To this regard, Chief Executive at Freedom Forum, Taranath Dahal, comments, “At a time when the digital platforms have emerged as the fastest and convenient medium for citizens to exercise freedom of expression, their role cannot be shrunk. Although election code of conduct is aimed at maintaining electoral integrity, the freedom of expression must not be compromised while implementing the code. We, therefore, urge the Election Commission to be aware of the value of the freedom of expression.” 🌱

Gandaki Province

Threat

Ward Chair at a rural municipality in Parbat issued threat of attack to journalist Laxman Sunar for news reporting on May 31. Parbat lies in Gandaki Province of Nepal.

Sunar is executive editor at <https://nayannews.com/> (online news portal).

Editor Sunar shared with Freedom Forum that he had reported news about Mahashila rural municipality's ward chair Ram Bahadur Sunar cheating elder citizens in distribution of senior citizen's allowance. He had also recorded video of the complaint from victims.

"Ward chair Sunar then, threatened to cut my fingers and break hands and legs for writing

news against him at the voting center on the day of election. He also accused me of defaming him during the election. Following his threat, I shared the incident with fellow journalists", he said.

"Today (June 2), I will file a complaint at the District Police Office, Parbat", he informed.

Digital abuse

Election officer Deepsikha Munakami Poudel wrote an abusive post on her social media page against journalists in Gaundakot Municipality. Gaundakot lies in the Gandaki Province of Nepal.

She had also misbehaved with the journalists while reporting on the election, said Shreedhar



Upadhyaya, Station Manager at Vijay FM. “She did not let us enter the vote-counting site and we (around 10 journalists) had to protest against her obstruction of reporting,” he added.

Moreover, on May 16, she wrote an abusive post targeting journalists which has drawn concern of the media fraternity in the municipality, Upadhyaya shared. 🌱

Lumbini Province

Journalist arrested for a social media post

Nepal police arrested journalist Yagya Bahadur Budha from the office of <http://www.raptipahichan.com/> (online news portal being operated from Dang) for his critical social media post on May 7. Budha is the publisher and editor of the news portal.

While the second round of local level election is approaching, political leaders are

busy with their election campaign nationwide. During the campaign, a leader of CPN Maoist Pushpa Kamal Dahal (Prachanda) said that the nation will face a disaster if his daughter is not elected as a mayor. '

In response to his statement, Budha wrote a post on his social media page. The post read- I will hit Prachanda- who threatened that the nation will fall into disaster- with shoes.

Prachanda was scheduled to visit Dang to address his election rally.

An officer at Area Police Office, Dang said that Budha was taken under control for safety reasons and released on May 8 after the election rally ended. 🌿

NO OF INCIDENTS **02**
AFFECTED MALE **06**
AFFECTED FEMALE **00**

Police assault journalists during reporting

Police persons assaulted reporters while reporting on a protest in Butwal on April 15. Butwal lies in Lumbini Province of Nepal.

Journalists Sharan Kumar Karmacharya (www.khabarkura.com), Dinesh Shrestha (www.khabarkura.com), DB Sushling (<http://www.globalawaj.com/>), Santa Kumar Shrestha (Editor, <https://samatonline.com/>) and Bijay Gyawali (<https://jagaranpost.com/>) were reporting on a protest being waged by the locals demanding fair probe on suspicious death of a woman on April 13 in front of the Area Police Office.

The clash occurred among protestors and police persons while taming the protest. Meanwhile, the police in-charge at the protest grabbed journalist Karmacharya by neck and

said, "We do not care about any journalist", when Gyawali tried to show his press ID card to the police.

According to the media reports, police persons seized mobile phone of Sushling and threatened him to delete the recordings, threw the microphone of journalist Gyawali, and beat journalist Santa Shrestha with baton on his legs. 🌿

Karnali Province

Journalist misbehaved for seeking information

Associate editor at Dhamaka national daily Uday Raj Adhikari was abused for seeking information at Infrastructure Development Office, Dailekh, on June 1. Dailekh lies in Karnali Province of Nepal.

Talking to Freedom Forum, journalist Adhikari said that he along with his

colleagues had sought information on ongoing development projects in Dailekh using RTI two months ago. But they did not receive any information. On the day of incident, information officer Man Bahadur Sunar called Adhikari at his office. After reaching the office, office chief Prabhakar Singh abused the journalist in front of locals and other media persons.

"Singh warned me saying not to rag with him and ordered to re-write the application if I wanted the required information", Adhikari said. 🌿

NO OF INCIDENTS **03**
AFFECTED MALE **04**
AFFECTED FEMALE **00**

Attack

Police persons attacked journalists Mahendra Sapkota and Bhim Bahadur Sijapati while reporting at vote counting site in Dailekh on May 16. Dailekh lies in Karnali Province of Nepal.

Journalists Sapkota and Sijapati are associated with Avenues television and Radio Nepal respectively.

Police used force and started baton charge on journalists and public in the crowd following a clash among cadres at the vote counting site.

Journalist Sijapati shared with Freedom Forum, "Even though we raised our hands and showed our Identity Card as journalists, police persons continued baton charge on us. We received injuries on hands and legs."

Police Inspector on-duty also threatened the reporters to take whatever action they could take against the police misbehavior, informed Sijapati.

“Police used force and started baton charge on journalists and public in the crowd following a clash among cadres at the vote counting site.”

Death Threat via Facebook

Humla-based reporter to the Nayapatrika daily Narajan Tamang was issued a death threat for his reporting on April 23. Humla lies in Karnali Province of Nepal.

Reporter Tamang shared with Freedom Forum that on April 22, he had reported on the dispute among political parties for chairperson candidacy in the upcoming local level election at Chankheli Rural Municipality, Humla. The news also reported on the attack upon a political leader Lal Kesh Jaisi during the incident because of his biased involvement in selecting a candidate through lottery.

Following the publication of news, followers and family members of Jaisi wrote abusive posts on social media, sent threatening and abusive messages to Tamang and few also posted 'condolence messages' bearing reporter Tamang's photo on social media.

One of the posts reads - "How dare you write the fake news? Can you post the photo of attack? Where do you live? I will slit your throat and throw into river."

"The messages and posts have disturbed me. I am afraid to go for field reporting. I have also informed Chief District Officer and police about the incident. But, they have not initiated any investigation on the case", said reporter Tamang.

Sudurpaschim Province

Journalist detained for reporting

Editor at Naya Bikalpa daily and its online edition- <https://www.bikalpadainik.com/>, Rani Vibas, was detained for two hours in Kanchanpur on June 20. Kanchanpur lies in Sudurpaschim Province of Nepal.

