

## Access to Information Gaining Ground

Access to information is instrumental to make governance transparent and hold the government to account. The right to information functions as a powerful and vibrant tool to debunk every malpractices and wrongdoings in the private to public sectors which have hazardous effects on public services, democratic practice and rule of law. It is gaining ground in Nepal with the increased demand for disclosure of publicly important information from the public agency in congruent with the Right to Information (RTI) laws.

The power of RTI in making government authorities accountable to people is realized when the Nepal government Finance Ministry was compelled to provide the report titled 'Study and Investigation of Fake and Fictitious VAT bills-2011' with information about the much-talked multi-billion rupees VAT evasion.



*Constituent Assembly Building*



*Finance Ministry*

It has not only boosted up confidence of citizens and civil society organizations to use this tool to check wrongdoings in governance but also substantially contributed to increase public revenue thereby paving the ways for improving national economy.

With the sweeping action taken against the VAT evaders and its psychological effect after the disclosure of the report, collection of VAT exceeded the target by 34 per cent during the first four months of the fiscal year 2011-12, according to the Finance Ministry.

'The disclosure has not only come as a joy to informed citizenry but also serves the democratic purpose of the state as building open society with transparency in governance', commented Freedom Forum Chairperson Taranath Dahal had filed application at the Finance Ministry seeking detailed information about the tax evaders and a complete photocopy of a report of a probe committee on VAT evasion.

The Finance Ministry imparted information to Dahal responding to landmark directive from the National Information Commission (NIC)'s verdict in the name of Finance Ministry Secretary.

The information demonstrated that some 437 reputed industries and enterprises were involved in the VAT scam.

'The move has clearly established the overriding effect of RTI laws by making all other laws governing VAT and Income Tax nullified', Dahal further said, adding the decision will help promote information culture in Nepal.

The report brings the largest corruption of the decade to light making people well informed about the tax evaders of hundreds of

thousands of rupees. It's a great achievement, considering

that even the PAC had failed to get the details of the suspected firms from the government.

The investigation report on alleged tax evasion prepared by Inland Revenue Department (IRD) suspected involvement of Nepal's top corporate houses including Arun Intercontinental, United Builders, Jagadamba Steel, Varun Developers, Biswokarma Cement, Maruti Cement, Dugar Auto Clinics, CG Electronics, Jagadamba Trading Concern, Chamelia Hydropower, CG Impex, United Distributors, Morang Auto Works, Bhat-Bhateni Department Store and CG Foods.

### How it happened?

It was possible all because of the unwavering and rigorous efforts of the Freedom Forum. The government, Finance Ministry, was so stubborn that it rejected thrice to provide information about the VAT evaders demanded by the Freedom Forum as per the RTI Act.

Firstly, an application was filed at the Finance Ministry in the name of Information Officer on May 18, 2011, seeking detailed information about the tax evaders but in vain. Later, a complaint was lodged to Finance Secretary as per the clause 9(1) of the RTI Act on June 9. As per the legal provision, the Head of the Office had to provide information within two weeks of the complaint. But it denied.

So, the NIC directed the Finance Ministry on July 11 to provide the detailed information of tax evaders within three days or furnish proper justifications asking why it should not publish tax evaders' list after Freedom Forum informed ministry's denial to provide information. However, the stubborn administration did not heed it, saying the information could not be shared. Untiring, the Freedom Forum knocked the NIC door filing an appeal with the NIC in line with the RTI Regulation-2008 on August 15 citing

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## Message From the Chairperson

The Supreme Court's recent verdict has put ample pressure on the political parties to promulgate much-awaited constitution within six months. The political parties have been extending tenure of the two-year Constituent Assembly (CA) on consensus citing the doctrine of necessity. The CA term already extended for three times will now be extended only one time- just for six months following the SC verdict.

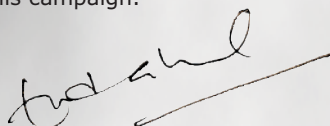
The SC verdict has brought hope among Nepali people because it has abated their anger and despair to some extent. They were despair because of the protracted constitution-writing process with the political parties wrangling for power. The prolonged transition has hit hard the youths. As the rule of law and justice were waning in the country, anarchy, insecurity and corruption took toll thereby ruining press freedom. It created a kind of suffocation among the public. With this in the background, the SC verdict has undoubtedly created a wave of hope together with expectation. On the other hand, people have been more concerned whether the political parties will be successful to cope with various challenges to make inclusive democracy by ensuring the decisive issues as state restructuring, peace process, form of governance, electoral system and concluding peace process.

If the consensus eludes again in the coming six months, Nepal will plunge into an unimaginable gutter of crisis. However the SC has given two options- holding referendum or election for new constituent assembly. These two options are not child play, however. With these, multifarious political conflicts and crisis can emerge.

Nevertheless, the country must usher in into a new era. Once the country steps to the new era with the federal democratic republic, Nepal will undoubtedly have golden future with whatever the people have aspired for their better life. Therefore, let's urge the political parties to seize this historic opportunity and challenge and wish them all success to handle the issues to transform the current transition to a stable political atmosphere with prosperity.

Once the era of democratic constitution is ensured within this six month, our duties will obviously increase in the days ahead. A successful democracy needs most active and constructive civil society. We are aware about it. May the future elections be conducted successfully; may all government levels and bodies ensure democratic governance, all political parties successful to achieve the dream of durable peace with new zeal and concerted efforts.

Freedom Forum is well aware about its role and responsibilities as to be active to create atmosphere congenial for further guarantee of the democratic process after the promulgation of the constitution. Our main responsibility at hand is to help form a democratic government by holding election successfully in the country. Similarly, we will concentrate on building powerful role of the public to maintain accountable government system for the good governance including bringing new policy and reforming laws to achieve the goal of new constitution. Continuous effort to make democracy meaningful with the development and promotion of democratic culture- is our commitment. We are determined enough to play a meaningful role though little to this campaign.



**Tara Nath Dahal**  
Chairperson

## UN Special Rapporteur Rue Calls on CC Chair Acharya

United Nations Special Rapporteur on Freedom of Expression, Frankle de la Rue called on Chairperson of the Constituent Assembly (CA), Constitutional Committee Nilambar Acharya at CA Secretariat in New Baneshwor, Kathmandu on November 6, 2011.

During the meeting, the Special Rapporteur Rue recommended the Committee to fully guarantee the right to freedom of expression in the new constitution in line with the international standards especially focusing on the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR).

'Freedom of expression is a key to make democracy live and functional, without which no other human rights could thrive', he said, adding it was very crucial time for Nepal to move ahead to make human rights friendly constitution.

In response, CC Chairperson Acharya said the CA was fully committed and effortful to ensure the provisions of freedom of expression, right to information,



human rights and media freedom in compliance with the international standards and practices.

Matters related to ongoing peace process were also discussed between Rue and Acharya. The Special Rapporteur briefly shared the Guatemala's experience of peace process contextualizing in Nepal's long efforts for delivering sustainable peace and full human rights.

On the occasion, Freedom Forum Chairperson Taranath Dahal, who was also present in the meeting, had facilitated the current issues of freedom of expression and right to information in Nepal.

Special Rapporteur Rue had arrived Nepal to deliver key note speech in a regional meeting on internet freedom that took place in Kathmandu on November 5. Freedom Forum had made the arrangement for the meeting between the Special Rapporteur and CC Chairperson Acharya.

## FF IFEX's Full Member

Freedom Forum has obtained full membership of the International Freedom of Expression Exchange (IFEX) - a global network of organizations working in the area of freedom of expression.

The biennial meeting of the world's largest network of free expression organizations that took place in June 2011 in Beirut, Lebanon endorsed the membership of seven interim members including Freedom Forum.

Freedom Forum draws the world's attention to press freedom violations among other human rights abuses in Nepal.

IFEX was set up in 1992 in Montréal, Canada when a dozen leading free expression organizations came together to create a coordinated mechanism to rapidly expose free expression violations around the world. Today, IFEX numbers more than 95 independent organizations worldwide.



# Death Threats Rampant

During six months, seven journalists received death threats – three in the earlier three months and four in the latter three months.

Keshab Raj Joshi, a reporter for ABC Television and Executive Editor of local Janakranti daily, was threatened with life by Acting Chief of Livestock Quarantine, Prayag Raj Bhatta, at Gaddachauki in Kanchanpur – a western plain district of Nepal – on May 15. Bhatta threatened scribe Joshi for writing on his involvement in a corruption case.

Similarly, an unidentified person speaking Hindi language issued death threat to Bijay Chauhan, publisher of the Ankush daily from Birgunj, a city in the eastern part of southern plain of Nepal on June 11, 2011. He was threatened over the news the daily published about the involvement of Pavan Mittal from Birgunj in the transaction of fake Indian currency note.

Uday Singh Shrestha, publisher and editor of a local daily paper, Nispakshya Dhvani, was

The journalists who are carrying people's voice and demands to the higher bodies, helping to create public will for good governance and making the government activities transparent, are facing constant threats over the news they write in Nepal. Such threats are not only from the underground armed outfits but also from the responsible persons of the government. Analytically speaking, the eastern part, and the southern plains of the country are more vulnerable regions to the journalists. As the death threats are continuous, journalists are feeling insecure and bound to practice self-censorship, and the self-censorship is indeed detrimental to the media freedom and rights to information.

threatened of life by a trader Raju Shrestha on June 22 over the news editor Shrestha wrote about the growing irregularities on export of coal and rice chaff. It occurred in Nepalgunj, a city in the midwest of the southern plain of Nepal.

On August 12 in Rautahat, a district in the southern plain of the country, Bikash Agrawal, Chief Editor of a local Bypass daily of Birgunj, said, "Head constable at the Regional Office Hetauda, Gambhira Sahani threatened him saying his life was short as he would be shot soon." The threat came over the phone number 057-521499 of the control room of the regional police office. It happened due to his writing about misconduct of the police persons.

Journalist Paras Timsina of Jhapa district,

eastern most in the southern plain, was threatened of taking life by two unidentified persons over the news he wrote about abduction. It occurred on September 3.

Moreover, on October 8, two people associated with the Sitaram Milk Company threatened to kill reporter Arjun Shrestha, from ABC Television, because of the reporting he made on the business malpractice of the milk company in Kathmandu.

Editor of a local weekly Hamro Ekta, Sushil Pokhrel, was threatened of taking life on October 24 over the news about unsystematic town planning in the district which he published in the weekly a week ago. It occurred in Pyuthan, a hilly district in the Midwestern region of the country.

## Lack of competence counterproductive in journalism

**As in other incidents of press freedom violation, the vandalism in media office and press vehicle was carried out from different sectors, including, the cadres of the political parties, ethnic groups, and banda organizers. Freedom Forum witnessed vandalism in the office of a newspaper in the capital city which was caused due to publishing false story. Therefore, it is safe to say the untoward incidents on press freedom are occurred also because of the lack of professional journalism.**

Activists of the Communist Party of Nepal-Maoists (CPN-M) led by Matrika Yadav vandalized a press vehicle in Siraha, district in the southern plain of Nepal on May 24 accusing the publications of not covering their party's news. Showing similar reason, an ethnic group vandalized the office of Nepal Samacharpatra in Dharan on June 7. Earlier on June 1, a press vehicle belonging to the Republica daily was vandalized without any reason in Saptari district by banda organizers.

Moreover, on September 4, Office of the Naya Patrika national daily at Kamalpokhari, Kathmandu was vandalized over publishing false news story.

## Burning Newspaper Up

*Journalist/Press First Target, Legal Recourse Secondary*

On May 10, the cadres of Madhesi Janadthikar Forum burnt copies of the Kantipur daily in Kalaiya reasoning it published the names of lawmakers involved in the diplomatic passport scandal.

Similarly, at Kotihawa of Rupandehi, the cadres of Brahmin Society who called the banda (general strike) in Dhaulagiri, Lumbini and Gandaki zones burnt down 200 copies of the national daily newspapers-

The Youth Force cadres burnt copies of the national dailies in Jhapa at a time when protests were pouring out from different sections of society in response to the assault by Youth Force cadres on Nagarik's correspondent in Biratnagar, Khilanath Dhakal.

An organization, Janasarokar Manch Nepal, burnt the two local daily newspapers, the Fast Times, and the

The political cadres are in the forefront to burn newspapers in order to hide the wrongdoings of their parties and leaders. Similar are the ethnic groups and organizations. Journalist and press are made first target by the attackers and vandals rather than seeking legal recourse as going to Press Council Nepal if they find any news against them or if the content is wrong.

Nagarik and Republica, demanding to write news in favour of banda on May 20.

Earlier, on May 16, District Chairman of the YCL, a sister organization of the UCPN-Maoist in Rasuwa, Meghanath Ghimire burnt down a weekly newspaper, Rasuwa Khabar Patrika over a news it published.

The cadres of Youth Force- a youth wing of ruling party, the CPN-UML – burnt down the copies of Nagarik and Republica national dailies in Jhapa district on June 11, 2011.

Morning Times, reasoning that they published biased news about the report on property tax on July 2.

On October 11, sister organizations of the ruling Unified CPN-Maoist burnt some copies of the Kantipur national daily reasoning that it published the news about the alleged involvement of Minister for Land Reform and Management, Prabhu Saha and his personal secretary Siyaram Kushbaha in the murder of then Chairman of Hindu Youth Association, Kashi Tiwari.

## Film Reviewer under Control

### A Mockery of Freedom of Expression

To sheer mockery of a citizen's right to freedom of expression, police took a film director Manoj Pandit under control on September 23 merely over a film review he made on an online media www.merocinema.com three weeks earlier in Kathmandu.

Police took director Pandit under control from Bagbazar after

producer and heroine acting in the film, 'brake fail', lodged a complaint in the police saying the film review by Pandit insulted her. Film reviewer Pandit said, "I was not biased on film review but made the review based on my study about the film."

As the constitution has clearly devised people's right to expression as writing articles, reviews, and speaking in public on the public issues, controlling film director Pandit by police was almost illogical and illegal. However, reviewer Pandit was released the same day.

# Threats of Action and Newspaper Closure

**With the caretaker government and the political parties wrangling for the power in the country, the media faced hard time in the first three months of the monitoring period in Nepal. Freedom Forum recorded a total of 9 threats to journalists. The threats are of physical attacks on journalists, and closing down media house and burning newspapers. The threats came from diverse sectors.**

**Noted, the sister organizations of the ruling CPN-UML, Youth Association Nepal, and Youth Force emerged vicious against press freedom this time.**

Mahesh Basnet, Chairman of Youth Association Nepal (YAN), a sister organization of the ruling Communist Party of Nepal Unified Marxist Leninist (CPN-UML) publicly threatened to close down the Nagarik national daily, a sister publication of the Republica daily and imprison Chief Editor of the Nagarik, Narayan Wagle.

At a gathering organized by YAN in Biratnagar on August 13, 2011 to mount pressure on the administration and police to drop the charges against Parshuram Basnet, the mastermind of the June 5 attack on journalist Khilanath Dhakal, YAN Chairman Mahesh said, "The day a new constitution is drafted in our favour, we will close down the Nagarik daily and send its editor Wagle to jail." He repeated this threat in Pokhara on August 21 on same reason.

Earlier, on June 7, Parshu Ram Basnet, Morang District In-Charge of Youth Force, prime accused in the attack on journalist Dhakal, warned local journalists to withdraw a written complaint lodged against him

and his two aides. Same day, Binay Pradhan, a reporter of the Avenues Television was threatened of action if not covered news about an ethnic group in the eastern city, Dharan.

Similarly, in July an underground armed outfit Jhapa district threatened most of the media houses to begin disseminating news and programs in Maithili language otherwise face action.

## Journalist Threatened of Physical Action through Facebook

On July 31, editor of a local Fast Times, Keshav Ghimire of Dharan was threatened of physical action over the news he published about an attack.

