



Vol 1/ Issue 3, March, 2008

Follow-up Meeting of Agenda for Change



▲ High level panel members taking part in second round stakeholders meeting, Godawari, Kathmandu.

The joint second stakeholders' meeting of 'Agenda for Change' process organized on the initiative of ARTICLE 19, Federation of Nepali Journalists (FNJ) and Freedom Forum at Godawari Village Resort, Godawari furnished various recommendations on media regulation, media workers, print media, broadcasting and right to information (RTI).

The two-day meeting that took place on March 22-23 was attended by high level select panel of civil society and other stakeholders. The panel drawing up the "Agenda for Change" consists of 20 leading individuals representing different sectors of Nepalese society, all of whom have an important interest in strengthening freedom of expression.

The aim is for the Agenda for Change is to become a rallying point for all those seeking to promote freedom of expression in Nepal, a benchmark against which government policy can be compared for many years to come. It is a substantial initiative that has flared up various issues concerning the restructure of Nepali media as

well as the current movement of freedom of expression and right to information.

Nepal is now at a pivotal stage in its transition to peace. Improved respect for freedom of expression is key to strengthening fragile peace process and building a sustainable and inclusive democracy in Nepal. In this important phase the panel has sought to reach agreement on an "Agenda for Change", a detailed policy document setting out a consensus vision on how freedom of expression and information should be protected and improved in Nepal.

The recommendations furnished by the second meeting are as follows.

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Importance of Access to Information

The right to access information held by public bodies, often referred to as 'freedom of information' or the 'right to information', is a fundamental human right recognised in international law. It is crucial as a right in its own regard as well as central to the functioning of democracy and the enforcement of other rights without a right to information, State authorities can control the flow of information, 'hiding' material that is damaging to the government and selectively releasing 'good news'. In such a climate, corruption thrives and human rights violations can remain unchecked.

In the earlier international human right instruments, the right to information was not set out separately but included as part of the fundamental right to freedom of expression, which includes the right to seek, receive and impart information.

Implementation of the right to access to information is also a key requirement imposed on States parties to the UN Convention against Corruption. Nepal signed this Convention on 10 December 2003, although it has not so far ratified it. Article 13 of the Convention requires that States should "[ensure] that the public has effective access to information".

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Journalists are not a special breed with privileged rights unavailable to the common people, but simply citizens whose work is to exercise the rights to freedom of expression available to everyone.

— Timothy Balding

Free Expression

A Monthly Newsletter of Freedom Forum

Vol 1/ Issue 3, March, 2008



Message from President

The critical and creative engagement of journalists in important national events and issues through the collection and dissemination of information is undoubtedly laudable in Nepal. The information they collect from general public in various parts of the country significantly help in the formation of opinion which could largely affect the future course of the country and society as well. A small piece of news can also draw wider public attention and waves in the society and also cause transformation. It is the information without which neither the government nor political leadership, intelligentsia and general public could build genuine views and opinion. Therefore, the impact of the role of journalists is immoderately tremendous and influential no matter how it seems general.

Nepal is on a run-up to epoch-making Constituent Assembly (CA) election right at the moment. The CA election is the solid foundation for building functional democracy based on inclusive representation of people belonging to various castes, region, culture, creed and language. It is for the first time that the country and country people are going to witness such national event which is meant to determine the political systems and structures of state machineries on the involvement of people. It is the future marker of the country. In this context, the responsible and accountable constituent assembly which could rightly address and represent people's aspirations is a must so as to capitalize this grand opportunity. For this to materialize, people should also make appropriate decision in the upcoming election through ballot. People should get chance to build own opinions and views freely before casting vote in the election. Media are the major sources of information and views they receive in this course. Journalists are the key actors to gather these information from nooks and corners of the society. The finding from the research is that 60 per cent of the news story transmitted and disseminated by print or electronics media are sent by the journalists working at local area.

If the media does not remain responsible, restraint and vigilant, it will not only mount challenges in the impartiality of the election but also bring effect in people's participation and stake in the constituent assembly. It may mislead people. Therefore, the journalists and media are standing in the critical juncture to exercise highly professional role being cautious, balanced and responsible.