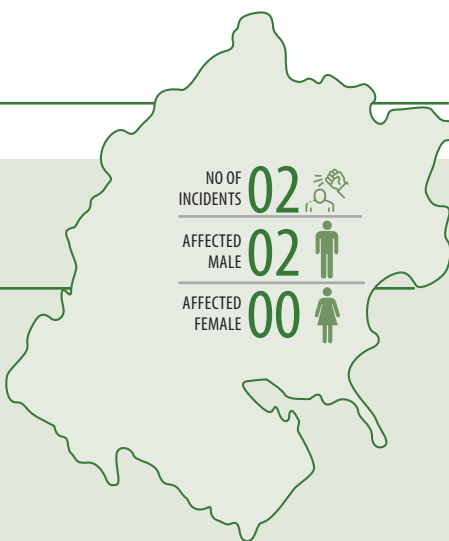
Editor Vibas shared with Freedom Forum that he had reached a road construction site nearby his office to report on a tanker carrying coal tar in Mahendranagar, which was set on fire.

"As I approached a police officer at the site to ask whether they prepared any incident report, a police inspector Lokendra

SinghThagunna ordered his subordinates to arrest me", editor Vibas said, "Then, immediately the officials pushed me into their van and took me for the medical examination at 10:00 pm. After the examination, they handed me a charge sheet with an offense against public order and held me for two hours at the ward police station."

Editor Vibas further said that he had also informed the police officials about his profession and his office but they did not listen to him.

Later on June 21, editor Vibas along with fellow journalists submitted a memorandum to the Superintendent of Police Shyam Singh Chaud-



hary, demanding action against Inspector Thagunna.

On this, SP Chaudhary apologized for the misconduct of his officer and assured that such incident will not be repeated in future and that he will also take action against Thagunna, according to the editor.

Continued from Page 1

Kathmandu District Attorney is forced to initiate prosecution. Also, there are three laws related to defamation which may lead to misuse of laws, she said. She also observed that the policy analyses was an important knowledge resource on pressing issue of the day.

“In case of media, most of the cases under ETA are related to contents published on the media. We are only prosecutors, laws are formulated by the parliamentarians. So, lawmaking process should also be responsible,” she reminded.

Moreover, advocate Santosh Sigdel pointed that digital threat is increasing with increasing digitization but there is no adequate public discourse in it. There are many problematic provisions in the IT Bill and ETA that challenge digital safety and privacy of the citizens. “The government is moving towards mass surveillance of the citizens in the name of cyber security. Therefore, civil society actors should be aware and speed up advocacy activities,” he argued.

Deputy Superintendent of Police Er. Dipesh Joshi from Nepal Police Cyber Bureau said that most of the cybercrime-related cases with poor investigation are from Metropolitan Crime Division, Teku and it was before establishment of Cyber Bureau. “In most cases, victims themselves choose to file case under ETA even if the case is related to defamation because prosecution time is shorter for ETA related cases and safety of victims is our priority,” he viewed.

Seconding the statement of DSP Joshi, advocate Pabitra Raut shared her own analysis at twitter and said that victims want quick relief and revenge, hence, they choose ETA as a tool to punish oppressor. Also, in the cases related to media, the victims need to file complaint at Press Council Nepal but they directly approach police office, which is worrying. She also suggested that while analyzing right to free expression on the internet, differentiating public and private domain is must, she stressed.

Journalist Pabitra Guragain claimed that one should have zero tolerance towards online violence and its effect on the victim. It also affects victim's mental health and affects freedom of opinion.

Media educator Trishna Acharya lamented about twenty years long impunity case of her father journalist D. Kaudinya's murder but

her family has not been ensured justice. She also shared her recent research that more children were being addicted to online space these days which lead to psychological and emotional instability. Hence, we, civil society should also educate this new generation on economic, legal and media literacy and include these contents in school curricula, she urged.

Reminding the government's repeated moves against press freedom and freedom of expression, journalist Jeevan Bhandari said that in addition to this, internet service providers have warned that internet service in the country might be disrupted soon which would obviously affect journalists' working online. We need to advocate for free internet in the country as it has become basic need these days.

Editor at www.technologykhabar.com Anuj Raj Dhungel informed that the draft of national cyber security strategy is being prepared which has provisions restricting citizens' exercise of freedom of expression. “Our major concern is that technology worldwide has developed far beyond our backdated laws and we should start discussing on the content filtering technology Nepal telecommunication Authority is preparing to bring from Israel”, he said, “Moreover, ETA was designed to regulate economic transactions online but its misuse is rampant these days.”

Kamala Bishwokarma from Jagaran Media Center stressed on the need to monitor hate speech and defamation against minorities and indigenous groups in social media.

Deepak Acharya claimed that the major problem these days is free expression and free press are observed through same lens; it is time to think twice whether journalists are crossing boundary of fair journalism in the name of practicing free expression.

President of the Federation of Nepali Journalists, Bipul Pokhrel praised the policy analysis paper as an important knowledge resource for lawmakers, rights defenders, civil societies, media and invited the rights activists to be



always ready for the activism to defend press freedom and free expression in the country and pressurize the government for appropriate laws respecting citizen's rights. He warned the state authority not to draft any laws shrinking press freedom and free speech.

He also invited Nepal Bar Association's newly elected Chair Gopal Krishna Ghimire to collaborate with FNJ in its activism for journalists' rights.

Newly elected Chairperson of Nepal Bar Association Gopal Krishna Ghimire said that he was enlightened by the presentations and discussions in the program. “As a freedom advocate I am always in support of democracy and rule of law,” he said, admitting that legal sector also has weaknesses and need improvement. Internet being a basic human right these days, should be regulated and used for good but not controlled. In case of litigation process, the investigating body should be judicious and responsible, he added. The concern shown on problematic IT Bill by Freedom Forum would help prod lawmakers to amend it, he viewed.

Lastly, newly elected Chairperson at Sancharika Samuha (forum of women journalists) Bimala Tumkhewa extended her wish on World Press Freedom Day 2022 to all the participants and concluded the event, saying that free press must not be compromised. Human rights must be protected and protected in cyber spaces, she underscored, adding that the policy analyses paper FF prepared on IT Bill was solid document/tool for advocacy of FoE online.