Similarly, a local of Morang district threatened to burn down Nigarani daily on August 22 citing it published cartoon targeting him.

A bus entrepreneur in Jumla, Midwestern district threatened journalist Narendra Nath Yogi reasoning he published news about regarding immoral activity of an entrepreneur. Freedom Forum recorded an incident that a journalist in Siraha, a district in the southern plain of the country, was threatened of physical action by an underground armed outfit.

Journalist Santosh Yadav, reporter to the Rajdhani national daily published from the capital, was threatened by the underground armed outfit named Janatantrik Tarai Mukti Morcha (Rajan Mukti group) on August 8, 2011.

Vaskar Mukti, claiming himself a central member of the group, wrote in the facebook as "Mr Santosh, I've heard that you are working for police administration. It was sure you had a role to arrest Morcha's leader Jaymukti. Contact us soon; otherwise the high command of the Morcha will take physical action against you.

**With the growing use of social media, its misuse has also increased. The misuse may compel the state to emerge tough on users of social media increasing the chance of curtailing freedom of expression. So, the users need to properly utilize the social media for greater importance.**

## US Media Law Expert in Nepal

Associate Professor Dr Joseph Russomanno of the Arizona University, USA, who arrived in Kathmandu on a weeklong visit to Nepal on July 23, 2011 shared his experience on media law, provided theoretical and practical aspects of free press in the US and garnered information about Nepal's media landscape.



Arrived Nepal at the invitation of the Public Affairs of US Embassy to Nepal and Freedom Forum, he visited Nepal's media houses, held interaction, meetings and talk programs with media experts, government officials, legal practitioners, journalists and students of journalism for four days (25-28 July) in Nepal.

On July 25, Mr Russomanno had a meeting with the Freedom Forum where he was apprised of media laws and ongoing developments in media. Similarly, he attended a discussion meeting with the Federation of Nepali Journalists (FNJ), and the broadcasters and chiefs of the broadcasting agencies. During the meeting, he was apprised of broadcasting law, community radios and their challenges in Nepal. On the occasion, visiting Associate Professor Russomanno shared information about how the radios and TVs are monitored in the US.

Similarly, Mr Russomanno garnered

information with Secretary at the Ministry of Information and Communication, Shreedhar Gautam. He also visited state-owned Radio Nepal and Nepal Television (NTV) and interacted about broadcasting sector reform. Also he visited a private media and talked to the working journalists about their works and shared experiences.

Moreover, he shared his ideas about online/internet regulations with Nepali lawyers. Even he visited the Kantipur City College (KCC), a mass media college in Kathmandu. In an interview, he suggested Nepali political parties to work for guaranteeing press freedom in new constitution. In a seminar organized at the Nepal Bar Association (NBA) on July 28, he imparted information on US constitution and legal practice on media.

All programs, interaction and discussions were organized by the Freedom Forum in collaboration with the Public Affairs Section, US Embassy. The programs were deemed to render effects and impact on Nepali media on how media can build democratic society by understanding America's theoretical, philosophic and practical aspects of free press. Moreover, the programs are useful for the Nepali media at the time the country is going through a transitional phase and striving for new constitution.

## Budget Transparency Survey-2012 Underway

Freedom Forum as a part of the Open Budget Initiative (OBI) has involved in budget transparency research and advocacy in Nepal in collaboration with international budget partnership (IBP) since 2009.

As a significant component of the OBI, Freedom Forum is undertaking national budget survey for 2012 based on the structured questionnaire with five-step methodology for data quality. The survey is a diagnostic tool identifying gaps in budget transparency and suggesting recommendations for improvement. It is evidence-based survey which means that advocacy can be based on facts/documents. The budget transparency is premised on the assumption that access to budget information is crucial to ensure democratic and accountable governance which is reflected in service delivery to public, and it is the duty of the government to provide with its people the detail information on budget in a comprehensive manner so that they can participate in budget making to monitoring process.

The Initiative is a global research and advocacy program to promote public access to budget information and the adoption of accountable budget system. The US-based IBP launched the Initiative with the Open Budget Survey—a comprehensive analysis and survey that evaluates whether governments give the public access to budget information and opportunities to participate in the budget process at the national level. The biannual survey report- 2010 was published last year which showed that Nepal's position is 46 of 94 countries surveyed. Nepal's score was 45 out of hundred which signifies that budget process in Nepal is not transparent.



# PSB Model Law Outlined in Compliance with UNESCO's MDI

Freedom Forum has outlined a Public Service Broadcasting (PSB) model law for Nepal in compliance with the Media Development Indicators (MDI).

MDI is a framework for Assessing Media Development endorsed by the Intergovernmental Council of the International Programme for the Development of Communications (IPDC) at its 26th session held on 26-28, March 2008. The model law has been brought in collaboration with the UNESCO Office in Kathmandu.

The model law is framed in the backdrop of growing need of clear policies, laws and regulations specifying PSB in the country. Considering the growing need of PSB as per the recommendation of various commissions, committees and taskforces formed by the previous governments but no laws in this regard, the Freedom Forum brought the PSB model law.

The PSB model law brought with rigorous consultation and research has aimed at addressing the broader need of people's right to information and freedom of expression in line with the socio-political diversity of the country and imminent socio-political transformation.

In course of devising the outline of model law on PSB, the Freedom Forum organized discussions, workshops and consultative meetings where it garnered information and suggestions for several rounds. Media experts and related professionals, government officials, and the



*First workshop on PSB with Nepal Television*

constituent assembly members had expressed their views, furnished suggestions, presented papers on the proposed bill.

The PSB model law was devised in order for the public broadcasting services to providing the general public true, balanced and credible information, practical education and healthy entertainment by means of radio, television, internet.

The sole aim of devising PSB law is to ensure all citizens' access to the information as per the imminent changes in the socio-political setup in spite of the diverse geographical and cultural setting of the country.

## Brutal attacks on Dhakal and Budhathoki

### *Government apathetic*

On June 5, Youth Force, a sister organization of the ruling Communist Party of Nepal Unified Marxist Leninist (CPN-UML) attacked journalist Khilanath Dhakal, reporter of the Nagarik national daily at night, accusing him of writing news against the Youth Force in Biratnagar, city in the southern plain of the eastern part of the country.

Reporter Dhakal was attacked by the cadres of the Youth Force including driver of the district chairman of the Youth Force Parshu Ram Basnet. The brutal attack left reporter Dhakal seriously injured. His nose was broken, and got injuries on head and various parts of the body.

The attack was coordinated as the Youth Force In-Charge at Biratnagar, Rohit Koirala called scribe Dhakal near district education office, took him a bit far in the dark in the pretext

of holding talks, encircled him with cadres and beat severely.

Escaped with difficulty, Mr Dhakal was found by a police patrol and taken to the hospital. "If the police had not met me on time, I would be finished off there," said scribe Dhakal to his newspaper the Nagarik, published from the Capital and other cities as well.

Scribe Dhakal had reported news about the Youth Force's attack on a police team on the premises of Morang District Court on June 1.

Due to the attack, journalist Dhakal was bed-ridden in hospital for nearly two months.

The mastermind of the attack was Parshu Ram Basnet, district chairman of Youth Force.

Although the intense pressure was piled on the government to mete out justice to the mastermind of the attack, the police administration remained helpless before the political protection to the criminal. Though two other accomplices were arrested, Basnet is living scott free.

Meanwhile, Sankhuwasabha-based reporter to the Annapurna Post and The Himalayan Times, Kishor Budhathoki, was attacked with sharp weapons by Bikas Rai of Khandbari (district headquarters) and his accomplice Rupak Rai at around 9 pm on August 11 leaving him seriously injured.

Budhathoki got bruises all over his body and his arm dislocated. As a result, he had to be admitted at Biratnagar-based Nobel Medical College.

It was learnt that Rai assaulted Budhathoki over a news report aired on local Khandbari FM, which was based on Budhathoki's comments on violence against women about a month ago.

Budhathoki's statement also had the reference

Journalists are not only sources of information but they are also the torch-bearers debunking social malpractices, government irregularities and defective system. They are watchdog as they repeatedly inform and make aware the state authorities and other responsible bodies about public needs and demands including the rights. So, they act as campaigners and advocate freedom of expression and democracy. In spite of this, they become butt of attack, and threat. During this six-month period, two journalists- Khilanath Dhakal and Kishor Budhathoki were attacked brutally due to news reporting on social malpractice.



*Biratnagar-based Journalist Khila Nath Dhakal Receiving Treatment at Hospital after Life-Threatening Attack.*



*Sankhuwasabha-based Journalist Kishor Budhathoki Unconscious after Brutal Attack.*

of disputes between Bikas and his wife. According to police, the prime assaulter Bikas was a 'professional criminal' who had served jail terms several times in the past.

Similar was in the case of mastermind of attack on Dhakal, Parshu Ram Basnet with criminal track.

Sankhuwasabha District Court, on September 15, 2011, remanded to custody the attackers. on journalist Kishor Budhathoki- Bikas Rai and Rupak Rai for trial as per the General Code Court Management section 118 (2).

However, the mastermind of the attack on journalist Budhathoki, Basnet has been living scot-free in spite of several court orders and police search due to the political protection.

## Level of Aid Transparency

The campaign group, Publish What You Fund, has released a report on world's transparent aid donors in November 2011.

As per the report, the World Bank, the Global Fund, the African Development Bank, the Dutch foreign ministry and the UK's Department for International Development (DFID) are the top-ranking donors in the pilot aid transparency index, which rates 58 agencies on how much information they provide about the aid they give.

The US Department of Defense, the UK's development finance arm, the CDC, China, Latvia, Italy and Poland are among the worst performers. The US as a whole, Japan, France, Germany and Australia also perform poorly despite repeated pledges to improve.

"The UK performs relatively well in this ranking and should be congratulated for showing leadership on transparency," said Karin Christiansen, managing director of Publish What You Fund. "Overall, the results are very disappointing and all donors could do more. Lack of transparency leads to waste, overlap and inefficiency. It impedes efforts to improve governance and reduce corruption and makes it hard to measure results. At a time when overseas aid budgets are under pressure, transparency and accountability matter more than ever."

The average score in the index of just 34% shows that although some donors have made good progress, most need to do much more, said PWYF. "No donors ranked in the top category

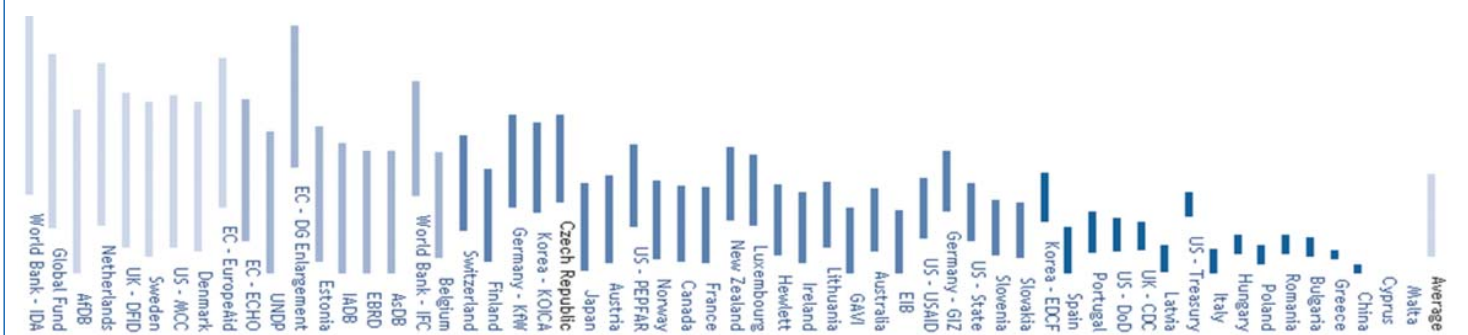
'good', which requires a score of over 80%.

Some countries provided worrying examples of how poor reporting can distort perceptions of whether aid is spent, the group said. For example, almost the only information available about one of France's biggest aid beneficiaries, Ivory Coast, covered a project commemorating 20 years of research into chimpanzees.

The report calls on all donors to sign up to and implement the International Aid Transparency Initiative (IATI), the standard agreed at the Accra forum on aid effectiveness in 2008 for publishing data. The UK began publishing DfID's spending on the IATI register in January. However, IATI is one of the contentious issues on the agenda for the next high-level forum on aid effectiveness, being held at Busan, in South Korea, at the end of this month.

(Source: <http://www.guardian.co.uk/global-development/2011/nov/15/uk-among-most-transparent-aid-donors?intcmp=122>)

## Donors Aid Transparency Index-2011



(Source: [Http:// Www.Publishwhatyoufund.Org/Resources/Index/2011-Index/](http://Www.Publishwhatyoufund.Org/Resources/Index/2011-Index/))

# Safety Training to 51 Journalists

Media persons in Nepal are facing constant threats to their personal and professional safety and institutional security despite peaceful change in the political atmosphere followed by the establishment of democratic governments.

The lives of journalists who take up the responsibility of imparting information to people have been increasingly in risk. With this in the background, Freedom Forum imparted the safety trainings to 51 journalists from various parts of the country with the support of the UNESCO Office in Kathmandu from July to November 2011.

The major objectives of the project were- to improve accountability, ethical and professional standards in journalism, and enhance knowledge, skills and

awareness among journalists to deal with conflict sensitive situation while covering and imparting news.

The project covered three most vulnerable regions including central, east and mid-west of Nepal. Altogether three trainings were conducted in the regions covering journalists from 22 districts. First slot of the training took place in Sindhupalchowk while second and third were conducted in Rajbiraj of Saptari district and Thakurdwara of Bardiya, respectively.

The immediate beneficiaries of the training were 51 working journalists for radio, television and print media operating in vulnerable area and the journalists in media leadership. Among the beneficiaries of the training, 15 were female and 36 male. Likewise, 24 journalists from print media, 11 from radio, 14 from television and two freelancers were benefitted from the training.

In course of the training, the Freedom Forum prepared a 32-page comprehensive training manual followed by 42-page standard reading materials on safety

Confidence of journalists to deal with conflict sensitivity was boosted up when they were imparted skills and knowledge required to adopt to avoid violence. Freedom Forum prepared the training manual in the standard format with good sequencing of contents, sessions, methodology and use of materials.

## Freedom Forum in International Events

- Executive Director Mr. Krishna Sapkota participated in a three-day 'Open Budget Survey 2012 Methodology Training', organized by the United States-based International Budget Partnership (IBP), at Bangkok in Thailand from July 27-29, 2011.
- Chairperson Taranath Dahal participated in the Annual General Meeting of International Freedom of Expression exchange (IFEX) in Beirut of Lebanon from 30 May to 3 June.

***Journalists !***

Are You in trouble in course of using your rights to press freedom ? Are you in need of any legal help regarding your right ? If so, feel free to contact us :

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*Senior Journalist Dharmendra Jha imparting Training in Bardiya*



# Parliament Abides by RTI Law

Adhering to the Right to Information (RTI), the Legislature-Parliament of Nepal eased public access to policy making level by providing all information about the bills and their amendment proposals under consideration in the Parliament.

Journalist and Treasurer of Freedom Forum Bishnu Sharma had sought the information on September 13, 2011 as per the RTI Act 2007 (2064BS).

The 59-page information comprises the photocopies of various 14 bills which are under discussion in the Legislation Committee of the Parliament, and also the photocopies of the proposals the Constituent Assembly members submitted seeking the amendments of the bills.

The information provided by Information Officer of the Legislature-Parliament, Ekram

Giri, has the bills as Third Amendment Bill on Scholarship-2065, Nepal Electricity Regulation Commission Bill-2065, Bill Made on Amendment and Unification of the Laws on Electricity-2065, Bill on Duties and Responsibilities, among others.