Obviously it will become difficult to hold the Constituent Assembly (CA) in an impartial manner if media becomes a means of propaganda of any particular party and of concealing and exaggerating any events. The management of media will be a challenging task for the election authority especially during the period of election. The negative effects caused by the misuse of media could not be reduced only through issuing code-of-conduct and the monitoring by Election Commission and Press Council. The foremost effective measures in this connection would be to bring self-discipline, self-control and self-monitoring in practice by every journalists and media. It would pay much in a bid to make our role effective and responsible for making much-awaited constituent assembly elections a success on the way to building a prosperous nation-state.



Tara Nath Dahal
Chairperson



▲ Participants at a two-day South Asian Regional Workshop on Right to Information (RTI) in Bangalore, India.

Freedom Forum in International RTI Conference

Freedom Forum has successfully participated in a two-day South Asian Regional Workshop on Right to Information (RTI) organized by Public Affairs Centre, a renowned Indian organization in Bangalore, India.

The main objective of the training held from March 17-19, 2008 was to reviewing the RTI initiatives in South Asia and formulating further strategy through sharing experience of the participating nations in this connection.

Chairperson of Freedom Forum Tara Nath Dahal participated and presented a working paper on 'Status of Right to Information (RTI) in Nepal'. Individuals from Nepal, India, Pakistan, Bangladesh, Sri Lanka took part in the workshop where 15 working papers on RTI were presented.

The workshop developed specific country strategy for expanding network and movement and helped enhance coordination, said Tara Nath Dahal, adding it will work as an important forum to bring about coordinated and concerted efforts in the region to further expedite the RTI movement through sharing of experience and exposure.

In this context, Nepal has already introduced and enacted RTI Act from last October whereas Freedom of Information (FOI) Act 2002 and RTI Act -2005 have brought to force in Pakistan and India respectively. Likewise, discussion is underway regarding the proposed bill of RTI Act in Bangladesh and is to be tabled in the parliament for endorsement soon. In Sri Lanka there is draft bill of RTI Act-2003 but has yet to be brought in to practice.

Presenting papers and case studies on the RTI initiatives were Pradip Pradhan and Ritu Mehra (Right to Food Campaign Orissa), S. Martin (Federation of Consumers Organization in Tamilnadu and Pondicherry), Prakash Bhushan (People's Action for National Integration) and Venkatesh Nayak (Commonwealth Human Rights Initiative from India).

Similarly, Zahid Abdullah, Liaquat Banori, Milan Abrar Hafeez from Pakistan presented paper on RTI initiative in Pakistan; Mohammed Imam Uddin and Mian Abrat Hafeez from Bangladesh made presentation on RTI initiatives in Bangladesh. Sriyanie Wijesubdara and Rukshana Subash Kuruppu Nanavakkara presented case studies of NGO from Sri Lanka. Besides Dahal, Ram Krishna Regmi and Ashish Thapa also presented papers on the RTI status in Nepal on the occasion. ■

Threat to Reporter

Lekhnath Sajag, a correspondent of National News Agency's (RSS) for Butwal, Khaseuli injured in the police action that took place when CPN (Maoist)'s cadres attempted to take control weapons-ferrying trucks citing that the Armed Police has reportedly bringing weapons from India.

The police indiscriminately baton charged journalist Sajag in the incident. He has received injuries in his stomach, head and hands.

Likewise, President of Federation of Nepali Journalists (FNJ) Bajhang district and correspondent of "Gorkhapatra" daily, Deepak Oli was assaulted by a police officer at around 1:00 p.m. on March 28 at Chainpur, the headquarters of the Bajhang district in western Nepal.

According to journalist Oli, he was beaten up by police inspector Ramesh Singh while carrying news of the clash that took place between the cadres of Nepali Congress (NC) and Communist Party of Nepal-United Marxist-Leninist (CPN-UML) in course of the Constituent Assembly (CA) elections campaign.

He has received injury on his head and back. He added the police inspector beat him saying "you people are too freed to write whatever you wish".