The event witnessed presence of 48 participants, including 15 women. 🌱

Nepali Media Still In Crisis

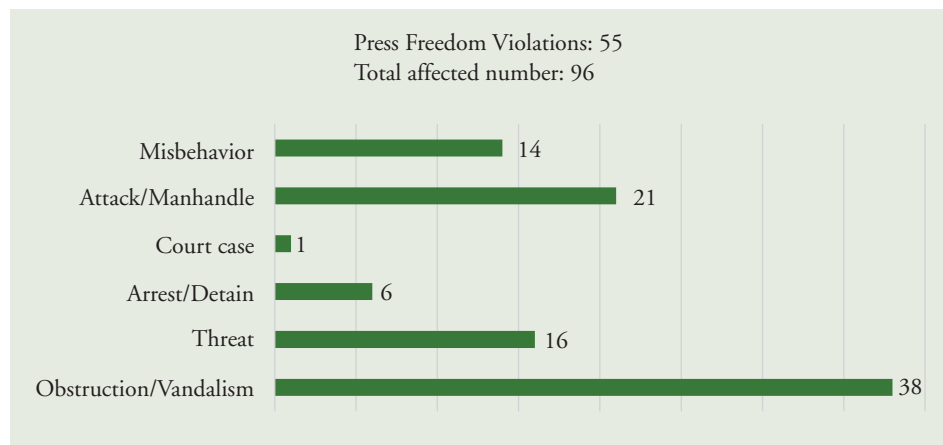
Stagnant policy reform, emerging threat in digital space

The lessening impact of COVID-19 on national affairs eased the activities in various sectors, but the restoration of media activities in full scale eluded in the past one year (May 3, 2021 to May 2, 2022). Verbal and written commitment to press freedom but gross ignorance in practice on behalf of political parties and government bodies; no address on crimes against journalists to reduce impunity; and attempts to suppress free speech also figured during this period. Political tussle took toll on legal reform that even the IT bill could not be passed from bill session of the federal parliament- the session was prorogued without getting any business. Irrespective of pandemic impact, journalists' role on prodding public officials and agencies for accountability, thereby exposing misconduct and irregularities are laudable.

The COVID-19 pandemic declined gradually, but its impact on Nepali media and journalists has not been over. Reinstatement of journalists and restoration of media in full scale are yet to be realized following the pandemic. Huge shift of media persons from print to digital space- a promising new land- to thrive professional journalism is awaited. Irrespective of the change in government- the authoritarian one was replaced by the government led by the party with democratic values, law and policy reform could not be witnessed. It was stagnant. The expectation of improved press freedom got watered down, while the free press is poised to digital threats.

FACTS AND FIGURES

- Number of press freedom violations decreased in this monitoring period. 55 incidents of press freedom violations were recorded this time while there were 88 incidents in the previous year. This past year, in the violations, a total of 96 journalists including 7 female journalists were affected across the country.
- Out of the total affected with the violation this year, 38 were from obstruction/vandalism, followed by 21 from attack and manhandle, 16 from threat, 14 from misbehavior, 6 from arrest, and 1 from court case.



- Categorizing the affected ones as per media types, among the affected 39 were from online media, 10 from print, 6 from Television, and 4 from radio, 1 freelance, and 36 others. Others category include news agency, online television, You Tube channels, etc.
- As per province category, Bagmati Province and Madhesh Province witnessed the highest number of violation each affecting maximum number of journalists (36). It is followed by 12 journalists affected in Lumbini Province, 6 from Karnali Province, 4 journalists from Gandaki Province and 2 from Province 1. No incidents were recorded from Sudur Paschim Province.
- Most of the violations took place while journalists were covering protests and stories regarding public interest/concern issues, crime, irregularities, and corruption.

SOME MAJOR INCIDENTS

- Security persons summoned journalist and noted blogger, Umesh Shrestha in Kathmandu for a blog. The officer at Cyber Bureau grilled him for his blog about misleading and fake news relating to Millennium Challenge Corporation.
- Journalist Nagendra Upadhyay, a correspondent at Nagarik national daily, from Karnali Province received death threat from the personal secretary of minister over phone call for reporting rape allegations against minister. A mob also reached the residence of

the journalist. Similarly, a mob threatened journalist Bishnu Neupane, correspondent at Annapurna Post national daily, over the news on the same incident. The reporters received threatening statements from Minister's Pres Advisor on a social media page.

- Female journalist received threats of attack for publishing news in Ramechhap. Gyanu Shrestha, associate editor at Annapurna Times had published news regarding misuse of vaccination drive.
- Photojournalist Nimesh Jung Rai associated with www.nepallive.com - a news portal - was attacked by the security persons in federal capital while he was shooting the torch rally organized by the agitated student wings of five major opposition political parties. As per Rai, although he produced his Press ID Card and showed camera, the security persons continued beating him resulting in injury on his knee.
- Press Council Nepal continued issuing letter to Nepal Telecommunications Authority to block the website of online news portals including, www.sagarmathadaily. The Council asked NTA to ban the news portal on the ground that it is neither registered as per Council's regulation and it publishes misleading news.
- The Council of Ministers adopted the eleventh amendment in the National Broadcasting Regulation, 2078 as a move to regulate online media. The overboard and

ambiguous provisions of the regulation is a potential threat to freedom of expression and open internet.

IMPUNITY

No efforts were made to address impunity relating to crimes against journalists. Justice is awaited both in the conflict era case of Dhan Bahadur Magar, and the post-conflict cases of JP Joshi, Jamim Shah and Devi Prasad Dhital. Conflict era cases should be addressed by the transitional justice mechanism.

LAW/POLICY WATCH

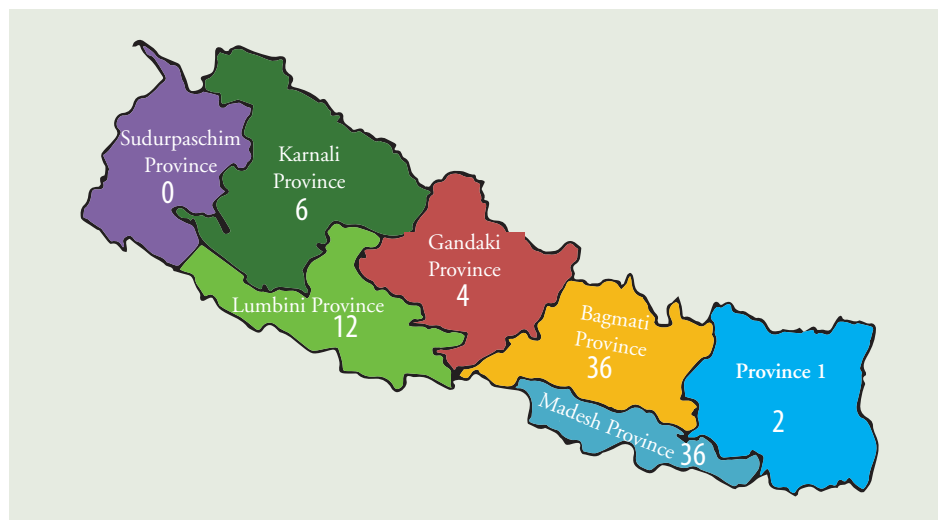
The Council of Ministers adopted the amendment on Rules of the National Broadcasting Regulation (Eleventh Amendment) 2078.