Likewise, responding to a RTI application filed by Dahal on June 6, the Legislature-Parliament imparted detailed information on the meetings of CA and its thematic committees (date and time duration), parliamentary sessions and meeting (date, number and time) and the bills the CA approved during three years (number, title, and approval date).

Among other information provided by the parliament were details about perks and benefits received by the CA members, the foreign trips they made, health facilities and expenses received by some of the CA

members and the total expenses incurred while undertaking constitution drafting task during the period.

The Right to Information (RTI) Act 2007 was formulated guaranteeing people's right to know/information.

Freedom Forum, an organization working in the fields of right to information, human rights, press freedom and democracy, has engaged its utmost efforts to create national wave of RTI by activating demand side, supply side and the role of civil society organizations.

Meanwhile, Freedom Forum, on November 22, applied in the Legislature-parliament Secretariate seeking information including the photocopies of the bills except 14 bills under consideration in the Legislature Parliament's Legislation Committee.

(Continued From Page 1)

## How it...

dissatisfaction over the Finance Ministry's decision of non-disclosure of information on tax evaders.

In response to the appeal, the NIC had issued verdict to provide with a photocopy of the VAT evasion study report-2067 BS including its annexes 1, 4 and 7 free of cost by upholding the spirit of the Right to Information (RTI Act-2007) within 15 days on October 27.

Cowering before the strength of RTI law, the Finance Ministry imparted the information on October 30, 2011.

Most of the print media had published this matter in the front page giving special focus on November 1 while the electronic media too make sensational news debunking the reputed firms evading tax. The entire first week of November 2011 was abuzz with the news about this. Some wrote editorial, some opinion arguing the evading tax was really a 'financial crime'.

Though late, the government has addressed the genuine demands of the people so as to respect their right to information/know. The move has come to protect and promote information culture which is basic need to democratic government of modern time which maintains transparency in its activities and service.

## RTI Application to NTA

In yet another case, RTI campaigner Taranath Dahal on October 19 lodged a complaint at the Nepal Telecommunications Authority (NTA) seeking details of billing system of internet services of the telecom service providers.

"It is heard that telecom service providers are charging rampant internet service charges taking advantage of consumers' lack of awareness on the technical part," Dahal said in the application, adding that the authority should monitor billing system of them to safeguard consumers' rights.

In the complaint, he has also asked the authority to provide information whether telecom service providers have been connecting their different schemes

in the internet service devices without informing consumers or not.

Dahal also demanded to publish the latest monitoring report of the regulator on billing system and detailed report on actions taken against them, if the authority discovered any irregularities.

"The authority has taken the issue seriously," NTA spokesperson Kailash Prasad Neupane said, adding that it will take stringent action against service providers, if they are found guilty.

"The authority has started monitoring the billing system after receiving formal and informal complaints from the consumers," NTA chairman Bhes Raj Kandel said.

## Pioneering Initiative on Media and Election

Freedom Forum has come up with a new initiative. It has launched an election-related website-www.nepalelectionchannel.org- on July 19, 2011. The website built in collaboration with the INTERNEWS and co-partner Antenna Foundation Nepal is a common platform, connecting media, election experts, policy makers and advocates, opinion makers, academics, international community, other stakeholders and the general public.

The website works as a channel to compile the reports on media situation in the general election which are received from the journalists from across the country through phone, email, and directly through the website. The website also functions as an interactive social network where they can interact on the subject matter. In addition, it archives the matters related to election, election laws, journalists' conduct, election monitoring laws and experts and other references from the country and abroad.

Freedom Forum Chairman Taranath Dahal said, "The website has come as a common platform to all related to media and election and serves the needs of democracy as it monitors the press freedom violation during the election, disseminates alerts on these; and works for people's

right to information on election by upholding journalists' professional capacity."

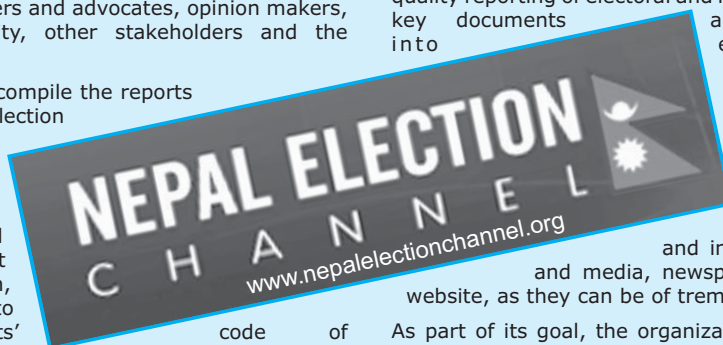
The site includes alerts on intimidation, violence or other threats to quality reporting of electoral and legislative issues. The web portal offers key documents into

and discussions and provides inputs electoral and political issues, including Election Commission and Constituent Assembly (CA) considerations of media laws and protection issues. A citizen journalism approach will be used for this.

Various links that of the government bodies, national and international organizations on election and media, newspapers and others have enriched the website, as they can be of tremendous use.

As part of its goal, the organization will be monitoring the upcoming general election for media violations, human rights, civil liberty and violation against journalists.

INTERNEWS, established in 1982 in the USA is an international media development organization whose mission is to empower local media worldwide to give people the news and information they need, the ability to connect, and the means to make their voices heard.



# Political Parties Ignore EC Drive

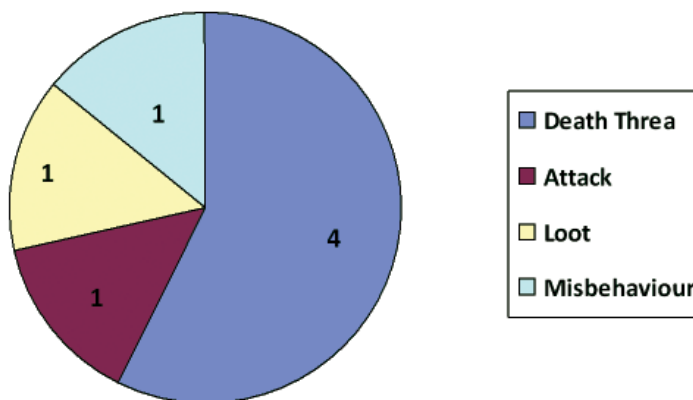
*Altogether 7 incidents of press freedom violations occurred during March 2011. In spite of the media proliferation in the country, the reporting of the sensitive issues as security, electoral process, and parliamentary procedure could not maintain the standard in a way or other because of various reasons as violence and professional incompetence. Political parties ignored voter registration drive.*

Nepal's political transition to the democracy in the recent years and its consolidation efforts especially after April 10, 2008 elections to the constituent assembly (CA) opened up avenues for Nepali media which got greater space day by day. As a result, the free flow of information through various media became easier than before. In spite of the media proliferation in the country, the reporting of the sensitive issues as security, electoral process, and parliamentary procedure could not maintain the standard in a way or other because of various reasons as violence and professional incompetence.

At present situation, reporting on the electoral activities in Nepal has gradually gained importance in a sense that the Election Commission (EC) of Nepal has launched voter's registration process in a scientific manner, though late. The Commission has been carrying on this process in spite of numerous hurdles across the country. With the issuing of voters' identity cards with photographs, the Election Commission has initiated the efforts to make future elections free and fair which is and must be welcomed from all sectors across the country. There is no doubt this voter registration campaign obviously encourages a democratic practice of election.

The issuing of voter's identity cards by the Election Commission has been accomplished in 46 out of 58 municipalities and the campaign is underway in the villages as well. The media has made a good coverage of this. As per the media coverage, some ethnic groups in the eastern hilly districts have ignored and disrupted the voters' registration process

**Incidents of Press Freedom Violation in March 2011**



demanding it be carried out after the delineation of federal states while the Madhes-based political parties in the southern plain obstructed this process citing non-transparency. Similarly, the villagers' apathy towards political parties has made them ignore the voter's registration campaign. As a result, the trend of registering voters' name this time has declined by 50 percent. The main reason behind such decline in the voter's registration is the indifference of political parties towards the Election Commission's innovative campaign, their partisan interest and the Commission's failure to reach door to door.

However, during March, there was not any considerable reform in the side of political parties and neither any legislative action regarding the reform in electoral process. As a result, there was little media coverage of election-related matters. But, the incidents against press freedom violation continued across the country.

Altogether 7 incidents of press freedom violations occurred during March 2011. Among the total, there were- 4 death threats to journalists while one attack, one loot and one misbehaviour. It is noteworthy to mention here that Nepali media came across a total of 107 incidents of press freedom violation in the year 2010.

*(The Report also includes Political and Electoral Issues.)*

## Media Monitoring Report, April, May & June-2011

**A total of 27 incidents of press freedom violation occurred in the past three months (April, May and June 2011) across the country. The policy and programmes the government brought for the fiscal year 2011/012 on July 3, 2011 lacks clarity in term of the press freedom. The government is apathetic to press and media freedom and journalists' rights but promoting impunity, and injustice.**

Nepali media and media persons have not witnessed any positive change during the past three months. The incidents of press freedom violation are continued unabated. The media monitoring desk of the Freedom Forum has recorded a total of 27 incidents of press freedom violation in the past three months (April, May and June 2011) across the country.

Later two months of this period were almost dominated with the news about the murderous attack on Khila Nath Dhakal by the ruling CPN-UML's sister wing Youth Association's District Chairman in Morang, Parshuram Basnet. Basnet, with various crime records, had masterminded the brutal attack on reporter of the national dailies, Nagarik and Republica, Khilanath Dhakal. Bansnet-led gang severely beat up journalist Dhakal on June 5, 2011 over his reporting about the incident that Basnet's gang attacked police personnel and a jailbird on the premises of the Morang District Court.

Poor journalist Dhakal was bedridden almost a month in a hospital. He underwent the operation of the broken nose in course of the treatment.

Not only fellow journalists but also the rights bodies expressed grave

## Government Apathetic to Media Freedom

concern over the brutal attack on journo Dhakal.

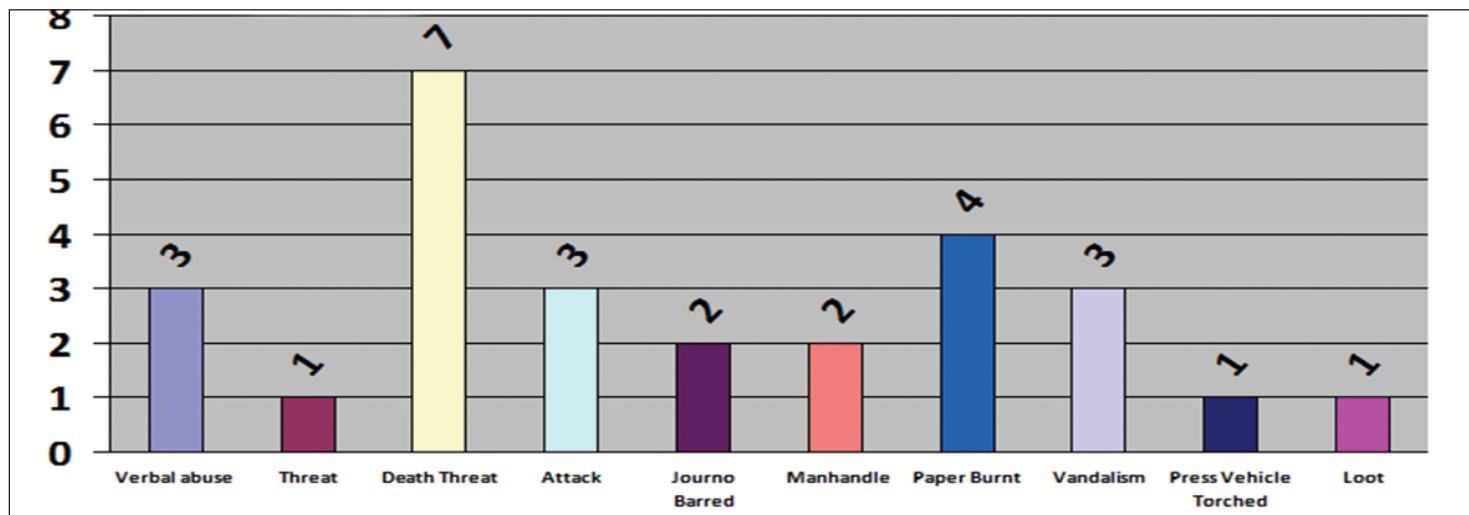
In spite of the tremendous pressure from the media, rights bodies, and even the parliament, the government has not arrested the mastermind of the crime, Parshuram Basnet yet.

Government's double standard on media has been denuded as it is saying it respects journalists' rights and promotes freedom of expression but at the same time is giving political protection to the criminal like Parshuram Basnet thereby promoting the culture of impunity.

As Basnet is the leader of party's sister organization, he is given protection, it is crystal clear. Only two accomplices in the attack have been imprisoned. Because of the government's apathy, the criminals are walking scot-free. Even the police administration is helpless to check the impunity because of the undue political pressure.

Similarly, the policy and programmes the government brought for the fiscal year 2011/012 on July 3, 2011 lacks clarity in term of the press freedom. The aim of the government's plan to bring an integrated information and communication policy is not clear because we have already had all-encompassing and effective media reports. These media reports including that of the High Level Media Commission made with





rigorous consultations with the experts lack implementations. So, it is not judicious to bring the integrated policy at present but implement previous media reports.

Moreover, another detestable issue is the government's policy to manage insurance to the journalists because once such facility is provided by the government, there is danger of government control on media. It means media can not thrive independently. Though very late, Bara District Court, on May 30, 2011 slapped life imprisonment with property attachment to the two murderers of journalist from Bara district, Birendra Saha. Journo Saha was murdered on October 5, 2007.

Similarly, District Court, Dhanusha decided to sentence Lalita Singh and Nemal Paswan on life in prison on June 11, 2011 for killing district-based journalist Uma Singh. Journalist Singh was hacked to death on

January 11, 2009. These are welcome deed of the State authority.

During the past three months, 7 journalists were issued death threats while 4 newspapers burnt, 3 journalists attacked, 3 verbally abused, 3 vandalism, 2 journalists barred, 2 manhandled, 1 looted, 1 threatened, 1 press vehicle torched.

Similarly, the media monitoring desk of the Freedom Forum has recorded a total of 8 incidents of press freedom violation in a month (June 10-July 10, 2011) across the country. As per the record, 3 newspapers were burnt, while 2 journalists issued death threat, 1 police raid on FM radio, 1 journalist looted, and 1 journalist intimidated.

This situation makes it clear that government is apathetic to press and media freedom and journalists' rights but promoting impunity, and injustice.

**May** too failed to remain the month sans incidents of press freedom violation in the country. Altogether 8 incidents occurred during this month which undoubtedly violated media/press freedom.

According to the Media Monitoring Desk of Freedom Forum, altogether 8 incidents of press freedom violations occurred during May where a journalist was issued death threat, 2 manhandled, 2 newspapers burnt, a journalist barred, a press vehicle torched and a vandalism.

On May 31, Bara District Court slapped life imprisonment to the murderers of district-based journalist Birendra Saha.

During May, the cadres of the political parties- Madhesi Janadhikar Forum, CPN-M, and Chure Bhavar Rastriya Ekta Party and the police personnel and other rowdy groups involved in the violation of media and press freedom in the country. Involvement of political parties and the government authorities in the violation of media freedom shows how irresponsible they are towards media, the pillar of democracy. Similarly, most of the incidents of press freedom violation have occurred in the southern plain (Tarai region) of the country. It denotes that Tarai region has adverse atmosphere for the journalists to carry out their duties.

Though late, the State authority has taken step to curb impunity with the imprisoning

of the murderers of journalists Saha.