Similarly, Rishi Dhamala, Chairperson of the Reporters' Club Nepal was beaten up at Lokaha of Sunsari district on March 31.

The bandh organizers manhandled him while he was heading to west after concluding face-to-face programme with Minister without Portfolio Sujata Koirala.

According to journalist Dhamala, the protestors did not stop beating him even when he presented his clear identity. 'They misbehaved me saying they did not know who the journalists are', he added. ■

Media Attack and Violence: March Glimpses

The magnitude of violence and attack against journalists has significantly decreased in March compared to first two months of the year. However, the growing political confrontation and clash surfaced among the political parties on the run-up to the Constituent Assembly (CA) elections in various parts of the country has affected journalists to conduct their duty in an unhindered and free manner. In this context, the month of March has witnessed a marked deterioration in freedom of expression and opinion with rising incidents of obstructions and blatant attack against comprehensive peace accord (CPA) and code-of-conduct issued by the Election Commission (EC). While the country has approached the epoch-making national event, anti-poll activities including physical beating, intimidation, misbehaviour have remained unabated throughout the country. It is a serious set back in the promotion of freedom of opinion and expression.

On the basis of the data and information gathered from a wide range of sources including print and electronic media, press release, official statements, personal contacts, our loose network and other formal and informal sources, Freedom Forum, Media Monitoring Unit has recorded 2 cases of threat, 2 cases of manhandle, 1 case of misbehavior, one loot while 3 vandalism cases have been reported during the month of March.

Freedom Forum as an organization dedicated to the promotion of press freedom, human rights and democracy has continuously voiced its concerns and condemned the incidents of the violation of press freedom and freedom of expression at national and international level; drawn the attention of the sides concerned and demanded legal actions against the perpetrators. Moreover, we have been regularly updating national and international media about such violations and lobbying for the assurance of press freedom so as to garner public opinion and support from media persons and organizations around the world.

FM Vandaled

An unidentified group vandalized and robbed equipments from Simhalung FM station at Fidim, district headquarters of Panchthar located at the eastern region of Nepal on March 3 Monday night.

Equipments including transmitter, two batteries, CD player, cassette player and two microphones were looted while mixture machine and other establishments in the station had been vandalized, said station manager of the FM. Loss worth around R 2 million occurred in the incident, he added.

"it has become difficult to resume the transmission service from the radio as in earlier", said the Station Manager. The station that was on test broadcast since the last two month was due to go regular from the next week. The incident reportedly took place at a time when there was no staff in the station. ■

Maoist Intimidation to FM Radio

Cadres of the CPN (Maoist), one of the ruling party of Nepal reportedly threatened to capture Radio Ramaroshan, the only FM radio station in Achham district in the western of Nepal on March 30, Saturday.

Maoist leader Jhankar Bahadur Rawal threatened to seize the radio station while addressing an electoral mass meeting at Janali

Bandali. Just a few minutes after his threat, a group of about 100 Young Communist League (YCL) cadres encircled the FM's transmission center at Thulasain.

However, they ran away when a police team reached the site to provide security. Protesting the incident, the FM radio decided to boycott Maoist news from Sunday. ■



UNMIN Staff Misbehavior to Media Persons

Freedom Forum has been saddened at the news that the United Nations Mission in Nepal (UNMIN) staffs, who shoulder up the responsibility of expediting peace process and civil freedom, misbehaved and obstructed journalists on the way to the chopper crash site at Bethan in Ramechhap district on March 4.

The UN staffs demonstrated indecent manner and barred journalists of Nepal Television, Kantipur Television and Kantipur Daily of collecting news and clicking photos in the site when they reached there immediately after getting preliminary information about the crash.

UNMIN staff forced the journalists out of vehicle which the latter arranged to reach the site from Lubhughat area in Ramechhap on March 4 Tuesday morning. They also chased the journalists away citing lack of permission from higher up, according to the Kantipur daily. UNMIN staffs also confiscated the tape of cameraman Bhola Thapa associated with Nepal Television.

Freedom Forum has urged UNMIN, a responsible international organization working for the prosperity of Nepali people, to comply with the freedom of press and right to information and to express commitment to not allow such obstruction and misbehavior against journalists.