The Ministry of Information Technology and Communication claimed it to be introduced for regulation of online media and platforms. However, the ambiguous and over-broad provisions of the rule undermined the freedom of expression, right to broadcast and principle of open internet.

The regulation provides vague and ambiguous definition of terms like, “Over the Top”, “Video on Demand”, and “Online Television”, which are overbroad to cause confusion among the law enforcing agencies as well as chilling effect among the media persons. The definition of “Online Television” is broad enough including social media platforms that are vital for exercising freedom of expression. This amendment may appear as a weapon to limit and restrict freedom of expression and open internet. The regulation is unclear about its objective.

Apart from that, the political turmoil in the aftermath of reinstatement of parliament twice by the Supreme Court became a reason for continuous obstruction of parliament by the major opposition party, CPN (UML). The obstruction in the lower house blocked the discussion and debate over the issues of public concern and many bills were in limbo. The Bill session of the federal parliament was prorogued without any progress. As a result, the Information Technology Bill has been in the parliament for the last three years without any progress. The problematic provisions in the bill that have capacity to threaten press freedom and freedom of expression are therefore yet to be resolved.

Freedom Forum has made and published a policy brief critically looking into the provisions of the Bill. The policy brief has pointed out the challenges in the Bill with its suggestion for amendment.



TREND ANALYSES

As compared to the previous years that saw government leadership publicly blaming, discrediting, and making virulent attack on journalists and free press, this year did not witness so. But, the ministries, issuing directive and circular to the citizens to not write on issues of public concern panicked journalist and commoners equally and showed double standard and gross intolerance to criticism. Such directives and circulars were intended to suppress free press and FoE.

Efforts to influence and mis/use media for one side acts of the government is another worrying trend. Deletion of opinion article from the State-run media was against the notion of free press and FoE.

The involvement of high number of security persons, government employees in press freedom violations draws attention that security persons, and public servants especially the lower-rank ones, are not trained on human rights issues as value of free press for democratic system.

The tussle among the political parties in parliament took toll on law reform- even the information technology (IT) bill could not be passed by the bill session of the federal parliament. FF has continuously been advocating for amendment on the bill to wipe out regressive provisions.

The Cabinet bought the Rules of the National Broadcasting Regulation (Eleventh Amendment) 2078. The amendment has been made relying on the “other communication mediums” mentioned in section 5. The regulation has overstepped the provisions of the Broadcasting Act, as it has not envisioned regulation of online media. Though the regulation of online media is much debated, proper law on it

upholding the principles of freedom of expression and open internet is still elusive.

Electronic Transaction Act is still a severe threat to commoners and journalists. Anyone intolerant to free speech are using it and harassing media persons.

The number of internet-based news media has exceeded 3,000 in Nepal. It is a positive development, but warrants attention that floods of dis/misinformation is ruining media credibility and discrediting working journalists. With augmented visibility of journalists working in internet-based media, they have become more vulnerable. This reporting period has also recorded that those against free press are showing intolerance to journalists via social media (Facebook). It is indication that challenges to journalists and free press are shifting to digital spaces.

The rising number of internet-based news media is a major trend, which shows huge migration of journalists from traditional media to digital media. It is because that print media have not been restored media activities in full scale though the COVID-19 impacts have largely reduced.

Although many journalists were expelled from the job in the name of COVID-19 in the previous years, this ill trend has not come to an end. Sacking working journalists from media without sufficient reason is not only a sheer professional threat but also a panic in entire media fraternity. It must be ended.

Violation as per Province

Removing opinion article from State-owned media is evident misuse of these media. It has a serious setback on the constitutionally-guaranteed right to free expression and right to

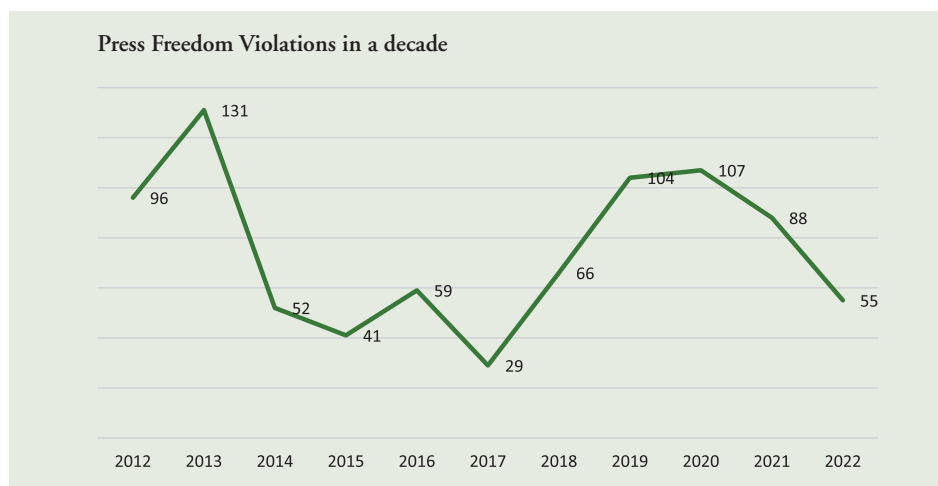
information. It is also the erosion of editorial freedom.

Arbitrary act of Press Council Nepal continued this year too. In absence of specified methodology, blaming any digital media of spreading fake news and blacklisting and removing is egregious attempt to control media and suppress free press which does not suit democratic system. So, its random act to block news portal warrants serious concern.

PROJECTION AND NEED

As the nation is holding three tiers of elections, intensified election campaigning and political tussles and brawls may increase. Amid this, media's neutral role is needed. Stay physically safe and away from any side is mandatory for free press. Independent, fair and credible reporting is must during this democratic event.

Journalists have been facing threat from local representatives, ministers, government officials, as well as security persons while covering news, corruption, crimes and other irregularities. Therefore, journalists require additional physical and professional safety to complete their task in this regard. The concerned authorities



should train security persons about significance of free press, and provide adequate training on how to treat journalists covering protests.