As the issue of media freedom has been eclipsed by the political wrangling, and the parties focused on partisan interest with the imminent deadline of the constituent assembly (May 28), it is not sure what will be the fate of press and media in future.

There were no new policy and programs from the government side for the media freedom, and protection and promotion of right to information. However, government maintained the words that it was committed to press freedom.

## May-2011

There was good media coverage, especially in the print media about the ongoing electronic voter registration campaign launched by the Election Commission (EC) of Nepal. As per the news, the voter registration drive faced problems especially in the eastern hilly region as in Dhankuta, Taplejung, Panchthar and Sankhusabha districts. The voters' registration was disrupted by the ethnic groups as Limbuwan State Council in Ilam and other districts while the Madhes-based political parties obstructed the process in Banke district. The Madhes-based parties obstructed it demanding to provide voter ID based on previous voter registration which the EC claimed faulty. Similarly, the ethnic groups obstructed the voter registration in

the eastern hilly region, posing the demand of autonomy first.

However, the EC said more than 4.5 million people had been registered under the program till May 26, 2011. The EC added that 60 percent voters were absent in the village.

Because of the political bickering for power, political parties and leaders failed to pay attention on EC drive. Also, they did not launch hot debate on future electoral system. As a result, Nepali media too carried only political speeches rather than investigative reports on electoral system. Very few media conducted debates on the electoral system. Only two /three opinions were in the print media on importance of local elections in Nepal.

According to the Media Monitoring Desk of Freedom Forum, altogether 8 incidents of press freedom violations occurred during May where a journalist was issued death threat, 2 manhandled, 2 newspapers burnt, a journalist barred, a press vehicle torched and a vandalism.

Over all, Nepali media has not seen any significant change during this period as the anti-press incidents are continued; very few media has come up with special debates and discussion on electoral system and elections as the political parties themselves were unable to sort out in the parliament. Similarly, there were no special reforms carried out relating to the political parties.

## June-2011

Incidents of press freedom violation are continued in June as well. Compared to the last month, 3 more incidents occurred this month where June-5 murderous attack on Biratnagar-based reporter to the Nagarik and Republica national dailies, Khila Nath Dhakal dominated the scene.

The government failed to bring any specific plan and program on media freedom, and protection and promotion of people's right to information. Rather, government maintained its double standard in this regard as the responsible ministers including the Prime Minister were saying that government was committed to the protection of journalists and promotion of media freedom at the same time the prime accused of the murderous attack on journalist Dhakal was given political protection.

Though late, it is laudable deed, indeed, that District Court Dhanusha decided to award life imprisonment to the killers of the journalist Uma Singh. The District Court decided to sentence Lalita Singh and Nem Lal Paswan on life in prison for killing district-based journalist Uma Singh on June 11, 2011, two years after the murder.

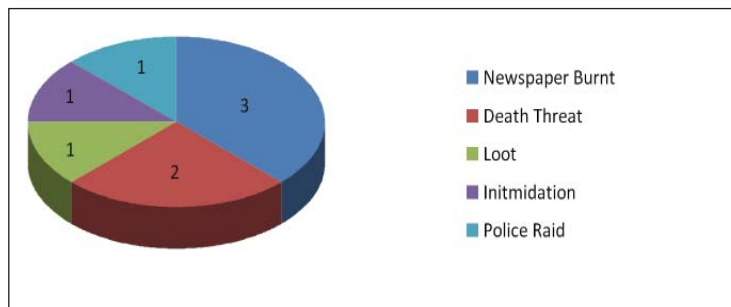
On the other hand, most of the media, especially the print media covered the news about the voter registration launched by the Election Commission (EC) of Nepal. With the introduction of voter ID card with the image and fingerprint introduced by the EC, the number of voters has declined sharply. The print media has reported that voters declined by 46 percent in Dolakha, by 40 percent in Parvat and by 50 percent in Okhaldhunga districts. Political leaders have shown indifference to the voter registration. It is reported that among 10 CA members in Nuwakot district, only 1 CA member turned up for voter registration.

Although new voter registration EC launched for free and fair election, it faced hitches especially because the Madhes-centric political parties disrupted this campaign. The voter registration with voter's image and fingerprint was disrupted by a Madhes-centric party- Madhes Lokatrantik Party in Rupendehi district. The news further reported that the district leaders of the party seized the documents of the district election office while conducting registration. The leaders demanded the new voter registration based on the old voter registration which the election commission claims faulty.

In June, Chief Election Commissioner of India Syed Quraishi visited Nepal at the invitation of the Election Commission of Nepal and shared his experience on election and electoral process. Even a Memorandum of Understanding was signed between the Election Commissions of Nepal and India during his stay.

According to Freedom Forum's media monitoring desk, altogether 11 incidents of press freedom violation occurred in June alone where 2 press vehicles were vandalized, 1 journalist attacked, 4 journalists issued death threat, 2 newspapers burnt, 1 police raid on media house and 1 journalist manhandled.

To sum up, the incidents of press freedom violations are continuous; no new government policy on media freedom, impunity goes unchecked, lack of investigative reporting on electoral system in spite of numerous media, no media conducted constructive debates on electoral system, public and leaders' apathy to voter registration process, and no final decision in parliament about the form of governance including the future electoral system.



The incidents of press freedom violation have considerably declined in July (till 27) in the country. Altogether 4 incidents occurred throughout the country- newspaper burnt (2), journalists barred (1), and intimidation (1).

The reason behind the sharp decline in the anti-press incidents this month must be the tremendous pressure the journalists and rights defenders piled on the government to curb and deter such incidents. The journalists mounted the pressure on the government after the June-5 murderous attack on Biratnagar-based journalist, Khilanath Dhakal.

However, the government stuck to its double standard- saying it would immediately arrest the mastermind of the attack and hand him over to the administration but giving political protection at the same time.

In spite of the government's apathy to arrest prime accused of the incident, the District Court, Morang issued a 70-day notice on July 18, 2011 in the name of Parshuram Basnet, the mastermind of a brutal attack on Khilanath Dhakal, a Biratnagar-based reporter to the Nagarik and Republica national dailies.

The notice was issued after police failed to arrest Basnet within seven days of the issuance of an arrest warrant, according to a record keeper in the District Court, Bishma Raj Prasai.

Earlier, Judge Meghnath Bhattarai of District Court, Morang, issued a seven-day warrant against Basnet and ordered to remand to custody both his accomplices Rohit Koirala and Manoj Rai on July 6, 2011.

Similarly, Kanchapur District Court was found preparing to file a case again on the murder of journalist Prakash Thakuri from Mahendranagar, a far western district of Nepal, as per the Supreme Court (SC) mandamus order to this regard.

The case on abduction and subsequent killing of journalist Thakuri was withdrawn dubbing it a political case by the Maoist government some years back. But, the SC had said in the mandamus on February 23, 2011 that the Crimes committed after the Comprehensive Peace Accord could not be let off in the name of political case.

Another welcome deed on the promotion of right to information comes after the National Information Commission (NIC) directed the Finance Ministry on July 12 to provide the detailed information of tax evaders within three days or furnish proper justifications asking why it should not publish tax evaders' list.

The NIC gave such directive to the Finance

## July-2011

Ministry in response to an application filed by the Freedom Forum complaining that the Finance Ministry denied providing the details of VAT fraud scam within three days of the application.

Another incident to prove government's double standard on media/press freedom and right to information was its policy and program. The policy and programs the government brought on July 3, 2011 for the fiscal year 2011/012 lacked clarity. It lacked basic and real needs of the sector at the moment.

First, the plan to formulate an 'integrated information and communications policy' by the government is illogical because bringing this policy at a time when there were merely two months to go to frame the new constitution was unlikely to be all-encompassing and at the same times unworthy. It has harbored doubts since the government's plan has ignored the recommendations furnished by the High Level Media Commission formed by the government following the democratic people's movement of 2007. This is the first such a comprehensive report, prepared after a rigorous consultations with various stakeholders, in line with internationally accepted standards and principles of freedom of expression and press freedom.

In another note, the government has unveiled a plan to manage insurance of working journalists. If the task is to be undertaken by the State, the chances of State control on journalists are high.

Regarding the electoral system and the activities of the Election Commission (EC), the media tried to cover as much as they could. However, very few print media published the investigative writings and expert opinions on the electoral system that the country is engaged in intense debate.

As per the media, the political parties are mulling over the German model of governance including the election system but it is not finalized. Similarly, it has been reported that the EC's electronic voter registration drive was disrupted in Nawalparasi. On July 17, the Madhes-based political parties obstructed the voter registration there.

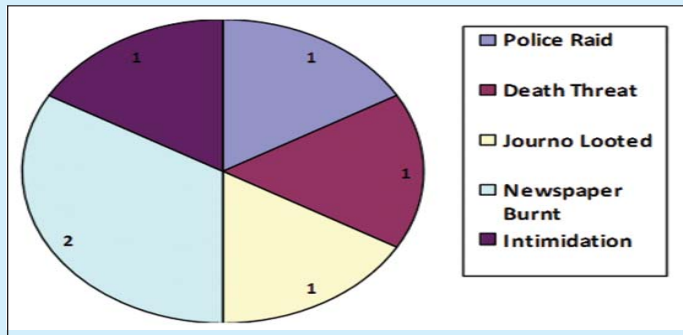
The city dwellers have been so apathetic to the voter registration that the voters' number dipped down in the Capital City, Kathmandu. According to the Annapurna national daily (July 18), only 9 million people have been registered for the electronic voter ID where the number during the CA election in 2008 was 17 million, according to the Election Commission.

In this way, it is clear that government's double standard has helped suppress media freedom and rise impunity. The media has pointed that political bickering has shadowed other issues as electoral system and activities of the Election Commission. There are not any significant policies introduced on political reforms.

*(Reports also cover media coverage on election and political issues)*



## (Media Monitoring Report, June 15-July 14, 2011)



**Information :** A total of 6 incidents of press freedom violation occurred during this month in the country. Police conducted a raid in an FM station in Itahari on 16 June 2011 in suspicion of an attacker on journalist being interviewed.

Uday Singh Shrestha, editor of the Nispakshya Dhvani, was threatened of life by a trader Raju Shrestha on June 22 over the news editor Shrestha wrote about the growing irregularities on export of coal and rice chaff. It occurred in Nepalgunj.

On June 27, journalist Anil Upadhyay, associated with a television, News 24, was manhandled by an unknown gang of five persons in the capital city, saying that he was journalist.

The Office of the District Attorney, Morang, on June 30, filed a case against Youth Force Morang In-Charge, Parshuram Basnet and two of his accomplices at the District Court in connection with the murderous attack on Biratnagar-based journalist Khilanath Dhakal, correspondent to the Nagarik and Republica dailies.

## Political Hostility to Media Freedom

Similarly, on July 4, 2011, an organization, Janasarokar Manch Nepal of Dharan, burnt two local daily newspapers, the Fast Times, and the Morning Times, reasoning that they published news about the report on property tax. A person calling himself a share holder of a financial institution, Commerce and Trust, called Chief Editor and publisher of a local Nawabihani daily Krishna Gautam over the phone and asked why he did not write good news about the institution. It occurred in Tehrathum on July 10.

**Analysis :** At a time government has given political protection to main accused of the brutal attack on journalist, the concerned authority- Office of the District Attorney, Morang has filed a case against Youth Force Morang-In-Charge, Purshuram Basnet. It is a welcome step to check impunity.

Fifty percent incidents of the press freedom violation have occurred in the eastern part of the country. Even the capital city, place where citizens wants their goals fulfilled, has adverse environment for the journalists to carry out their works. Almost all journalists affected with the violation are male ones. However, there are very few women journalists compared to the men in the country.

**Projection :** Eastern part of the country is prone to more attacks and threats. As the government has not taken any special measure to check rising impunity, the morale of the suppressors of media will boost up which undoubtedly render negative effects on media and civil society. The media and civil society may not feel relief and be empowered due to attacks from various sections.

## Media Faces Constant Threats

**Information :** A total of 8 incidents of press violation occurred in this month in the country. The District Court, Morang issued a 70-day notice on July 18, 2011 in the name of Parshuram Basnet, the mastermind of a brutal attack on Khilanath Dhakal, a Biratnagar-based reporter to the Nagarik and Republica national dailies.

The security persons outside the Singha Durbar, the central administrative office of the country, barred journalists entering the Durbar on 19 and 20 July 2011 reasoning the home ministry had directed them not to allow journalists.

On July 29, supreme commander of Janatantrik Tarai Madhesh Mukti Morcha, an underground armed outfit waging struggle in the southern plain of Nepal threatened most of the media houses saying- they must begin disseminating news and programs in Maithili language within a month, otherwise they would face dire consequences. It occurred in Jhapa district.

In Dharan, editor of a local Fast Times daily, Keshav Ghimire was threatened of physical action on the night of July 31, 2011 over the news he wrote. A security person manhandled journalist Manoj Ghimire in course of sports reporting in the Capital on August 6, 2011.

Journalist from Siraha district, Santosh Yadav, reporter to the Rajdhani national daily was threatened of physical action by an underground armed outfit named Janatantrik Tarai Mukti Morcha (Rajan Mukti group) over the facebook on August 8, 2011 accusing journalist Yadav

## (Media Monitoring Report , July 15- August 14, 2011)

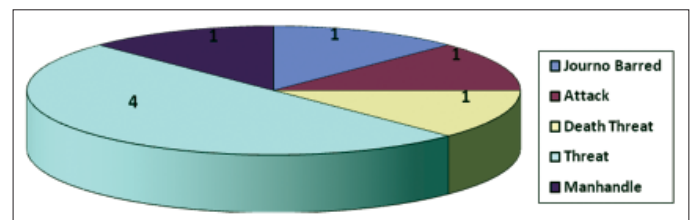
of playing role to arrest Morcha's leader Jaymukti.

Sankhuwasabha-based reporter to the Annapurna Post and The Himalayan Times, Kishor Budhathoki, was attacked with sharp weapons by Bikas Rai of Khandbari (district headquarters) and his accomplice Rupak Rai on August 11, leaving him seriously injured. Rai assaulted Budhathoki over a news report aired on a local Khandbari FM, which was based on Budhathoki's comments on violence against women about a month ago. Budhathoki's statement also had the reference of disputes between Bikas and his wife.

Budhathoki got bruises all over his body and his arm dislocated. He has been undergoing treatment at Biratnagar-based Nobel Medical College. Head constable at the Central Regional Police Office, Hetauda, Gambhira Sahani, on August 12, threatened journalist Bikash Agrawal of taking life over the news he published in a newspaper.

Mahesh Basnet, Chairman of Youth Association Nepal (YAN), a sister organization of the ruling party CPN-UML, publicly threatened to close down the Nagarik daily, a sister publication of the Republica daily and imprison the Chief Editor of the Nagarik, Narayan Wagle in Biratnagar, an eastern city on August 13 reasoning why he wrote news about him and his organization.

**Analysis :** Compared to the last months, 2 more incidents occurred this month totaling 8. Most of the incidents (5) occurred in the eastern part of the country while two in the



capital city.

Barring journalists from entering into the central administrative centre of the country, Singha Durbar for two days was really worrying. It drew the attention of the Speaker who later asked the security person to allow the journalists. It was a laudable deed.

Almost all journalists affected with the violation are male ones. However, there are very few women journalists compared to the men in the country. Media and media persons have faced attacks and threats not only from underground armed outfit and political cadres but also by the security unit-police person-which is though responsible to maintain peace in society. It is really condemnable act.

**Projection :** The reporters of the news on corruption and incompetency of government will face more attacks and threats. As a result, self-censorship will increase in the days ahead. The eastern part of Nepal is more prone to media violations. Impunity is likely to grow as an incurable disease.

The political wrangling for partisan interest has made parties ignore the rights of media and civil society, therefore, there is slim chance of media and civil society getting empowered in near future.