'It is the duty of the journalists to collect and disseminate information to people and it is quite objectionable act on the part of UNMIN staffs to disallow journalists to carry out their responsibility' said Tara Nath Dahal, Chairman of Freedom Forum issuing a press release. The press release also demanded with the UNMIN appropriate steps regarding this incident against journalists. ■

Brief News

- ◆ Students of Valley Top Boarding School at Ghorai, the headquarters of Dang district have set up a radio station on own efforts and successfully carried out its test-broadcast. Some 25 school-level students including 21 from grade 8 and 4 from grade 7 established the FM station in a month. Established at the total cost of Rs. 500, the students have named the station as "Valley Top FM Radio Station 89.5 Mega Hertz.
- ◆ Press Council Nepal has presented this year's Gopaldas Journalism Award to journalist Gopal Thapaliya on March 18 Tuesday. The Award bags Rs. 40,000 in cash and a copper plaque.
- Press Council Literature Award (2062) and Literature Column Writing Award (2062) have been given away to Kunta Sharma and Sulochana Manandhar respectively.
- Likewise, Garima Monthly Magazine, Dr. Tulsi Bhattarai and Kamala Kunwar have been given away the Press Council Literature Award (2063), Literature Column Writing Award (2063) and Press Council Women Empowerment Award respectively.
- ◆ Govinda Biyogi Journalism Award instituted in the name of late senior journalist Govinda Biyogi has been presented to journalist Badri Binod Pratik this year. The Award carries Rs. 11111/- in cash and appreciation letter.

Statement against Journalist

CPN (Maoist) Chairman Prachanda's statement in Itahri against journalists has drawn serious attention of media and mediaworkers across the country.

Speaking at a mass gathering at Itahri, the eastern part of Nepal on March 25, Prachanda leveled serious accusations against the journalists, calling them among others sold out to the foreigners and supporters of corrupt parties.

This statement from the responsible leader of ruling party, has insulted the media and media persons in public. ■

Publication Vehicle Set Ablaze

An armed group of Akhil Tarai Mukti Morcha (ATMM) torched a vehicle belonging to Kantipur publications at Babhangamakatti- 5 of Saptari district on March 7 early Friday morning. The jeep (Ja 1 Pa 586) carrying copies of Kantipur daily, The Kathmandu Post and Saptahik weekly from Kantipur's Biratnagar regional office for distribution was stopped at the western canal bridge on the Koshi River and set ablaze.

ATMM men also thrashed jeep driver Chandra Katawal and newspaper distributor Gangaram Bhandari. Bhandari's right arm was fractured in the incident while Katawal sustained minor injuries, according to the Kathmandu Post.

A group of around seven ATMM's men had obstructed the bridge with logs and rocks before torching the jeep. All the newspaper copies and parts of the jeep were destroyed in the fire.

ATMM's Saptari commander Bikash later owned up responsibility for the incident via telephone. He said the Kantipur vehicle was torched as the paper did not give news priority to the group's activity. ■

Journalist Looted

Nawaraj Neupane, Editor of Metro Post Daily was looted in Kathmandu on March 2 Sunday evening. He was looted by an unidentified armed group at Basantapur while he was returning to home from office at Bagbazaar.

The group comprising 5-7 armed persons robbed Rs. 3000 in cash and a mobile set from him brandishing weapon, according to Neupane. ■

IPI Nepal Sets up Press Freedom Monitoring Centre

The International Press Institute (IPI), the global network of editors, media executives and leading journalists in over 120 countries, has set up a press freedom monitoring centre in Kathmandu by IPI's national committee in Nepal.

The centre, which started operating from March 12, monitors the status of, and challenges to, press freedom and freedom of expression in Nepal during the run-up to the Constituent Assembly (CA) election scheduled for April 10 and the nation's constitution making process. It aims to increase awareness, both locally and internationally, about press freedom violations occurring in Nepal, and about the importance of press freedom in the country's democratization process.