In the wake of increased misinformation and disinformation, the journalists need to play a crucial role to preserve the value of free press. The media houses should have proper fact check mechanism before disseminating any news. The digital deluge of misinformation and disinformation affect the credibility and public

trust on media, free press and journalists, which ultimately dents democracy.

Political leadership and law makers need to be continuously prodded for the legal reform surrounding media, press freedom, digital space and freedom of expression.

As the threat over press freedom continues, active and continuous advocacy for the FoE, free press and journalist's right is imperative. 🌱

Solidarity to Maria Ressa and Rappler

June 30, 2022

Freedom Forum has been concerned by the Philippine government order to shut down Rappler, a news organization of Nobel Peace Prize laureate and noted journalist Maria Ressa.

The Securities and Exchange Commission (SEC) of the Philippines on June 28th decided to revoke the license of the news organization for violating foreign ownership rules of the nation. It is the second time the SEC has revoked its operating license. The organization was revoked for the first time in 2018 for the same reason. The domestic law of the Philippines prohibits foreign ownership in mass media companies. Rappler has denied the charge of SEC and has called it a result of highly irregular proceedings. In response, Rappler has decided to file an appeal against the SEC order.

The order to shut down Rappler was issued two days before the end of President Rodrigo Duterte's term. Rappler has been continuously advocating free speech and free press, and criticizing tyrannical rules in Philippines for long.

Along with Rappler, Maria Ressa has been subject to continuous state harassment and intimidation over her reporting. Several legal actions are initiated against her ranging from cyber libel, tax evasion, and series of civil and criminal cases.

"Freedom Forum pays solidarity to Maria Ressa and Rappler for their fight against the revocation of license. This form of politically motivated attack over the press is a threat to democracy. Free press is a prerequisite for rule of law, participatory democracy and accountable government. Freedom Forum joins its voice with global to call newly elected president



Ferdinand Marcos Jr to null and void the order of revocation. Freedom Forum urges all concerned authorities to uphold press freedom", Taranath Dahal, the executive chief of FF observes. 🌱

Nepal drops in international rankings on budget transparency

Nepal slide down to 77th in ranking in 2021 from 65 in 2019 in the open budget survey according to the International Budget Partnership's (IBP) latest Open Budget Survey indicating the decline of public access to budget information.

“Against the background of democratic backsliding, the pandemic has led to the first rise in global extreme poverty in a generation, and inequality is soaring. The wealthy have become wealthier, while the excluded, especially women and marginalized communities are bearing the brunt of the fallout” said Warren Krafchik, Executive Director of IBP. He further added that Governments need to open up to public dialogue around how best to manage scarce public resources if we are to meet these challenges as well as inclusion can yield democratic & equity dividends in this time of great need and great disruption.

Worldwide, no country, among the 120 assessed, meets the minimum standards of score above 60 for adequate accountability on all three measures .i.e. Budget Transparency, Public Participation and Budget Oversight. Nepal has decreased the availability of budget information by failing to publish key budget documents, mainly pre-budget statement (PBS) and Citizen Budget as well as Year-End Report (Published Late) that would clearly explain budget policies, decisions and outcomes, according to the 2021 Open Budget Survey Nepal summary report.

As research by IBP and other organizations demonstrates, open budgets offer a promising pathway for countries to thrive socially and economically. They can restore trust in governments and strengthen frayed relationships between public institutions and the people they are meant to serve. The OBS 2021 survey provides a telling snapshot of current Nepal's practices related to budget disclosure, opportunities for public engagement in the budget cycle, and effective checks and balances. The Measures of Open Budgets: Budget transparency is assessed in the OBS by the public availability and contents of eight key budget documents that

all governments are expected to publish as per international standards. Specifically, the survey examines whether they are

published online in a timely manner and the information is comprehensive.

- o The global average transparency score was 45 out of 100, short of 61 considered the minimum threshold to foster an informed public debate.
- o Nepal scored 39 on budget transparency.

Public participation is assessed based on formal opportunities for civic organizations and individuals to engage and provide input throughout the budget process.

The average global score for public participation is dismal: 14 out of 100.●

Nepal scored 24 on public participation in budgetary process●

Oversights measured based on the role played by legislatures and supreme audit institutions (SAIs) in the budget process.

A score of 61 out of 100 is considered adequate oversight and global average is 52.●

Nepal scored 44 on budget oversight●

Nepal government could quickly improve the situation by –

- Publish the Year-End Report online in a timely manner.'
- Produce and publish a Citizens Budget online in a timely manner, and publish a glossary of budget terms alongside the Executive's Budget Proposal to improve budget literacy.
- Publish the Medium Term Expenditure Framework at least one month before the Budget Proposal's submission to Parliament, and ensure it is aligned to the annual budget process.
- Include in the Executive's Budget Proposal forward-looking multi-year estimates for expenditures and revenues, and align it to

the Medium Term Expenditure Framework.

- Improve the comprehensiveness of all implementation reports by publishing disaggregated, machine-readable budget execution data.
- Consider the National Strategy for Public Engagement in Public Financial Management, which was published jointly with the PEFA secretariat and Freedom Forum after extensive consultations with civil society.
- Nepal's Federal Parliament provides weak oversight during the planning stage of the budget cycle and weak oversight during the implementation stage. To improve oversight, the following actions should be prioritized.
- The Executive's Budget Proposal should be submitted to legislators at least two months before the start of the budget year.
- Legislative committees should examine the Executive's Budget Proposal and publish reports with their analysis online.
- A legislative committee should examine the in-year budget implementation and publish reports with their findings online.
- In practice, ensure the legislature is consulted before the executive shifts funds specified in the Enacted Budget between administrative units or reduces spending due to revenue shortfalls during the budget year.
- A legislative committee should examine the Audit Report and publish the report with their findings online.

IBP first launched the survey in 2006 with the goal of assuring that all citizens, especially those from underserved communities, have the opportunity to understand and influence how public money is raised and spent. Data are collected by independent civil-society budget experts who are not beholden to any national government. Their findings are reviewed by anonymous peers, and representatives from the assessed governments are offered the opportunity to review and comment on the findings.

Please visit <https://internationalbudget.org/open-budget-survey/country-results/2021/nepal> for more details.

The reports can be downloaded in both Nepali and English versions from Freedom Forum's Website - “www.freedomforum.org.np”.

PUBLICATION

Seven in every 10 journalists face some forms of digital threat in Nepal

Freedom Forum conducted a study to understand the perception of journalists about digital threat and digital safety. The study was made with the objective to identify the nature of threats journalists face on digital space and the possible ways to mitigate the threats in order to ensure safe online space for the Nepali journalists.