# Violation of Media Freedom Rising

**Information :** A total of 11 incidents of press freedom violation occurred during this month in the country.

Mahesh Basnet, Chairman of Youth Association Nepal, a sister organization of the ruling CPN-UML, publicly threatened to close down the Nagarik national daily, a sister publication of the Republica daily and imprison the Chief Editor of the Nagarik, Narayan Wagle for reporting him and his organization in Pokhara, a city in the western region of country on August 21.

Similarly, on August 22, an individual named Hari Shivakoti from Sijuwa of Morang, a district in eastern part of the country threatened of burning down the Nigarani daily for it published cartoon targeting him and his relatives.

On August 30, 2011, the administration of Nobel Medical College and Hospital in Biratnagar including a doctor manhandled Biratnagar-based television reporters in course of making news about vandalism in the hospital.

Deepak Pathak, editor of the Margdarshan monthly, was arrested on the basis of a complaint lodged by the Press Council Nepal (PCN), the government-owned regulatory body for media on September 1.

Journalist Paras Timsina of Jhapa district was taken under control by two unidentified persons and threatened him of killing if he continued writing news on September 3. He was made captive for two hours by the unidentified.

Similarly, a group of unidentified persons vandalized the office of the Naya Patrika national daily in Kathmandu over a news it published on September 4. A journalist Rajendra Gautam affiliated to the Pratidin daily was manhandled in Jhapa, the eastern most district in southern belt of Nepal on September 7 over the news 'Rape Attempt on Girl Child' he published in the daily the previous day.

On September 7, newly elected minister for information and communication, Jayprakash Prasad Gupta said a special separate law was needed for the security of the journalists in the country.

Narendra Nath Yogi, Chief Editor of the Karnali Sandesh weekly, published from Jumla, a distant hilly district in the Midwestern region of Nepal, was threatened of physical action on September 8 over a news he published in the weekly a day before. Policepersons beat up journalists-Bhupendra Shahi, reporter to Avenues Television, Ratna Shahi, reporter to Himalayan Television, and Puskar Thapa, reporter to the Annapurna Post daily, while they were returning home from a local Panchakoshi Community FM on September 12. It occurred in Dailekh, Midwestern hilly district.

In the same night, an inebriated police beat up

“The act of the Press Council Nepal, only regulatory body on press freedom, was condemnable as the comments about the members of the Press Council through media is journalist's right to criticism but taking action through police administration is to act against press freedom. But the media failed to make any criticism on the incident.”

journalists-Dipendra Poudel and Ram Sharan Nepali while they were returning home from a local FM at night in Tanahu, a hilly district in the western part of the country.

District Administration Office, Kathmandu, on September 12, issued an order to keep Raj Kumar Sigdel and Rajan Shrestha in detention for further ten days for investigation citing their involvement in the vandalism at the office of the Naya Patrika national daily on September 4, 2011.

Incidents of Press Freedom Violation from August 15 to September 15, 2011

Sankhuwasabha District Court, on September 15, 2011, remanded to custody the attackers on journalist Kishor Budhathoki- Bikas Rai and Rupak Rai for further investigation and trial.

**Analysis :** This month saw comparatively higher number of press freedom violations. Three more incidents than the last month occurred thereby totaling 11.

Among 11 incidents of press freedom violation, five were occurred in the eastern part of the country- 2 in Jhapa district (the eastern most), 3 in Morang district (eastern). Even the capital city was not spared this month. The vandalism in the newspaper office, however,

was occurred due to wrong news published in the newspaper. It shows that Nepali media still lacks professionalism therefore bears the brunt now and then.

Information Minister's view for the security of the journalists is laudable. However, it does not seem essential to formulate new laws merely for the security of the journalists. There are various laws which clearly encompass the security of every citizen. So, the most important matter here is the rigorous implementation of the existing laws.

Almost all journalists affected with the violation are male ones. However, there are very few women journalists compared to the men in the country. Remanding to custody the attackers on journalists by the district court Sankhuwasabha is a step taken by the concerned authority to curb growing impunity. It must be taken positively.

The act of the Press Council Nepal, only regulatory body on press freedom, was condemnable as the comments about the members of the Press Council through media is journalist's right to criticism but taking action through police administration is to act against press freedom. But the media failed to make any criticism on the incident.

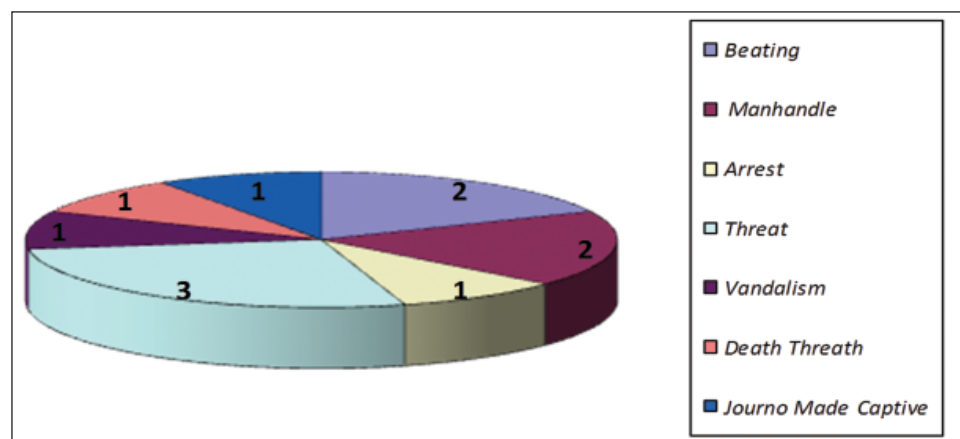
Similarly, involvement of police in Dailkeh incident is condemnable and the police involved in beating journalists were not taken action. However, other political parties need to learn from the Nepali Congress regarding the incident of vandalism in Nayapatrika Office because the Nepali Congress said it was for the action to the youths allegedly of the cadres of party's sister wing involved in the vandalism.

**Projection :** An effective campaign is essential to make government responsible towards media freedom. If the government does not become responsible towards media freedom, the criminalization of politics will increase day by day.

The state machineries may be more oppressive. Press Council Nepal may be used as a tool to suppress media freedom.

The incidents may rise so the professional freedom suffers shrinking. The growing number of the violation of media freedom indicates that journalists will bear the brunt of self-censorship in the days ahead.

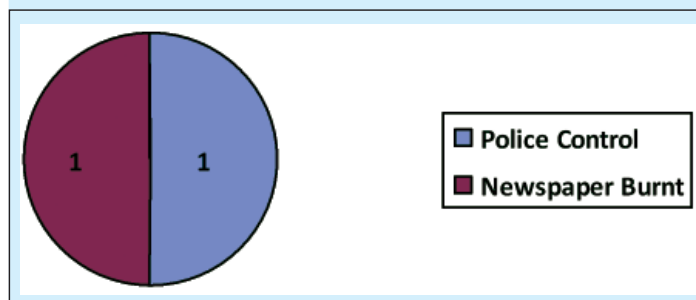
The capacity of media persons and civil society will not boost up but decline because of rising impunity.



(Media Monitoring Report August 15-Sept. 15, 2011)



(Media Monitoring, September 16 - October 15, 2011)



**Information :** Only 2 incidents of press freedom violation occurred during this month in the country.

On September 23, 2011, police took film director Manoj Pandit under control on September 23 merely over a film review he made on an online media [www.merocinema.com](http://www.merocinema.com) three weeks earlier. It occurred in Kathmandu.

Similarly, on 11 October, the sister organizations of the ruling Unified CPN-Maoist burnt some copies of the Kantipur national daily reasoning that it published the news about the alleged involvement of Minister for Land Reform and Management, Prabhu Saha and his personal secretary Siyaram Kushbaha in the murder of then

**Analysis :** The incidents of press freedom violation declined sharply this month as the filed-based reporting was limited because of the biggest festival of Hindu Nepalis, Dashain. Even the national dailies remained closed for 4 days during the festival.

Although the radio and televisions and news agency were operative during the festival, they also saw meager news where they did not report any incidents of press freedom violation in addition to the two.

Although some media disseminated the news of journalists' personal disputes during the festival relating to the media freedom violation, the incident was later

## Causes of Risk as usual

Chairman of Hindu Youth Association, Kashi Tiwari. It occurred in Rautahat, a district in the central region of the southern plain of Nepal.

found beyond the profession- journalism. Therefore, all incidents occurred relating to journalists could not be termed the incidents of press freedom violations or journalists' rights. Further study was needed to find the fact about this.

**Projection :** As there were limited field reporting, and investigative reporting and limited political activities but tight security situation due to the festival this month, the incidents of press freedom violation declined sharply. However, we can not claim that the causes of risks on journalists have declined because the incidents of press freedom violation have not been brought to book. Even the transitional problems have not decreased. However, the voice/views against press freedom violation have been growing.

So, we can expect that the chance of the sister wings of the political parties involving in the press freedom violation would be controlled.

## Journo First Target, Legal Recourse Secondary

**Information :** Altogether 4 incidents of press freedom violation occurred during this month (Oct 16-Nov 14) across the country.

On October 18, two people associated with the Sitaram Milk Company threatened to kill reporter Arjun Shrestha, from ABC Television, because of the reporting he had done on the milk company, which they said could reflect negatively on their company and ruin their business. They threatened him of killing, reaching his home in the capital city, Kathmandu.

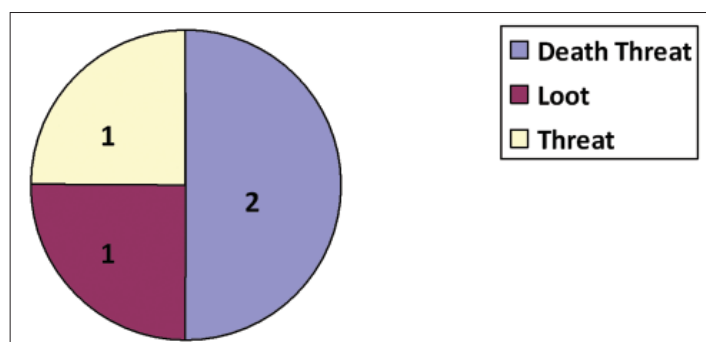
Similarly, editor of the Hamro Ekta weekly, Sushil Pokhrel, was threatened of taking life by a local land broker Balaju Shrestha and trader Resham KC over the news about unsystematic town planning in the district which he published in the weekly a week ago. The incident occurred in Pyuthan, a hilly district in the Midwestern region of Nepal on October 24.

Three masked persons broke into the Prime FM station, snapped the wires and took away batteries which disrupted the FM service for two hours from 5:00pm on November 2. The incident occurred at Panauti of Kavre, a district adjoining to the capital city on November 2, 2011.

On November 4, journalist Sher Bahadur KC affiliated to the Mission Today daily from Banke district was threatened of attack by a criminal gang over the crime news he published in a newspaper.

**Analysis :** Compared to the last month, this month saw two more incidents of press freedom violation.

(Media Monitoring from Oct. 16 - Nov. 14, 2011)



Midwestern region of the country saw two incidents while remaining two occurred in the central region. This month too witnessed the attitude that any party/person dissatisfied with the news content did not take legal recourse or reach the Press Council Nepal but made the journalist first target.

Continuous impunity helped increase anti-press incidents. Some of the incidents were occurred also because of personal enmity. A trend-organized loot but without disclosing identity – emerged in Nepali media which is fatal indicator.

**Projection :** Although the situation of press freedom violation was not improved significantly this month, the positive political developments as parties forging consensus to conclude peace process can be taken as a factor to end the transition to normal state. So, it can be projected that it will help to improve peace and security situation which would finally contribute positively to the free press. With the strengthening of the rule of law, the criminal factors violating press freedom will fizzle out.

Similarly, the environment of trust among the political parties will help deter anti-democratic elements and culture of violence so that the media and civil society may emerge with empowerment. So, it can be expected that such situation will help deter self-censorship in media.

# Slow Political Progress; Media Lacks In-depth Reporting

**Although most of the draft of the constitution writing has been completed, important issues as form of governance and electoral system are yet to be decided. Because of the conflicting views of the parties, consensus on form of governance and election system is eluding in the Constituent Assembly. The media has simply covered only matters about the debate on election system and activities of the Election Commission. They lack in-depth analysis and debate these issues. Rather, the media has given priority to matter: dissolution of the constituent assembly and holding new election.**

Following the election to the constituent assembly (CA), the country is striving for writing constitution and concluding peace process. With the representatives of various 28 political parties in the CA, demands on new constitution are multifarious and contradictory. Although most of the draft of the constitution writing has been completed, important issues as form of governance and electoral system are yet to be decided. Because of the conflicting views of the parties, consensus on form of governance and election system is eluding in the Constituent Assembly. Disputes on these two have delayed the constitution making.

The political parties have agreed on bicameral parliament where National Assembly will be the upper house, while the House of Representatives the lower one. However, the political parties are yet to decide the number of representatives in the parliament, basis of representation and the election system. Similar is the case in terms of provincial government. There will be a unicameral parliament in the province. Similarly, who- President or the Prime Minister-will be the executive head is disputed. The UCPN-Maoist, largest political party following the CA election, is for President as executive but the second largest party, Nepali Congress, is for the executive Prime Minister and ceremonial President. Election system to choose persons in these posts is not decided. A sub-committee was formed under the Constituent Assembly's Constitutional Committee under the coordination of the Maoist Chairman Pushpa Kamal Dahal Prachanda to settle the contentious issues on the draft of the constitution writing. Yet again a committee was formed under the coordination of Laxman Lal Karna of the Sadbhavana Party in order to sort out the disputes and make headway on constitution writing. The committee

headed by Mr Karna comprised of 6 CA members from the legal background. It has recently floated the proposal that the parties were of the views that Nepal could adopt any of the governance model- French or German. It is being discussed among the political parties now.

That's why, it is clear that consensus on electoral system was impossible unless the form of governance was determined. The decision on the election processes has been delayed due to the lingering on form of governance.

Meanwhile, the Election Commission of Nepal, a constitutional body, is running without chief election commissioner for three years. The constitutional council has failed to appoint chief till date.

**The Election Commission has been conducting voters' registration campaign since September 2010 in order to make future elections fair by avoiding the chances of rigging. The Commission is providing voter identity card containing voters' photo and fingerprint. The Commission has so far completed the voter registration campaign in 25 districts and the campaign is in full swing in the remaining 50 districts.**

However, the Election Commission has been conducting voters' registration campaign since September 2010 in order to make future elections fair by avoiding the chances of rigging. The Commission is providing voter identity card containing voters' photo and fingerprint.

The Commission has so far completed the voter registration campaign in 25 districts and the campaign is in full swing in the remaining 50 districts.

In course of providing voter ID card, the Commission faced hitches especially in southern plain and in the eastern hilly districts. Various ethnic groups in the eastern hilly districts as Ilam, Panchthar and Dhankuta halted the voter registration time and again reasoning that they wanted their regions made autonomous first and accept the voter ID in new administrative system later. Similarly, the Madhes-based parties- the parties advocating the issues of the southern plain in Nepal- obstructed the voter registration campaign, calling it an unscientific because citizenship certificate was made only basis for providing the voter ID card. They protested this, saying many people in the southern plain (Madhes) were deprived of the citizenship certificate. Similarly, they argued that those able to produce the land ownership certificate should also be provided the voter ID card.

Although the voter registration is

an important part of election, and the election an important matter for political parties and the public, the parties failed to pay attention towards this all because of bickering for power. Political parties' apathy to this campaign seems discouraging towards democratic consolidation.

Since June 15, the Commission began providing voter ID card to those living out of home but within the country.