IPI placed Nepal on its watch list in 2005 in order to closely monitor the country's press freedom environment, which deteriorated dramatically as a consequence of Nepal's political crisis. Since then, Nepal's political situation has witnessed some positive development, but problems persist in the wider media environment with widespread disrespect for press freedom and continuing to affect journalists and media outlets.

"Nepal's media will only be able to play fundamental role in the country's effort establish democracy and peace if journalists are permitted to report freely and without harassment," said IPI Director David Dodge. "Recent assaults against Nepalese journalists underscore the need for such a monitoring centre, which will serve as a powerful tool to help raise awareness about the importance of true press freedom and journalists safely, particularly in times of such important political change."



▲ A team of Constituent Assembly Election Observers on behalf of Freedom Forum.

Towards CA Election Observation

Freedom Forum is carrying out its responsibility as a co-convenor of National Election Monitoring Alliance (NEMA) established on the initiative of 14 civil organizations contributing to the democratic movement and exercise of Nepal. NEMA is to serve the objective of monitoring the Constituent Assembly (CA) elections across the country with the conviction that all procedures from beginning to the end of election should be undertaken as per the law in a transparent manner. It is noteworthy to mention here that NEMA with its nationwide civil network has mobilised its observers to vigil on the electoral process at almost all polling booths of the constituencies throughout the country.

In this connection, Freedom Forum has directly engaged in election observation

in two regional and 23 district level committee of NEMA. Likewise, it has its involvement in 48 election constituency level committee in various part of the country. Around 1500 volunteers on behalf of Freedom Forum will be mobilized in the election day in various polling booths and centres. Among them, 60 are long term observers and rests are for short-term.

Executive member of Freedom Forum Sanjeev Ghimire is coordinating the activities related to Election Observation from this organization.

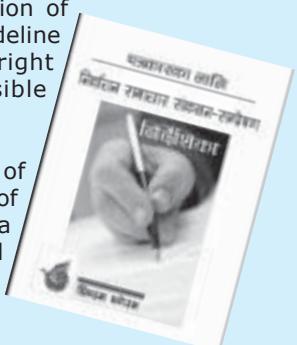
The importance of election observation rests on to help hold the historic CA elections in a free, fair and credible manner.

New Publication

Election Reporting Guideline

Freedom Forum has brought out the publication of election news collection and dissemination guideline for Journalists with the view to imparting right information among people through responsible journalism practice.

The first part of the guideline is the translation of the guideline prepared by "Reporters Union" of Kenya during the general election held in Kenya a few months back. The second part has focused on the provisions and arrangements related to media in the code of conduct issued by the Election Commission (EC).



Likewise, the third chapter presents professional code-of-conduct (press) that all media and media persons of Nepal are obliged to abide by. Freedom Forum believes that the guideline would substantially be useful for media persons involving in news collection, editing and dissemination.

Freedom Forum Chairperson Taranath Dahal is the editor of the guideline and Article 19, Nepal Representative Santosh Sigdel executes necessary translation in the regard.

Blasphemy Laws Repealed in UK

The UK House of Lords on March 5 has given overwhelming vote to abolish the common law crimes of blasphemy and blasphemous libel.

While blasphemy laws have long fallen into disuse in England, their continued presence casts a shadow on free expression in the UK and sends a signal to other countries that such laws are acceptable, stated in a press release issued by ARTICLE 19, an independent human rights organization that works around the world to protect and promote the right to freedom of expression.

ARTICLE 19 has long called for the repeal of the UK blasphemy law, along with similar laws in other countries, on the basis that rules limiting criticism of religion are incompatible with basic democratic ideals, as well as international guarantees of freedom of expression. The crime of blasphemy is simply not necessary; the need to prevent religious violence and discrimination is better served by carefully crafted hate speech laws. On the other hand, blasphemy laws have historically been abused to protect religions, and often religious leaders, against legitimate criticism.

Although blasphemy laws are rarely applied in modern democracies, they are enforced in other countries. The existence of blasphemy laws in countries like the UK provides justification for other countries that use their own blasphemy laws to stifle free expression. While ARTICLE 19 believes the criminalisation of blasphemy can never be justified, the fact that English blasphemy laws only protected the Anglican Church and not other religions made the English law particularly offensive to democratic principles. The House of Lords is to be commended for abolishing them.