The study adopted quantitative research methods. The primary data for the study was collected through an online survey over Google Form- 100 journalists from all seven provinces participated in the research by filling up the questionnaire.

The respondents included 66 percent male and 34 percent female. Media wise, among the total respondents 64 percent were affiliated to only one media, while the rest 36 percent were associated with multiple media. Majority of the respondents were associated with online media run in Nepali language (43 percent), followed by daily newspapers (16 percent).

The responding journalists were mainly mid-career journalists with working experience of five to 10 years (31 percent). It is followed by advanced career journalists with 10 to 15 years working experience (26 percent). Similarly, the respondents represented media from national, local and provincial levels. Majority of the respondents belong to media having operations in provinces (40 percent). It is followed by media operated from national (34 percent) and local (26 percent) level.

Further, 56 percent of the respondents hold the responsibility of reporting. Language wise, 97 percent of the respondents work in the Nepali language media while the rest 3 percent are English media. The dominance of a single language in the media landscape, in a nation having high linguistic diversity, shows that regional languages are in shadow. It raises questions over media pluralism and diversity.

Regarding digital safety, the majority of the respondents (63 percent) adopts single measures

to protect the device, while the rest employ multiple measures. Majority respondents adopt basic safety measures like strong password (42 percent), not allow others to use personal devices (23 percent), etc. Respondents showed a dearth of advanced digital safety knowledge like use of VPN, two-factor authentication, etc for protection of their devices. The survey also showed that 10 percent of responding journalists have not done anything yet for digital safety. It shows a sheer recklessness towards pressing issues of the digital age.

The respondents perceive digital threats differently. The 13 percent respondents consider it as violation of freedom of expression; 14 percent perceives it as breach of data, privacy, and document leak or virus attack, 8 percent consider it as online harassment, annoyance, and one percent respondents feel that it is sexual harassment on dissemination of indecent content online. Majority of responders (64 percent) understand it as a combination of all.

The survey shows that most of the Nepali journalists (71 percent) have faced digital threats. This indicates that digital threat is a common emerging problem before Nepali journalists.

The findings of the survey highlight that harassment and defamation is the most common form of threat faced by the respondents (39 percent). It is followed by legal and physical attack (26 percent) and hacking (25 percent).

Maximum respondents have resorted to sharing it with their friends (35 percent), followed by informing the editor and media house (20 percent) and Federation of Nepalese Journalists (16 percent). Only seven respondents have filed FIR and none said they informed rights defending organizations about their experience. It shows that either victims have no or limited access to the authority or they lack awareness about the existing laws or they may not have trust in them. Similarly, 12 respondents took no action against digital threats they encoun-



tered. This trend perpetuates victimhood and encourages suppression of crime.

On asking the journalist about the effect digital threats had over them, most of them responded that it made them alert and cautious (45 percent). It was followed by the respondents, who said that they faced fear and mental stress (24 percent), their performance was delayed (17 percent), etc.

The report also highlights the causes of threat according to journalists. The respondents have pointed lack of digital literacy as a major cause of digital threat (22 percent). They also consider lack of law or ineffective law (21 percent) and poor performance of law executing agencies (20 percent) as other pressing causes for digital threat.

The most common threat givers to journalists are unknown persons as well (28 percent) as well the news related person (26 percent). The participants of the study suggested effective law, digital literacy, and digital safety skill to journalists, among others to minimize the threat.

The full report can be accessed at: <https://freedomforum.org.np/download/urgency-of-digital-safety-to-nepali-journalists/?wpdm-dl=5084&refresh=62ca932264b061657443106>.

Nepal drops down in global rankings on budget accountability: What does it indicate?

Subash Dahal

This shows that citizens now have less access to timely and comprehensive information they need to participate in decision-making and hold the government to account.

Nepal has declined in efforts to expand public access to budget information slightly, according to the International Budget Partnership's Open Budget Survey 2021 (OBS 2021) which is the world's only comparative, independent and regular assessment of transparency, oversight and public participation in public budgets in 120 countries. In the open budget survey, Nepal slid down to 77th position in ranking in 2021 from 65 in 2019.

Nepal's transparency score decreased from 41 in 2019 to 39 in 2021 where the global average rests at 45 but it is nowhere near the sufficient mark of 61 and is ranked 77th among 120 nations. This indicates that citizens now have less access to timely and comprehensive information they need to participate in decision-making and to hold the government to account. Although Nepal has increased the availability of budget information, failing to publish Year-End-Report in a timely manner has lowered the score. The trend of non-production of Pre Budget Statement and Citizen Budget has not changed in 2021.

Survey has outlined some recommendations for the improvement of budget transparency in Nepal. The government needs to publish the Medium Term Expenditure Framework at least one month before the Budget Proposal's submission to Parliament, and ensure it is aligned with the annual budget process. Along with that production and publishing of the Citizens Budget and Year-End Report online in a timely manner will improve the transparency score whereas the production and publication of a glossary of budget terms alongside the Executive's Budget Proposal will enhance budget literacy in our country where common citizens always have some

issues deciphering budget in total. To increase public participation, the survey recommended the government consider the National Strategy for Public Engagement in Public Financial Management, which was published jointly with the PEFA Nepal Secretariat and Freedom Forum after extensive consultations with civil society. Recommendations for Budget Oversight for legislative oversight are like that of 2019 with the need for more legislative oversight and engagement from formulation, implementation and reporting.

Nepal's score on Public Participation has slightly increased to 24 in 2021 from 22 in 2019 whereas its global average is only 14. Nepal ranks highest among south Asian countries in this discipline of Open Budget. Looking at the extent of public participation in the budget process, there is 20/100 score in Formulation, 22/100 in Approval, 25/100 in Implementation and 33/100 in Audit Process. Likewise, Nepal's Score on Budget Oversight has decreased to 44 in 2021 from 48 in 2019. Taken individually, Legislative Oversight is 33 and Audit Oversight is 67 which implies that audit oversight is adequate whereas legislative oversight is weak.

Open Budget Survey 2021 also assesses the emerging practices of the independent fiscal institution (IFI) which are increasingly



recognized as valuable independent and nonpartisan information providers to the Executive and/or Parliament during the budget process but, currently, Nepal does not have such IFIs.