The media has simply covered only matters about the debate on election system and activities of the Election Commission. They lack in-depth analysis and debate these issues. Rather, the media has given priority to matter: dissolution of the constituent assembly and holding new election. According to The Himalayan Times, national daily published from the Capital City, senior leader of the CPN-UML and former Prime Minister Madhav Kumar Nepal said the country should go for fresh polls to put an end to the prevailing political crisis. He said this at Butwal on July 4, 2011.

Regarding the voter ID card with photo and fingerprint, most of the media have reported that the number of voters has declined sharply, but failed to explain why it happened. Voters shifted their registration from one ward to another. Political parties employed their cadres for the voter registration process. However, the political leaders and cadres ignored registering their own names in the list. (It's the perilous symptom of democratic deficit. The media further reported that Election Commission failed to provide the voter ID to the students, professionals, journalists away from the permanent residence and those living abroad.

The Election Commission has claimed 25 percent voter registration was faulty in the previous record which has contributed to the significant reduction this time. According to the news carried by the Gorkhapatra, a national daily, published from the capital, the voter registration reduced by 60 percent as compared to the last voter registration in Parvat, a hilly district in the western region of Nepal. The news was published on June 16, 2011.

No new methodology was witnessed on investigative reporting on electoral system and activities of the Election Commission in Nepali media. As a result, very few media carried out the investigative reporting on voter registrations and elections system. News diversity on election also lacked.



## Formal News Dominate Media

# Politics without Progress

**The Nepali media disseminated only formal and short news about the electoral issues this month (July 15-August 15, 2011). The media lacked investigative and research oriented reporting and articles about the electoral process and the preparation the Election Commission is making about the next election. However, some media have carried few opinions about the electoral system. The debate and discussion among the political parties are not brought to media in an analytical manner. Similarly on the political front, the constitution making process couldn't gain any tangible progress. The reshuffling of government ministries and much more awaited and agreed-upon resignation of the Prime Minister, Jhulanath Khanal, has been the major political changes during this period. The resignation of the prime minister has been one of the main content of five-point agreement which came into being as a foundation of the second time extension of Constituent Assembly (CA) term on May 28th 2011**

## Part One: Electoral Matter In Media

**Introduction :** This month too, the Nepali media disseminated only formal and short news about the electoral issues. The media lacked investigative and research oriented reporting and articles about the electoral process and the preparation the Election Commission is making about the next election. However, some media have carried few opinions about the electoral system. The debate and discussion among the political parties are not brought to media in an analytical manner.

**Analysis :** The Kantipur national daily carried a news 'Voter registration for government employees within Singh Durbar' (August 10), while the Rajdhani national daily published 'Voter's Registration Extended till Mid November' (August 7), Gorkhapatra national daily 'Voters' enrolment reduced by half' (July 30), Nepal Samacharpatra published 'More than 800,000 registered names for voters' on August 3, Himalayan Times carried the news 'Voter Registration with Image' on July 29. These are some news which are short and formal in the Nepali media, especially in the print ones.

The news in the Nepal Samacharpatra on reduction of the voters has made the measuring tool of the reduction to the voter registration of the earlier elections as of the constituent assembly and the by-election. Similarly, other reasons of the decline of the voters' are mentioned as deaths, migration, marriage, and leaving for foreign employment. However, a news the Annapurna national daily has said the indifference of the political parties in the voter registration process has been shown as the decline in the voters registration in a news 'Voter's enrollment reduces by 48 %' in Kaski district.'

Similarly, the Annapurna National daily, July 18, published the news, 'City dwellers are indifferent towards voter registration'. However, the news has lacked investigation why the city dwellers are apathetic towards the voter registration.

In this way, although the problem in the voter registration across the country was covered widely in the media, they failed to raise the efforts made to solve the problems. For example, the Rajdhani national daily published the news 'A conference on solving the problems on voters' registration' on August 8. It further wrote: The Election Commission was preparing for the regional conferences for solving the problems on voter registration. The news further stated that '60 percent voters have left their permanent residence in village, living in other districts. The Election Commission's efforts to register names for voters in the districts out of the permanent homes of people but it also failed to yield expected result, so it was preparing the regional and central conferences.'

Among the news monitored during this month, some have stated that

some political parties have hindered the voter registration process due to the partisan interest. For example, on July 17 from Nawalparasi, a district in southern plain, the Kantipur national daily in its 14th page wrote in the very beginning as 'Although the Election Commission has completed voters' registration in all almost all districts across the district, it has been halted in this district due to the Madhes-centric political parties.' Furthermore, it wrote: The Madhes-centric political parties captured the documents of the Election Commission in Budhhi, Patana, Hariharpur and Banganga vdc.

Meanwhile, on July 19, a rights defender Subodh Raj Pyakurel, in a write-up in the Annapurna national daily wrote: The voter registration with image and biometric by the Election Commission can be helpful in all works on the foreign employment and for the police to investigate into the crime because this process is scientific and thus reliable.

Similarly, on 31 July, the Gorkhapatra national daily published the article 'Debate on proper Electoral System' by Shyam Shrestha where he argues the form of governance we adopt is related to what sort of electoral system we adopt. The electoral system has direct relations with the form of governance. in the very newspaper, Bom Lal Giri, on July 26, wrote 'The electoral system now we adopt should help manage conflict and it should include the inclusive and proportional aspect.'

Similarly, analyzing the major debates in the constitution building, a Constituent Assembly of the UCPN-Maoist, Khim Lal Devkota wrote in the Himal Khabarpatrika, a fortnightly, claimed that the disputes in the constitution making are not significant. The online media also failed to contain any investigative news on electoral issues. These are concerned more about the day to day politics.

**Conclusion :** The journalism, in order to make the election free and fair, it first needs to recognize the election as a democratic process.

As the political parties are uncertain about what should be future electoral system, so are the media not prepared to create extensive public debate. It is great need to create thorough debate on such issues.

With such trend of media coverage, we can not be hopeful that media would reach deep into the electoral issues.

However, if the political parties make headway to consensus, we can see the possibility of discussions and debate on the election related issues.

Similarly, as the Election Commission has further extended the voter registration till mid November, more people would turn up voters registration.

## Part Two: Political Reform & Media

**D**uring the period, July 15 to August 16, 2011, Nepali politics and constitution making process couldn't gain any tangible progress. The reshuffling of government ministries and much more awaited and agreed-upon resignation of the Prime Minister, Jhulanath Khanal, has been the major political changes during this period. The resignation of the prime minister has been one of the main content of five-point agreement which came into being as a foundation of the second time extension of Constituent Assembly (CA) term on May 28th 2011.

**Budget Obstruction :** The Budget of the fiscal year 2011(068-069) delayed the schedule of presentation on July 14, 2011- by a day. Madhes-based political parties obstructed house proceedings for their demands were not addressed. United Democratic Madhesi Front (UDMF), an alliance of various five Madhes-based parties, had threatened to disrupt and block parliamentary proceedings at any cost, and charging that the government prepared the budget without holding any consultations with them. Consequently, Deputy Prime Minister and Finance Minister Bharat Mohan Adhikari was compelled to delay the budget presentation from the scheduled date after consultation with the leaders of ruling parties- Communist Party of Nepal- United Marxist Leninist (CPN-UML) and United Communist Party- Maoist (UCPN-M) and the main opposition party- Nepali Congress (NC). An understanding was made among them to present the budget on the next day after making consensus with UDMF.

On the other side, the question of leakage of budgetary document is another issue, which was inquired in the parliament. The issue was investigated by a parliamentary probe committee. Though, the issue is still in churn.

**Intra-party conflict and schism :** The political deadlock of this period (July 15- August 16) witnessed the reflection of intra-party collision of three major political parties in the scene. The stalemate was dominated by the Maoists' internal debate on the division of work and responsibility and the party approach of peace and constitution.

It is reported that there are three distinct factions in the UCPN-M- Prachanda line and the separate lines of duo vice- chairman- Baburam Bhattarai and Mohan Baidya (Kiran). Each line has been carrying their own agendas on issues related to the peace process and statue writing and sometimes the factional line get more leverage over the official line of the parties. It is also said that chairman Dahal could tactfully manipulate one ideologue at the cost of the other to remain in power for years. But Dahal was compelled to bow down to a power-sharing deal when both the ideologues - Baburam Bhattarai and Mohan Baidhya- teamed up together three months ago, this year. The Central Committee meeting of UCPN-M passed the chairman Pushpa Kamal Dahal's political proposal, which has assumed the peace and constitution as the main agenda of the party and largely resolved the internal disputes on key issues including the distribution of party responsibilities to senior leaders. In exchange of these compromises from Dahal, the rival faction led by duo- vice-chairman has given up their demand to replace Dahal as the Parliamentary Party Leader by Bhattarai.

The UCPN-M decision of reshuffling the party's team in government spilled over an internal crevice in other parties too- mainly in CPN-UML. The reshuffling issue becomes an agenda of Standing Committee of the CPN-UML which decided with overwhelming majority of the committee not to reshuffle the ministers. Rather, it suggested PM to quit on time as per five point May -Agreement. Conversely, Prime Minister Jhulanath Khanal administered oath of office and secrecy to newly prescribed team of UCPN-M calming it as his discretionary power. This Prime Ministerial move was criticized by party's disciplinary commission. It cautioned the way the prime minister behaved at the party's standing committee meeting with disregard for his esteemed position. Likewise, Vice Chairman Gautam has also been charged with instigating public the internal conflicts of the party. In addition, the central disciplinary commission of the party has cautioned them not to repeat such mistakes in the future. It's obvious that this issue will be a prime agenda of upcoming meeting of Central Committee of the party.

In the mean time, the main opposition party, Nepali Congress (NC) was holding on the issue of changing of its existing parliamentary party (PP) leader. It is reported that there were an inferred understanding between party president Sushil Koirala and senior leader Sher Bahadur Deuba about the changes of parliamentary leader during the recruitment of parties senior portfolios. For the time being, this issue has been initiated by senior leader Deuba, collecting the signatures of

close parliamentarians to him for preparing to forward the vote of no confidence against PP leader- Ramchandra Paudel .

The chain of split among Madhesi political parties has been observed this time too. General Secretary of Sadbhawana party Anil Jha split the party and formed another Sanghiya Sadbhawana Party with four Constituent Assembly members. He has blamed Rajendra Mahato and his narrow and authoritarian working style as the main cause of split.

**Reshuffling of Ministries :** Prime Minister Jhulanath Khanal finally administered oath of office and secrecy to newly prescribed ten ministers from UCPN-M, the main ally of existing government and Madhesi Peoples Right Forum on Monday August 1, 2011. Though, the reshuffling of ministers was strongly opposed by the Prime Minister himself at first and it was asked UCPN-M to review the decision .The Standing Committee(SC) of his own party CPN-UML decided strongly for not to administer the oath of office and secrecy and all works of ministerial expansion . CPN-UML and main opposition parties NC warned PM as if it happened it would violate the spirit of five- point agreement, made among parties for extending the CA term on May, 2011. Conversely, UCPN-M, the main ally of existing government threatened PM Khanal to leave coalition if he doesn't appoint the recommended twenty four ministers including state ministers. In this reference, PM couldn't remain on his own previous stance and finally exercised his 'special privilege ' entitled to him and went against to his own party CPN-UML's decision and the main oppositional demand.

**PM Resignation and New Time-line :** The midnight agreement held on May 28th 2011 among the main political parties UCPN-M, NC and CPN-UML has agreed to extend the Constituent Assembly's term for three months along with a provision of resignation of Prime Minister to pave the way for the formation of a consensus national unity government. This agreement had laid the formal countdown of Khanal government which was formed on 3rd February 2011 on the ground of seven- points secret agreement between CPN-UML and UCPN-M (especially, between Khanal and Dahal).

After this, most of the political parties have made recurring demand of resignation of the prime minister and have obstructed the parliamentary proceedings of ten working days for the executing the five- points agreement claiming that PM himself is one of the signatories of the document. Due to the overwhelming pressure and non-performance on peace and statue writing process, Khanal announced to resign if the principal and tangible tasks of peace process could not be accomplished by 13th August. He renewed his commitment of resignation at the Legislature-Parliament on 10th August. Finally, PM Khanal, resigned from the post after one day of his self-imposed deadline on 14th August by admitting that he has failed in bringing major political parties on-board to advance and make tangible progress on peace and statue writing process. He has also blamed others-UCPN-M and NC- for non cooperation.

A day after Prime Minister Jhulanath Khanal resigned; President Dr. Ram Baran Yadav gave time to political parties till 21st August to form a national consensus government. All parties expressed their commitment to form a unity government by principle. Though, it has remained unclear on how such a government would be formed and who would lead it.

**Obstruction of Legislature-Parliament :** The main opposition party, NC and some fringe parties had decided to demand Prime Minister Jhala Nath Khanal's resignation in the Legislature-Parliament on 24th July as per the main provision of five -points pact. On the other side, UCPN (M) central committee decided to reshuffle its team in the government and send a new team led by Narayan Kaji Shrestha. Both of the decisions may be a coincidence though the day after those decisions NC obstructed parliament to protest against Maoist demands for cabinet reshuffling, claiming that PM Khanal had already promised to resign. They assert the ministerial reshuffling decision is the violation of the agreed pact . The main opposition party NC has continued obstruction for ten working days of the house after the direction of its central working committee. The obstruction ended when a written commitment came in parliament mentioning a step down of PM from his post.

**Claiming the Power Rank :** The NC and UDMF have agreed a three-point deal to collaborate in issues related to the state restructuring, peace and the constitution drafting process on 7th August at Singhdurbar. The NC, main opposition party in the parliament agreed to accept the UDMF status as the fourth largest party. As per the three-points deal, the Madhes-based parties will henceforth attend the meetings to be held among three major parties on the issues of national importance. In the same line, UDMF has made its strength as the fourth power to UCPN-M and CPN-UML during the time of budget presentation for the fiscal

year 2011. Together with these scenarios, Madhes-based five political parties, aligned under United Democratic Madhesi Front (UDMF), have claimed themselves as the fourth political power.

Following the same idea of UDMF small political parties with representation in the Constituent Assembly (CA) formed an alliance named Rashtriya Rajnitik Mancha (NRM) on Monday 10th August to pressure major three political parties on national agendas. NRM has altogether 34 lawmakers.

**Alliances and Task-force :** The leaders from Madhesh-based political parties and prominent Tharu leaders agreed to form a joint taskforce with a view to forging consensus on issues related to state restructuring and a joint action plan for a post-August 31 scenario. The proposed taskforce would hold discussions with representatives of Muslim, Dalit and Pahadi communities living in the Tarai. In the same way five Madhes-based political parties associated with UDMF and the eight indigenous political parties and organizations affiliated with United Alliance for National Self-rule and Federalism (UANSF) have agreed to form an alliance -Samyukta Aadibasi Janajati-Madhesi Morcha Nepal (SAJMM-N). A meeting of a four-members joint taskforce of UDMF and UANSF held on Sunday, 15th August in Kathmandu. The leaders of newly formed alliance have agreed to work together for the right to autonomy, federalism, secularism, and ethnic and regional autonomy.

**On Contentious Issues :** There is no visible progress for making consensus on most contentious issues (as we discussed on this matter on previous issue) of statue writing, especially- the forms of government, nature of federalism, electoral system and the notion of prior rights for ethnic communities. Sub-committee under Constitutional Committee for resolving contentious issues of constitution writing couldn't be able to sit together on assumed time and discuss on the issues. It has submitted only two reports to Constitutional Committee in the last two months. Among them, one is only verbal. It has failed to submit six reports according to the mandate given to it. In regards to federalism the main opposition party N C, finally came up with a proposal to form seven federal units in the country. The party's panel on constitution writing tabled the proposal at its central working committee meeting on Sunday, 7th August for discussion.