ARTICLE 19 now calls on Parliament to repeal the similarly outdated offences of criminal defamation and sedition. Like blasphemy, these ancient offences offend modern principles of democratic free speech and provide moral support for repressive laws around the world. Like blasphemy, the time has come for these laws to be repealed in the name of freedom of expression. Such legal provisions are also in existence in Civil Code of Nepal which are stringently needed to be amended and enacted accordingly in course of time. ■

Fellowship Granted

This month too, Freedom Forum has granted writing fellowship on court reporting to five mid-career working journalists in Kathmandu. The fellowship has been provided with a view to enhancing capacity of journalists on law-beat reporting. The selection is based on the merits of proposal submitted by applicants among the participants who took part in law-beat reporting training held in Kathmandu from February 6-11, 2008.

The candidates selected for the fellowship are Yam Birahi (Raajdhani Daily), Bikas Bhattarai (Nepal Samachar patra Daily), KP Dhungana (Naya Patrika Daily), Madan Gautam (National News Agency) and Nagendra Lamsal (Bikalpa Weekly)

Earlier, Freedom Forum has provided fellowship to 20 journalists under Strengthening Media through Legal Support programme. ■

Congratulation

We would like to congratulate Mrs. Kavita Pokhrel for her appointment as a Legal Researcher in Freedom Forum effective from March 10, 2008. She is expected to carry out her performance with diligence, dedication and dynamism to bring up the good image of the organization. We wish for her every success in her future career.

– Freedom Forum

Monitoring Responsibility to Press Council

The Election Commission (EC) has given responsibility to the Press Council (PC) to monitor whether the Constituent Assembly (CA) elections code-of-conduct is being abided by or not. Media monitoring centres and sub-centres have been set up in more than ten places including Kathmandu in view of knowing media coverage and dissemination in various parts of the country.

The centres will monitor media activities under the supervision and purview of the Council. The EC has decided that the representatives of national and foreign media should take press permission card to be able to reach to the polling booth and ballot counting place.

Likewise, the EC has decided to form a code-of-conduct district coordination committee with District Returning Officer, Chief District Officer and In-charge of District Police Office as members and District Education Officer as a member-secretary to manage the complaints lodged against the violation of code-of-conduct and to ensure mutual cooperation and coordination within the district. The Commission has issued directives to all returning officers to make arrangement to the possible extent to form all-party mechanism at every polling booth for necessary facilitation in the election process in a bid to hold the CA election in a free and fair manner.

HAPPY NEW YEAR 2065

Wishing you a very happy and prosperous NEPALI NEW YEAR-2065 BS. May this new year bring you a sense of fraternity and brotherhood to make you a part of building a new and inclusive Nepal through upcoming Constituent Assembly (CA) elections. We wish for the successful completion of free, fair and meaningful CA elections, and expect it would help pave the way for establishing sustainable peace and democracy.

Tara Nath Dahal
Chairperson
&

Freedom Forum Family

AFC Recommendations: Second Meeting

Constitutional Issue

General Principles of Media Regulation

- All forms of media regulation should comply with international standards in this area and, in particular, with Article 19 of the *Universal Declaration of Human Rights* and Article 19 of the *International Covenant on Civil and Political Rights*.
- A key goal of media regulation should be to promote pluralism and diversity in the media, including of ownership, outlet (types of media) and content.
- All bodies undertaking regulation of the media should be protected against both political and commercial Ø

Greater cooperation among both stakeholders within Nepal and with international actors should be promoted with a view to ensuring best practices in the area of media regulation, in accordance with international standards.