"Lack of institutional reforms in transparency, public participation and budget oversight is one of the main reasons for not progressing in Open Budget Survey," said Taranath Dahal, Chief Executive of Freedom Forum, who is also a researcher for Open Budget Survey in Nepal. He further added that changes in institutions and reforms will lead to progress in budget transparency, public participation in the budget cycle and budget oversight from legislative and Supreme Audit Institution. Similarly, budget and other ancillary documents' availability is another aspect that is downgrading the score. "The comprehensiveness of the reports and documents and timely publishing of the same online is another important factor that will assist

"Lack of institutional reforms in transparency, public participation, and budget oversight is one of the main reasons for not progressing in Open Budget Survey," said Taranath Dahal, Chief Executive of Freedom Forum.

in increasing budget transparency score,” said Krishna Sapkota, another researcher of Open Budget Survey for Nepal. He further added that the lack of pre-budget statements and citizen budget is downgrading the transparency score but along with that the reports and documents published need to be comprehensive and should meet the norms. Likewise, though government produces a maximum number of reports that amount to nothing if such documents are not available online in a timely manner for citizens, he further added.

The slight drop in score in Nepal comes against a backdrop of progress in other parts of the world. Most countries were able to maintain, and in some cases build on earlier gains in accountable spending practices despite the pandemic, thanks to

increased digitalization of information and the institutionalization of accountability practices. The average transparency score globally has increased by more than 20 percent since 2008.

However, the survey found that legislative oversight globally has declined. Some executive governments have found ways to undermine Supreme Audit Institutions. Only 31 percent of countries provide sufficiently detailed information to understand how their budget addresses poverty and only 14 percent present their expenditures by gender. Only eight countries worldwide have formal channels to engage underserved communities in budget processes.

-Subash Dahal is a researcher for the Open Budget Survey 2021.

(Source: Nepallivetoday.com)



Government fails to publish pre budget statement and citizen budget

Freedom Forum is happy to note that The Government of Nepal has unveiled the annual budget of the country for the fiscal year 2079-80(2022-23) in the constitutionally stipulated date of Jestha 15 (May 29). Freedom Forum, which has been continuously engaged in assessing transparency, citizen engagement, and strengths of formal oversight agencies on the budget process, has however noted some flaws in this year's budget.

- The Medium Term Expenditure Framework(MTEF), produced by National Planning Commission, whose main purpose is to ensure fiscal discipline in expenditures related to Capital or Development projects and while the annual budget is supposed to be aligned to the MTEF process, this is largely absent in Nepal's budget process.
- The government did not produce Pre Budget Statement containing the basic contents such as principles and priorities of the executive budget proposal.
- As before, the government did not produce and make public The Citizen Budget, which is a non-technical and simplified presentation of government budget.

- It is the prime responsibility of the Ministry of Finance to timely disclose the budget documents online as per the international best practice. However, the official website has been shot down since the day budget was presented.
- Importantly The Red Book, which presents in-detail information on the Estimates of Expenditure as well as includes Summary of Budgetary Allocation for Fiscal Year, is not publicly available online. It is one of the most important and critical budget document for the users.
- Budget credibility that describes the ability of governments to meet their expenditure and revenue targets accurately and consistently has become weak with high level of deviation between approved allocations and expenditure. It raises the questions on the allocation efficiency, absorbing capacity and whether public financial management system is fit to ensure available resources are used effectively and efficiently.

The unavailability of key budget documents during the budget formulation stage has limited the flow of fiscal information to the public. Likewise, the shutdown of official website has

constrained the access of citizens, journalists, civil society organizations and researchers to the critical fiscal information.

Against the backdrop, Freedom Forum recommends the government to bring out following reforms

- Budget literacy has been a pertinent issue in Nepal it is crucial for expanding citizens understanding on physical information and documents there is substantial need for introducing budget glossary as well as budget literacy measures.
- The executive should publish The Pre Budget Statement aligning the MTEF for the executive budget proposal so as to enhance policy-based budgeting.
- Executive needs to publish the citizen budget highlighting the core activities and expenditures in a simplified manner so that common citizen can understand the budget in a better way.
- The government needs to prioritize improved spending in budget programs by removing bottlenecks and improve reporting for Budget Implementation and Explanations to improve budget credibility. 🌱

Self disclosure update

Type and Nature of Organization	NGO working for Democracy, Right to Information, Freedom of Expression, Fiscal Transparency and Open Data, Media Policy and Law, Internet Freedom		
Legal Status	Registered at District Administration Office Kathmandu. DAO Registration Number: 127/062/63, SWC Affiliation Number: 18518		
Location	Adarsa Marga, Prasuti Griha Road, Thapathali, Kathmandu		
Staffs and Roles	Taranath Dahal: Executive Chief, coordinates overall organizational and administrative affairs		
	Aruna Adhikari: Finance and Administration Officer, looks after accounting and administrative affairs and performs responsibilities as the Information Officer.		
	Nanu Maiya Khadka: Gender Monitoring Officer, responsible for monitoring media content on gender perspectives		
	Aditya Dahal: RTI App and website operator		
	Manju Ojha: Front Desk Assistant, Ganga Kumari Gurung: Office Assistant		
Projects	Krishna Sapkota- Driving Audit Accountability (Consultant/ OBS Researcher), Narayan Ghimire- MAINSTREAMING HUMAN RIGHTS IN CYBERSECURITY AND CYBERCRIME POLICY (CONSULTANT), Subash Dahal - DAA		
Project Information	Project Name	Supporting Agency	Date of Signing the Contract
	Contributing to create atmosphere for free expression and reduction of impunity on crimes against journalists	IFEX	30th November 2021
	Driving Audit Accountability : Audit Reports for Collective Action to Strengthen Government Responsiveness (DAA)	IBP	30th September 2019
	Mainstreaming Human Rights in Cybersecurity and Cybercrime Policy	Global Partners Digital	15th March 2021
	Open Budget Survey, Support to IBP in Developing Capacity Building Materials for civil Society Organizations	IBP	14th June 2021
	Training on Citizen Participation in Performance Audit	PSRD	24th December 2021
Services and Activities	Research, capacity development and policy advocacy including media monitoring, trainings on RTI and journalism, meetings, workshops, seminars and other campaigns to promote issues of democracy, RTI, FoE, fiscal transparency, human rights, local governance. It also provides legal aid to journalists, media and information seekers.		
Responsible Authority	Chairperson: Hari Binod Adhikari, Executive Chief: Tara Nath Dahal		
Decision Making Process	General Assembly: Making policies, rules and regulations of organization Executive committee: Formulation of action plans as per constitution of organization, rules and regulation Management team: Running projects and daily operational affairs and reporting timely to the Executive Committee.		
Past/Current Activities	Please follow the link: http://freedomforum.org.np/content/category/activities/		
Information Officer	Aruna Adhikari		
Financial Information	Freedom Forum did not receive grant from April 2022 to June 2022.		
Official Website	www.freedomforum.org.np		
Publications of Freedom Forum	Freedom Forum has over 50 Publications (printed) Please Follow the Link: http://freedomforum.org.np/content/publications/		
Annual Report	http://freedomforum.org.np/content/publications/reports/annual-reports/		
Information Dissemination	Websites- http://www.freedomforum.org.np/ ; www.nepalpressfreedom.org , and Newsletter-Free Expression		

FF in International Forum

Freedom Forum's Executive Chief Mr Taranath Dahal was appointed as a civil society representative from Nepal in the "AI Connect" program. Mr Dahal also participated in the first 'AI Connect- Asia Pacific Regional Workshop' in New Delhi on April 11-12, 2022. The program was organized by the Geo Tech Center and US Department of State.