**Trend Analysis and Future Course :** Many activities and events have been witnessed but no substantial progress on peace and statue writing process is gained during this month. The domain of political development and incidents of this period have revolved around the intra- party rifts, its outcomes and their spillover effects. The UCPN-M's decision to reshuffle its ministries might prevent its internal disputes to some extent for this moment but it has primarily sparked the disagreement within CPN-UML, the major government ally of UCPN-M. Further, the reshuffle move has become the final cause of collapse of the CPN-UML and UCPN-M ally. Though, it was taken as a final resort to protect the existing government and make some perceptible work on Maoist combatants' integration and rehabilitation and outlining the draft of constitution by August. In the same way, the parliament was obstructed by opposition more or less in similar issues of reshuffle of ministries and resignation of the prime minister. These incidents have raised some political questions:

Can a prime minister exercise his prerogatives of changes in ministry when he already agreed upon to 'step-down' from his post? Is it a matter of discussion of a party meeting about the changes of other coalition members in the ministries? To what extent the prime ministerial prerogatives remain if the overwhelming majority of the parties have opposed the move?

The trends of political development of this month are more particularly 'power-centric' rather than driving the 'peace and statue writing' process. The obstruction of budget by UDMF and the demands and agreements made over it obviously might be important for development issues but it has neither contributed for peace building process nor has left a little respect for parliamentary procedures. Rather, UDMF strategically has got its recognition as a 'fourth power' from government side. UDMF has also gained the written recognition as 'fourth power' from opposition party, NC too. Ironically, the self-proclamation and written recognition of the 'power strength' from other actors doesn't make any sense in real political life because the sources of strength or power comes from the people and the level of strength matters by influence and performance in peace building and constitution writing process.

The elected institution especially the Constituent Assembly (CA) - legislative Institution and its respective committees are made defunct for prime job of statue writing and are just utilized for power rivalry. None of the parties in CA, in government or in opposition have initiated to revitalize CA as a platform to resolve the issues faced in peace and

**The trends of political development of this month are more particularly 'power-centric' rather than driving the 'peace and statue writing' process. The obstruction of budget by UDMF and the demands and agreements made over it obviously might be important for development issues but it has neither contributed for peace building process nor has left a little respect for parliamentary procedures. Rather, UDMF strategically has got its recognition as a 'fourth power' from government side. UDMF has also gained the written recognition as 'fourth power' from opposition party, NC too. Ironically, the self-proclamation and written recognition of the 'power strength' from other actors doesn't make any sense in real political life because the sources of strength or power comes from the people and the level of strength matters by influence and performance in peace building and constitution writing process.**

constitution writing process. NC obstructed legislature-parliament about more than ten working days and finally got succeed in its core demand of PM resignation, though there were some reservations from some party leaders and parliamentarians about this obstruction. It exposes NC has even failed to establish the values of parliamentary discussion (discussion within C A) on conflict resolution and peace process.

The making alliance among Madhesi and Tharu leaders or SAJMM-N among political and social forces or any other claim of power rank out of CA/legislative intuitions, for the cause of thematic work or collaboration on contentious issues of constitution writing is not a bad sign. Though, the value of collaborative strength can only be measured by their performance on peace process and by resolving of the contentious issues rather than their engagement on power rivalry and equations. Such outer initiatives from CA are only auxiliary works on resolving contentious issues such as the forms of government, nature of federalism, electoral system and the notion of prior rights for ethnic communities.

The CA is running over the final weeks of its second extension. It is obvious fact that no tangible progress on peace and statue writing process have been made except changes in government. There is very less chance to make some tangible work progress neither on peace process, specially on-the re-grouping of Maoist combatants or agreed over their adjustment modalities, numbers, ranking and rehabilitation and compensation plan nor draft of the volume of the constitution by August 31.

There is a presidential call for a week, for parties, to build a consensus government. But it's not clear that the parties will be able to make consensus candidate within given time frame or not? Because of the past experience of eleventh hour political parley for decisive change it will be a premature estimate to say whether consensus government will be formed or not. Though there is a high possibility of forming a consensus government because of bitter nonperformance experience of previous majority governments. In this reference, it will not be any surprising matter that political parties may extend the CA term for the third time with some agreements and promises for the next five to six months or so.

The political happenings we have faced are not only created disagreements and distrusts among coalition members of government but are also among the oppositional parties, intermediary institutions and the larger mass of the society. There will not be any tangible progress on peace and statue writing process in every extension until the distrust remains among political forces.

The continuity and changes only for the longevity of political deadlock, non performance of the peace and statue writing process not only instigate the failure of typical coalition of government or opposition but also has questioned the rationale and legitimacy of the overall process we made and we are aspiring to follow. Does democracy prefer endless and jobless exercise?

#### **Consulted Newspapers and Magazines**

Kantipur Daily, The Kathmandu Post, Nagarik Daily, Republica, Rajdhani, Gorkhapatra, The Rising Nepal, Nepal Samacharpatra, Nayapatrika Daily, Annapurna Post, The Himalayan Times, Nepal Weekly, Nepali Times, Himalkhabarpatrika



No notable progress was witnessed in this month (August 15-September 15) in the political front. However, the handover of the keys of containers lodging Maoist's weapons to the army integration special committee amidst the change of political equation for the formation of government and intra-party disputes can be taken as a step ahead for the political development. On the other hand, Nepali media failed to carry any investigative reports on electoral system. However, there is the chance of debate in media as the political parties have intensified the debate on the form of governance and are to enter into the electoral issues once they make agreement on the form of governance.

## Part One : Meager Coverage on Election

**Introduction :** The Nepali media carried very few news related to the election this month. Only hard news was covered in media like the activities of the election commission. Similarly, there was not investigative and research-based opinion regarding electoral system.

On September 9, the Kantipur daily carries a news on Nepalgunj dateline 'Voter Registration halted for four months'. The news further reads the consensus eluded to clear the obstruction in spite of frequent dialogues with the Madhes-based political parties. The election office in the district had hoped the obstruction would be cleared after the Madhes-based parties joined the government. According to the news, only 5,000 people have registered their names for voter identity card containing biometric and image. Similarly, most of the freed Kamaiyas, Dalit community and youths of Banke, Bardiya, Dang, Kailali and Kanchapur districts have been missed in the voter registration. However, the news has not quoted any political parties except the information given by election officer in the district.

Similarly, on September 14, the Rajdhani daily wrote on the fourth page that 93 percent people in Surkhet district registered their names for voter identity card. Among some 132,191 voters, 123,665 registered their names for new voter ID card that contains biometrics and image. On September 6, the Rising Nepal published the news 'Call for Local Elections' which stressed the need that political leaders and development activists should focus on holding local election. Due to not having local elections since 1997 in Nepal, it has been difficult in the good governance in the local level. The Kathmandu Post also published the same news in similar tone the same day.

On August 27, the Naya Patrika daily on its 10th page published news, 'Election Commission of Nepali among top five in the world'. The same news was carried out by the Gorkhapatra daily with special focus on its first page. These are the news coverage related to election in the print media this month while the online media did not cover any news about the election and electoral system.

**Analysis :** The print and electronic media failed to make news and explain what would be the constitutional role of election commission on the management of the electoral system. How the election commission can be autonomous and empowered. As the media lacked these aspects, we can say that the public can not debate on what would be the role of election commission and its conduction of elections. So, the media need to be active on creating discourse on these matters.

**Conclusion :** Once the political parties forge consensus on form of governance, the media can make debates and hold discussion on electoral system which is not controversial in the political level. As the French model of governance is likely to be agreed upon among parties, the debates on the form of governance will also be in the media.

## Part Two : Politics in Dilemma

**Constitution writing :** Although the issues related to the constitution and peace process have dominated Nepali media following the formation of the constituent assembly (CA) and the beginning of the peace process, the CA was used mostly as the platform to make and change the government. So, the main political issues this time were the change of government and extension of the CA term.

Let's see what the newspapers wrote: president gives seven-day to the parties for formation of consensus government (The Nepal Samacharpatra daily, Aug 16), CPN-UML proposes rotational system (The Republica daily, Aug 16), integration main issue for government formation (The Himalayan Times daily, 17 Aug), Maoist for Bhattarai-led consensus government (The Kathmandu Post daily, Aug 18), struggle for government leadership (The Kantipur daily, Aug 18), doubt over draft constitution (Nepal Samacharpatra, Aug 22), constitution a matter of joke for leaders (The Rajdhani daily, Aug 24), no consensus now majority government (The Annapurna Post, Aug 25), proposal registered in the parliament secretariat to extend the CA term by three month (nepalnews.com, Aug 31), CA term extended by three months (The Republica, Aug 30). These news headlines indicate the political development. The news are made on particular event, meeting, notice, and press release. So, they lack in-depth study, comparison, and analysis.

The news 'President gives seven days to form consensus government' (The Nepal Samacharpatra) was prepared out of a notice issued by the Office of the President as per the article 38 (1) of the constitution. This news mentions only about the constitutional provision to form government because it lacks political aspects as the series of government formation, peace process, political reforms and others related to this. Similarly, the news entitled 'CA term extended by three month' mentions that 537 out of 541 CA members voted for the extension of the CA term by three months. The CA members against his have been mentioned meagerly regarding this news. It is a representative case. It fails to mention fully why the CA term was extended? What are the activities done till date regarding constitution writing? Were the activities carried out as per the CA work schedule? Such serious issues that citizen must be informed about were not heeded by the political sector. No white paper was issued about the progress made on this. Even the media was unheard of this.

Likewise, an important body to look after the constitution writing, Constitutional Committee (CC) could not meet for long. The Republica English daily writes on September 13 with the title, 'Constitutional Committee meeting ends inconclusively'. This news just informs that the sub-committee chairman and UCPN-Maoist chairman Pushpa Kamal Dahal suggested dissolving all subcommittees if the high level political discussion was held on the disputed issues while the Nepali Congress and the CPN-UML demanded high level political discussion on the disputed issues. CC meeting following the extension of the CA term was ended inconclusively. Similarly, it added that the CC discussed the progress made by its sub-committees. Although the news mentioned in surface the disputed issues army integration, peace process, federalism, election system,

form of governance, priority rights, it lacked the stances of the parties, their meaning, and positive and negative aspects, issues that parties could reach on consensus. So, such news could not create ample debate in media thereby limiting in formal trend.

**Development in Political Parties :** The development in political parties is one of the fundamental parts of police reform. However, there was no significant activity this month so that it would help promote political parties. Rather the series of party split continued this month. According to a news, 'Sadbhavana Party (Anandi Devi) Splits' (The Annapurnapost daily, Sept 3), the party having only two members in the Constituent Assembly (CA) split after CA member from the party Moti Dugad registered new party in the parliament secretariat showing ideological and practical differences. With this, the political parties in the CA reached 32. However, there were no investigative news about why the Madhe-based parties split again and again, what sort of implication it has in the party politics and national politics, what is its effects on government equation, and constitution making.

This month the ruling political party CPN-UML has joined Nepali Congress in a sense that it also stayed in opposition after the UCPN-Maoist and the Madhes-based political parties formed alliance and formed the government. However, the intra-party conflict in the UCPN-Maoist inflated because a faction led by Mohand Baidhya stood against the handover of the containers' keys to the army integration special committee. It media carried the news about this profusely. Some of these are- 'Conflict in Maoist Party rises over keys handover, Baidhya faction boycotts Standing Committee Meet' (www.ekantipur.com, Sept 2), 'We expose Headquarter: Gajurel' (www.nagariknews.com, Sept 15). The news under these headlines clearly talks about the conflicts brewing up in the Maoist party. However, the media are silent about agreements and accords the Maoist made with other political parties. These are the representative cases. The intra-party conflict has spread in other parties like Nepali Congress and the CPN-UML to some extent. The media needs to make news in addition to the information given by the party leaders, and their press releases.

Similarly, the CA term has been extended for third time. A majority government is here though the parties advocated earlier for the consensus government. The government was formed after four-point agreement inked by the UCPN-Maoist and the Madhes-based political parties. However, the parties in opposition have been decrying the four-point agreement. Even one section led by Vice-Chairman Baidhya in the Maoist party is gravely concerned over the government decision to hand over keys to the army integration special committee. It has brewed up conflict in the party which is heading the government.

**Conclusion :** The government should immediately address the issues as regrouping of cantonment-lodged Maoist fighters, adjustment of post, integration model, and rehabilitation package. After this, the army integration gets completed which helps to conclude peace process and constitution writing. With this background, the Nepali politics depends how the UCPN-Maoist, leading the government, can move forward by overcoming the intraparty conflict and managing other parties in opposition.

**The monitoring of the main media during this month (September 16-October 15, 2011) has found that the media tried bringing some electoral issues in debate and discussion. As per the news, the political parties held the debates and discussion positively on the peace process and constitution drafting. However, the media has not covered the seminal issues of the development of electoral system and process and the election mechanism.**

## Part One: Media Brings Forth Some Electoral Issues

The magazines contributing to forming opinion and promoting debate were found prioritizing the news on election. For instance, the Himal Khabarpatrika (Sept 18-Oct2), a Nepali fortnightly magazine, published an investigative story, 'Competition to form New Party' which was prepared by Shanta Gahamagar. The story about the political parties mentioned that though the Election Commission (EC) had not called for registering new party, some 10-15 persons reached the EC or made telephone call and garnered information about the party registration. This news on the competition to form and register political party has not only made people aware about the election again but also depicted the anarchy in the name of political party.

Similarly, in the same edition the magazine published the editorial 'Don't devise Khas State'. It writes-'The Maoist party with the background full of violence and now in peace process has already announced 38 ethnic-based liberation fronts. Why is the Maoist party doing this in spite of being puzzled with the campaign of Gopal Kirati, a Maoist leader, emerged out of the anti-Khas campaign, to form Khas State Liberation Front? What type of politics (democratic, pluralistic) is it heading towards? Why are such ethnic-based fronts needed? ...Such questions need to be answered before forming Khas front.'

Moreover, Professor Krishna Khanal wrote on 'disintegration of diversity' in the same edition of the magazine where he mentions-'It is natural that those in exclusion raise voice against any ethnic community which dominated other with its religion, language and culture in Nepali society. It is our reality. Some of the Nepali writers abreast with changing world scenario coupled with information technology, view that Nepali is a divided society. It seems so because of cultural, ethnic, linguistic and geographical diversity but that diversity is not division. It is the unity in diversity. It is illogical and dangerous to say that the management of this diversity is possible with division.'

This view obviously helps to analyze the problems in political circle and attitude as well. However, the mainstream media failed to carry the news and reports that promote debate on electoral system. They limited themselves in the formal news.

On October 11, the Rajdhani national daily wrote news from Kathmandu dateline about the meager participation of citizens out of their permanent district in voter registration. As per the news, the Election Commission, though estimated 2 million people living out of their permanent districts registered only 1 million citizens out of their districts for voter identity card. But the newspaper did not investigate more as what were the steps the EC was taking for, which measures were to be adopted, and bringing for the views of the concerned experts and others. If the media had made stories about these, it would have rendered positive help to the EC.

As per the news, the EC registered the names of 9.3 million citizens till date. Similarly, the Kantipur national daily on October 10 published news from Manthali dateline which was about the protest of the declaration of municipality. The local political parties and people protested government decision to declare Manthali municipality by merging Sunsarpani, Ramechhap and Manthali VDCs in Ramechhap district. It is a fresh example that the government took decision on electoral unit without garnering views and suggestion by the concerned people and the parties. Although the story was relevant, it did not mention the names of four political parties that were to determine the demarcation of the municipality in consensus. The news story also failed to dig further issues as population and geography in this regard. Anyway, this story about the dispute on municipality has pointed to the need of debate among the local people and the stakeholders concerned about the restructuring of state.

On October 3, the Gorkhapatra national daily writes with Kohalpur dateline about the continued disruption of voter registration by the Madhes-based political parties. In spite of repeated discussion with the stakeholders, the voter registration has been halted for four months in Nepalgunj.