Regulation of Media Workers

- There should be no system of licensing or other rules which restrict access to the profession of journalism.
- There should be no general requirement for journalists to obtain accreditation with the Department of Information. This is without prejudice to the right of journalists' associations to provide their own membership cards. Where accreditation is required for purposes of access to limited spaces, such as parliament or the courts, a transparent, impartial system should be put in place.
- The government should take steps to ensure that adequate training opportunities are available for media workers, both formal and informal, print, broadcasting and new media, including on-the-job and upgrade training.
- The government should be more proactive in fulfilling its obligation to protect journalists and media property, including by allocating greater resources and attention to this, particularly in conflict areas. Media outlets should be encouraged to provide adequate insurance for journalists working in dangerous areas.
- There should be clear legal rules establishing a right of journalists not to disclose their confidential sources of information. These rules should allow for mandatory source disclosure only where ordered by a court and where this is absolutely necessary to protect an overriding interest, and the disclosure should be in camera.
- A minimum wage should be put in place for media workers, both print and broadcast, which should at least be enough to sustain a simple livelihood and this rule should be implemented in practice.

Regulation of the Print Media

- Measures should be put in place to ensure transparency of media ownership.
- There should be no direct public subsidies for the media; support should be provided only through indirect measures, such as subsidies on newsprint or general tax relief measures.
- A clear and objective set of rules should be put in place for the allocation of public advertising, the implementation of which should be overseen by an independent body. Priority in the allocation of local advertisements should be given to local media.

- Structural reforms should be adopted to transform the Press Council into a fully independent body that operates on a pro-people basis. It should be self-regulatory in the sense that appointments are overseen independently of the government, even if it is formally established by law.
- This independent Press Council should be responsible for complaints and applying the Code of Conduct.
- Classification of newspapers should be done by the Audit Bureau of Circulation based on the objective criterion of circulation.
- Registration should be used only to maintain a body of information on the print media and for purposes of ensuring integrity of media titles. Registration should take place through local government offices rather than the District Administration Office (DAO). Print media outlets that are already registered as companies should not also have to register.
- The Press Registrar and key national libraries should maintain an archive of published newspapers.
- Newspapers should not be able to hold a title where they have not published under that title for more than two years.
- There should be no government print media.
- Rules should be put in place to prevent undue concentration of media ownership, including through cross-ownership.

Regulation of Broadcasting

- A process should be put in place to plan the allocation of frequencies. The process should involve public consultations and ensure that adequate frequencies are allocated to the three sectors of broadcasting – public service, commercial and community – for both television and radio services. Frequency planning should also be undertaken with a view to promoting a transition to digital broadcasting in due course.
- Broadcast regulation should not be overseen by a government ministry but should be put in the hands of an independent regulatory body which should benefit from structural protection against political, commercial and other interference. The regulator should be funded from State funds and its budget should be approved by parliament.
- A key goal of broadcast regulation should be the promotion of pluralism and diversity in broadcasting.
- All broadcasters, including satellite and cable operators, should be required to obtain a licence through a fair and transparent process.
- Licensing procedures should be adapted to the different broadcasting sectors. Community broadcasters, in particular, should benefit from less onerous procedural requirements, including in relation to licensing fees.
- Licences should be given for set periods of time but may be allocated to the same applicant again where they have met their licence conditions.
- The 4% royalty currently levied on broadcasters should be abolished.
- A set percentage of the licensing fee paid by broadcasters should be allocated for professional development and capacity building in the sector.
- The editorial freedom of broadcasters should be respected.

- The government should ensure that broadcasters may take full advantage of new technologies.
- The broadcast regulator should, in consultation with interested stakeholders, develop a detailed code of conduct for broadcasters. The regulator should also be responsible for implementing the code, by putting in place a complaints system for the public and through direct monitoring and evaluation.

Public Broadcasting

- The existing State broadcasters – Nepal Television and Radio Nepal – should be transformed into independent public service broadcasters.
- The new public service broadcaster should have a clear mandate set out in law, including to provide public interest broadcasting that serves the needs of all sectors of Nepali society.
- These broadcasters should be funded directly from the State budget in accordance with a budget approved by parliament.
- Public service broadcasters should be accountable to the people through the parliament, as well as through direct means, such as surveys and feedback sessions.