Few steps forward, many more back on FoE, journo safety

Laura Vidal, 2 June 2022

In May, organisations in the region commemorated World Press Freedom Day, spreading the word about developments in freedom of expression – many of them worrying for countries that had previously managed to maintain a relatively safe environment for journalists and freedom of the press. Meanwhile, bills and amendments sound alarms in Nicaragua and Venezuela, and Mexico laments more victims taken by rampant violence that seems beyond control.

Stepping backwards?

We know how dependent a robust civic space is on the right to freedom of expression and information – and vice versa. In recent months, the Americas region has been forced to reckon with instability in countries including Bolivia, Peru and Uruguay – not the usual suspects when it comes to more alarming reports of threats against these rights. The contexts are, of course, different in each case, but it's possible to find similar ground when looking at the political crises that followed tense government changes and mounting social unrest.

In **Bolivia**, the political deadlock that marked the **departure of Evo Morales** from the presidency in 2019 left an already polarised country in a longstanding division that has affected the atmosphere surrounding the work of Bolivian journalists. In 2021, the same year IFEX member the National Press Association of Bolivia (ANP Bolivia) reported 38 attacks against journalists in the country, the **kidnapping of five journalists** shocked the public and helped push for the **creation of a mechanism** to protect journalists. The discussions around the mechanism are still in place, however, and very little is known about its details.

As we reported in our **March monthly brief**, **Peru** continues to see alerts **piling up** as political tensions continue and the government's discourse around the press seems locked into portraying journalists as antagonistic. In this context, "security measures" put in place by law enforcement bodies **block access to journalists**, preventing them from covering public events with government representatives or entering buildings like the **Legislative Palace**. Journalists were even prevented from **covering the visit of IACHR's Special Rapporteur** for Freedom of Expression Pedro Vaca, who was prompted to visit

the country in May as part of efforts to curb soaring violence and harassment against media workers.

Meanwhile, **Uruguay** saw a worrying development, as reported by IFEX member the Uruguayan Center for Archives and Access to Public Information (**CAInfo**), which recorded 69 events limiting journalists' freedom of expression in the last year. Comparatively, Uruguay continues to be advantaged, but the remarkable increase in cases of prosecution of journalists, as well as restrictions on access to public information is **none-theless worrisome**. It is important to take into account as well that these developments are taking place with the passing of controversial **legislation** that, many fear, will translate into a further loss of freedoms related to civic space and access to public information.

Weaponising the law

May also saw intense discussions around legal changes expected to negatively impact the work of the press and of human rights defenders in general.

In **Costa Rica**, the passing of a new "gag law" is worrying **law experts**, journalists and rights defenders, who see in some of its articles an impediment to the **coverage of corruption** cases and sanctions against public officials. The law was approved by Congress, but intense pressure from both the press and the Costa Rican Journalists' Association (**Colegio de Periodistas** de Costa Rica) compelled outgoing president Carlos Alvarado to give a **partial veto** before leaving office. The debate seems to have settled down for the moment, but the bill can still be brought back if it has enough votes from the legislature.

Systematic attacks against NGOs in **Nicaragua** continue, and have become even stronger with the approval of a new law **regulating and restricting the work of non-profit organisations**. Keeping up with the closing of organisations by the Ortega-Murillo regime can prove difficult: International media report 77 shutdowns since the **enactment of the law** in April, while Nicaraguan outlet *Confidencial* (which continues to function in exile) recorded 119 since the start of the year. Targeted organisations cover several areas of work, from human rights defense, history, and research, to women's rights. Even the **Nicaraguan Language Academy** has been closed.

A similar move is taking place in **Venezuela**, where local IFEX members **Espacio Público** and **IPYS Venezuela**, together with many more **human rights and civil society organisations**, are alarmed by a new bill limiting international cooperation and access to funds outside the country. A **collective** statement signed by 500 organisations explains that the bill "seeks to reinterpret the definition of international cooperation from the ideological, political and/or economic interests of the national government, omitting essential concepts such as human rights and humanitarian aid."

While **protesters and artists continue to be imprisoned** and given harsh sentences in **Cuba**, the recent reforms to the Penal Code constitute yet another alarm for rights groups on the island and abroad. The amendment prohibits Cuban citizens from receiving funds from outside the country, which could be used to limit the work of, and effectively silence, independent journalists and outlets who **would not be able to carry out their functions** without this kind of support.

On World Press Freedom Day and the Day of the Internet

May was also the occasion for many organisations to share the results of their work monitoring free expression rights. In Argentina, IFEX member Foro de Periodismo Argentino (FOPEA) shared its **annual report**, which highlighted **soaring rates in aggressions against journalists**. CAInfo also launched its own report, which showed **worrying developments for freedom of expression in Uruguay**.

Networks in the region celebrated the International Day of the Internet, holding and promoting **discussions around legislation** related to the use of technology in legal contexts or around **content moderation from the perspective of the region**. It was also an opportunity to bring back attention to the **dire conditions** affecting how – and whether – Venezuelans access information online.

(Source: <https://ifex.org/progress-on-freedom-of-expression-safety-of-journalists-and-human-rights-a-few-steps-forward-but-many-more-back/>)

Freedom Forum is an independent, non-governmental and not-for-profit civil society organization working for the cause of social accountability, democracy and human rights focused on press freedom, freedom of expression and right to information in Nepal. Incepted in 2005, Freedom Forum has emerged as a prominent national organization in promoting access to information and freedom of expression through dialogue, research, training, public advocacy and campaign and programme implementation. Currently, the organization is working on the issues of public finance management, budget transparency, open data and aid governance, political and parliamentary accountability, freedom of expression online and open government partnership (OGP) based on its on-hand experience and learning.

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