Right to Information

- A key priority is for the Right to Information Act to be implemented. This requires both that formal implementation measures – such as appointment of the National Information Commission and information officers, and the proactive publication of information – and that effective procedures and practices are adopted to give effect to the Act in practice.
- The government should demonstrate clear political will at the highest levels supporting the right to information and effective measures should be put in place to address the culture of secrecy, including the provision of adequate training to public officials and, in particular, to information officers.
- The right to information should apply broadly to everyone and to all information held by all public bodies, including the legislature and the courts.
- Exceptions to the right of access should be limited to cases where disclosure of the information would cause serious harm to a protected interest and this harm is greater than the public interest in disclosure.
- A central fee structure should be put in place for requests that does not exceed actual photocopying costs and that provides for fee waivers for the poor and for public interest requests.
- The National Information Commission should be given a wide promotional role, including to publish a code of practice on record management, a guide or code on minimum standards for proactive publication and a guide for the public on how to use the RTI Act, to provide training on implementation of the Act to civil servants and to conduct public awareness campaigns.
- The appointments process for the Commission should allow for broad civil society input, including as representatives on the appointments committee and through a process that is open and participatory manner, and allows members of the public to nominate candidates. ■

Twenty Journalists Killed since the beginning of the Year March 2008

The Press Emblem Campaign (PEC) and the International Covenant for the Protection of Journalists (ICPJ) warn that the month of March has witnessed a marked deterioration in press freedoms, flagged by the recent developments in **Tibet, China**.

So far for this month the number of journalists killed in **Iraq** has gone down compared to the first quarter of 2007. But still Iraq remains the most dangerous country in the world for media work. Second to Iraq comes **Somalia**.

The number of journalists killed in Iraq since March 2003 stand today at 275 journalists.

In Russia, IIyas Shurpaev, a 32-year-old journalist and blogger was found strangled in the apartment he was renting in Moscow on March 23, Sunday. A native of Dagestan, Shurpaev had been based in Makhachkala until very recently, covering the Caucasus region for the state-owned Channel One. He transferred to Channel One's Moscow office a month ago.

Gadjhi Abashilov, head of Dagestan's state TV was shot dead in the republic's capital, Makhachkala at around 8 PM on March 21 Friday.

Likewise, A police officer and a Tibetan monk were killed in Sichuan province, southern **China**, it was reported on March 25, Tuesday.

Chinese official Xinhua News Agency said the protestors had attacked police with knives and stones, killing one police officer. The Tibetan rights group said one monk died and another was

In March 5 journalists were killed, including one murder in Iraq, two in Russia and two in China (7 last year during the same month), according to reports published by various international media organizations.

Since the beginning of the year, 20 journalists were killed in the line of duty as opposed to 22 during the first three months of 2007.

critically wounded when police fired five rounds into the gathering.

It was not possible to confirm or claim immediately. China has banned foreign journalists from travelling to the protest areas, making it extremely difficult to verify any information.

The two organizations (ICPJ and PEC) deplore the absence of media, Internet and Satellite coverage of the Tibet events and also call upon the Chinese authorities to allow free and independent access to the media to shed light on the Tibet developments as well as allowing an international mission of enquiry and to allow foreign

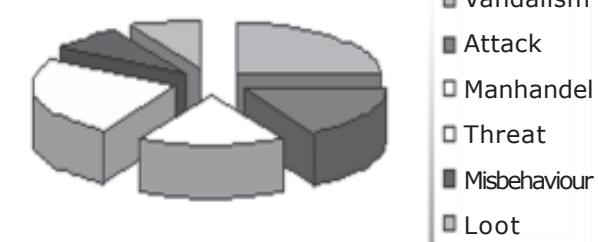
media to move freely in whole China at the occasion of the Olympic year. While also denouncing the events in **Zimbabwe**, the two organizations urgently call on the Zimbabwean government to allow free and fair coverage internally and by foreign media of the results of the March 29 elections.

As far as the situation in **Sri-Lanka** is concerned, the two organizations support the letter launched by the International Federation of Journalists and signed by more than 30 organizations, to the President of Sri Lanka voicing the concerns for the safety of journalists there. ■

Media Violation in Nepal during March 2008

Vandalism	3
Attack	2
Manhandle	2
Threat	3
Misbehaviour	1
Loot	1

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