The meetings failed to make any decision on continuing the voter registration according to the news. But, the news failed to mention any persons quoting as source. The employees of the EC mobilized for voter registration had returned the district headquarters on September 10 after the political parties affiliated to the Madhesi Front attacked them. Here, the news did not quote any political party and their leaders. Without making the news balanced, the journalists may face risk. So, the concerned reporters and editors need to pay attention on this.

Similarly, on Oct. 11, the Gorkhapatra national daily published the news disseminated by the national news agency (RSS) 'Constitution-writing hindered with protracted peace process.' As per the news, Nepali Congress president Sushil Koirala urged the UCPN-Maoist to return the seized properties, handover the arms and dismantle paramilitary structure of the YCL to expedite the peace process. The news also mentioned that the Constitutional Committee's sub-committee on settling the contentious issues of the constitution drafting could not meet as the Nepali Congress and the CPN-UML insisted that the constitution writing could not move ahead without concluding the peace process.

Though the political parties claimed to make breakthrough in the peace process following the Dashain festival, no specific work was done in this regard. Moreover, the Himalayan Times national daily wrote on October 9 that the national identity card bill was languishing in the ministry. As per the news, because the ministry of law and justice did not approve the bill prepared by the home ministry, it was delayed in formulation which hindered the distribution of national identity card that the home ministry expected within this fiscal year.

The main online media did not cover anything about election this month. In the broadcasting front, a weekly talk show, New Constitution, on the Kantipur Television was found holding debate and discussion on the autonomous province in the new constitution. Similarly, the talk show-'What Happens Now' on Nepal Television was continuing discussion on federalism in new constitution. However, the media was still in need of more debates in these issues.

News could be made on the announcement of vacancies in the constitutional bodies and the roster prepared by the Constitutional Council. There could be debates on who/ or what type of person could be best fit for the post of chief election commissioner. Though most of the print media gave formal news about the vacancy announcement, they did not make the news more investigative. (News on this on [www.nepalelectionchannel.org](http://www.nepalelectionchannel.org))

**Conclusion :** The media both print and electronic failed to make citizen more informed and aware holding debates on the issues as what type of legislature or executive could be formed in various level of the country, what were the contradictory views among political parties on these, which method could be more useful to make the election system more representative and democracy more inclusive. Similar is in the case of election commission. However, it is positive that the media have made investigative reporting on the attitude of the political parties and ethnic and region-based extremes that directly affect the election.

Over all, we can say that still more time the media will consume to prioritize the electoral issues because it will be more relevant once the political parties forge consensus on form of governance for future. Then the media will focus on this.

## Part Two: Constitution Writing and Peace Process in Shadow

No positive and expected progress was achieved this month on peace and statute writing process in Nepal. Nepali politics was found rotating around different issues - delay in shaping the council of ministers, step back of prime ministerial commitment to complete peace process within 45 days, resignation of disputed ministers and the vigorous demand of the annulment of dubious four-point pact. The four-point deal has been claimed to be in against of national interest by the oppositional parties and one faction of United Communist Party of Nepal, Maoist (UCPN-M). This was held between UCPN-M and United Democratic Madheshi Front (UDMF) as the building block of existing coalition of government.

The meeting of the Constitutional Council (CC) and the Special Committee to carry out monitoring, adjustment and rehabilitation of the Maoist combatants couldn't be held. The internal rift of UCPN-M has affected the national politics and has observed as it could harm national peace process too. The main opposition party, Nepali Congress (NC) has also plunged into the internal conflict on the issues of dissolution of the central committees of few of its sister wings. These issues are highlighted in Nepalese media though still lack the investigative content.

Most of the time of present Nepali politics is spent on the conflicts raised by four-point's pact, the foundation of the existing government, among the oppositional forces and ruling parties including the strong opposite voice by a faction on the pact within UCPN-M. Besides this, the controversial speeches and the issues of resignation have engaged most of the time of the political development, this month. The newly appointed primer seemed prioritized the foreign tour and some populist activities rather than the prime concern of peace process and constitution writing.

### A. Constitution Writing and Peace Process

The Constituent Assembly (C.A) has not been able to produce the draft version of constitution even in three years time with constant extension of CA's tenure for the third time. The disputes settlement sub- committee has been formed under the constitutional committee has represented most of the political parties. Though, it has not reached into a concrete solution due to political parties own stance and inadequate discussions. The understanding that the constitution writing process cannot go ahead till the peace process gets resolved with the package resolution for the adjustment and rehabilitations of Maoist combatants. Though, nothing concrete has been achieved in this regard. Therefore, the news of peace and constitution writing process could not be presented positively in Nepalese media. The news on the partition perspective in regards to four-point pact held between UCPN-M and UDMF, the resignation of the controversial ministers and the news on premier foreign tours remained as prior news. Only little news gave priority to peace and constituent writing process.

"The Forty-Five Days Commitment in Crisis", (Kantipur Daily, P. 3, Sep 19,2011). The news further reads "the meeting of the special committee on monitoring, adjustment and rehabilitation of the Maoist combatants ends inconclusively that has reflected the crisis on the primer's commitment to conclude the main activities of the peace process within forty-five days. The Sunday's meeting ended inconclusively as other parties could not come into agreement with the Prime Minister's proposal of defining tentative numbers and rehabilitation package for regrouping the combatants."

Following the same issues as main news titled as "Premier Step-back from Own Commitment" (Kantipur Daily P.9 Sept. 27, 2011) Sarojraj Adhikari writes on Kantipur as "The prime minister claimed, while returning from taking part on the 66th UN General Assembly, that he has never said that he will complete the main functions of the Maoist combatants adjustment and rehabilitation within forty five days". He further said that this is only an illusion. The prime minister has constantly committed to accomplish the main functions of the peace process within forty-five days. That has also been reflected in the commitment paper while this was forwarded by UCPN-M during the prime ministerial election. He further clarified that if there is minimum consensus on political parties mainly on arms adjustment and rehabilitation, the regrouping process for distinguishing the combatants for adjustment and rehabilitations will be accomplished within forty five days. He said he did not mean to accomplish it within forty five days on his own.

Similarly, in one online news (nagariknews.com, Oct 3, 2011) titled "Terai Madhes Loktantrik Party (TMLP) Leader Threatens to Protest those who Accused the Four-point Deal as Seditious Act". The news further reads that the TMLP vice-chairman and minister of Physical Planning and Construction Hridayash Tripathi has said to defend the protesters against the four-point deal in the Terai. He further declared

that UML's, which participated in the regressive regime of late- king Gynendra, protest against the four-point deal is not appropriate. He further clarified the four- points deal is a progressive move despite the protest against it from CPN-UML, NC, and a wing of Maoist.

Assessing the present power-seeking political scenario online news further says "NC, UML to step up pressure on PM over controversial ministers" (nepalnews.com, Oct 14 2011). The news further says "Chief whip of CPN-UML Bhim Acharya said that his party will seek resignation of Prime Minister Baburam Bhattarai if Defense Minister Sharat Singh Bhandari and Minister for Land Reform Prabhu Saha are not expelled from the government. Speaking at an interaction in Kathmandu, Acharya said that UML and NC will continue obstructing the House to pressure the government to take action against minister Bhandari and Saha and will even seek PM's resignation if he does not act on the demand. Speaking at the same programme, Nepali Congress leader Ramesh Lekhak accused the government of promoting impunity by not bringing minister Saha to the book for his alleged link in the murder of Hindu Yuva Sangh leader Kashi Ram Tiwari in Birgunj 15 months ago.

These are some of the highlights in Nepalese press about peace process and constitution writing. Most of the news have indicated negative scenario of the constitution writing and the peace process. During this time, observing the existing political scenario the main-stream Nepali press couldn't explore the genuine issues as - what are the preparations to fulfill the forty-five days commitment from the government's side? What make the P.M to step back from his commitment? Only the commitments made and their non-accomplishment became the news. The preparedness, cause and result of those issues have not been analyzed by the press.

Some positive news on peace and constitution writing process has been observed in Nepalese press in the later days of this month." Maoist NC Dialogue on Adjustment" (ekantipur.com, Oct 1,2011), "Positive Dialogue between NC and Maoist" (Nepal Samacharpatra Daily, Oct 11,2011), "NC UML Conclusion- Flexible Maoist" (Nepal Samacharpatra Daily, Oct 12,2011), "Peace Process on Positive Move" (Gorkhapatra, Oct 12,2011). Basically, all these news were prepared in the context of dialogue held among the ruling party the UCPN-M, NC and UML. Those news clarified the resolution of the peace process will be finalized by a package deal but they did not clarified on the details modalities and proposals presented. The Nepalese people have to remain uninformed about the peace process said as 'soon to complete' due to the political leaders non disclosure attitude of the information about it and the press indolence in exploring and investigating the related issues.

No meeting of the Special Committee for arms adjustment have been held, after 18th Sep.2011, to finalize the modality, number, rank and file and rehabilitation package of the Maoist combatants. Due to oppositions parties conclusion that the peace process cannot move ahead without the completion of the peace process and arm-adjustment in package, the sub-committee's meeting for finalizing the disputed issue of the constitution could not be held. In this reference, some newspapers have highlighted the CA Chair, Subash Nembang's, pro-activeness for completion of the peace process and statute writing.

### "CA Chairs Request for the Initiation of the Constitution Writing"

(ekantipur.com, Oct 10, 2011) The news explores the CA Chairs' request for the political parties to reach conclusion through dialogues, and to make the committees for arms adjustment and dispute settlement active. In the same regard, the fringe parties' leaders have met CA Chair. Those latest news have emphasized the positive aspect of the peace process and also have raised some important issues too. Though, Nepali press has not been proactively engaged with the issues of constitution writing and the peace process.

It is because, the above mentioned issues have not been presented in details- like, how many times the meetings of CA committees have held? What they have decided? Or why committees could not meet or couldn't take any decision? Those issues of investigative news and analysis have not been found in detail in the Nepalese press, this month.

**B. Party Building :** In this month, no special activities have held that promotes party-building process. The internal rift is rampant in the main political parties. Internal rift in UCPN-M regarding the four-point pact with UDMF could lead the peace process in crisis. In the same way, internal disputes of N C regarding the dissolution of the central committees' of few sister- wings, has clutched it terribly. Those issues are carried out properly by Nepalese media.

The news titled 'Baidhya Faction Boycotts' Standing Committee Meeting (nagariknews.com, 2 October, 2011), further reads the meeting of the Standing Committee has been boycotted by the faction of UCPN-M's vice-chairman Mohan Baidhya, today.

(Continued on Page 21)



# Part One : Election News Eludes Editorial

**Monitoring in Brief :** As many as 11 news items were published in the newspapers regarding the form of governance and future electoral system. Among these, seven were of formal types while only one is research based and analytical. No editorial was found this month on electoral system. However, there were two interviews in this regard. In addition to the six main dailies, some newspapers brought some issue on electoral process. Most of the materials had the dateline from central level-Kathmandu.

In spite of publishing limited news on electoral system, the coverage on this was encouraging. The Annapurna Post daily carried two stories on electoral system while one on form of governance. Similarly, the Gorkhapatra and the Himalayan Times published one news story each while the Kantipur published an opinion and an interview. The Kathmandu Post brought forth two news items while the Republica published one. The newspapers published from Kathmandu gave priority to the political discussions and debates in the constituent assembly (CA) committees, and the efforts made by parliamentary committees.

**News :** In its third page, the Annapurna Post (November 14, 2011) published a story, 'Taskforce agrees on Executive President'. The news mentioned that the political parties were for the president elected directly by the people while the prime minister elected through the parliament.

Without mentioning the name of the member of the taskforce, the news further said, 'We proposed the form of governance like that of French modal. It is now the turn of the political parties to decide on it.' Similarly, according to another member of the taskforce, 'President will

**Six main national dailies- the Republica, the Kathmandu Post and the Himalayan Times (English) and the Annapurna Post, the Kantipur and the Gorkhapatra were scanned this month for monitoring news on election system. With the extensive coverage of the news about the political discussions and agreements for concluding peace process and constitution drafting, the newspaper made news on electoral system and mechanism in relation to the continued constitution drafting. November-1 seven-point agreement on peace process has expedited peace process and constitution making. Seven-point agreement can be regarded a landmark in peace process and constitution drafting.**

exercise more power that the prime minister.' The taskforce to settle the contentious issues on constitution drafting has proposed mixed election system with 50 percent from direct vote and fifty from the proportional election. Some parties, however, are of the opinion to opt for 60 percent from direct voting while the rest from the proportional system, the same news item mentioned.

On November 25, 2011, the same daily carried a formal news story, 'Report on Form of governance and electoral system in sub-committee'. According to this, the report on the form of governance and constitutional committee was submitted to the sub-committee of the parliamentary committee. On the same day, the State-run Gorkhapatra daily gives the headline, 'Report submitted with recommendation' while the Kathmandu Post wrote- 'Taskforce proposes mixed model' and the Republica- 'Taskforce submits reports on governance model'. Moreover, the Himalayan Times wrote with the heading, 'Report on political, poll system finalized'. But the Kantipur daily did not make any news on this the day but published on the next day.

On October 30, the Annapurna Post published an interview with chairperson of the CA committee on determination of form of governance, Shambhu

Hajara Dusadh. In a response to a question about agreement on form of governance, Chairperson Dushad said, 'Agreement was made on electing president through direct voting while prime minister from the parliament. But, it is essential to hold discussion on sharing of power between the president and the prime minister and take decision late. Agreement is also made on opting for mixed election system.'

The Kantipur daily published an interview with Nepali Congress president Sushil Koirala on October 30. The interview was titled, 'Nepali Congress to lead government to hold new election.' Although the interviews talked about form of governance and future election system, no clear views of NC president Koirala is there. The same daily published an opinion, 'Basis of determination form of governance' by Hari Roka on November 7. In the article, Mr Roka has stressed the importance of democratic system, form of governance and their representation. Similarly, he has talked about the negative and weak sides of various electoral system and form of governance practiced in different countries.

**Plus Coverage :** In addition to the six dailies, some others as the Nagarik and Rajdhani (Nepali) carried the news related to form of governance, and voter registration. On

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They boycotted the meeting by forwarding the demand of the annulment of the four- point pact with UDMF, which was made during the prime ministerial election and the resignation of defense minister. There are apparently two factions in UCPN-M, the Party Chairman Pushpa Kamal Dahal and vice chairman Baburam Bhattarai are backing the four-point pact.

"Maoist Chairman Prachanda Blamed his Party is Trying to Bankrupt him" (nagariknews.com, September 24, 2011) "The Rift Widened in UCPN-M" (Kantipur Daily, September 30, 2011) "PM couldn't Remain in the Post after Fifteen Days: Badal" (Nagarik Daily, October 1, 2011), Consensus Outside: Struggle Inside (ekantipur.com, October 13, 2011). Those news- titles resemble only few stories of UCPN-M internal rift.

Similarly, the dissolution disputes of the central committees' of NC's sister- wings have got priority in Major Nepalese newspapers. "Signature Campaign by Thirty three CA Members Against NC's Sister Wings Dissolution Issues" (nagariknews.com, Sept. 24, 2011), Deubas' Resignation from the Party Central Member" (Kantipur Daily, Sept. 29, 2011) "Preparation of Vote of No-confidence Against NC President" (Nagarik Daily, Sept. 29, 2011) "Deuba Faction's Demand to Search Resolution on Package". (ekantipur.com, Sept. 30, 2011).

These above mentioned news-titles have explored the internal conflicts in NC at present. Comparatively, the issues of the intra- party-rifts have dominated the newspapers' headlines rather than the issue of statue writing and the peace process. Most often, such news of intra- party rift seems investigative to some extent, though, the non-disclosure attitude of the political parties and their non-transparent structure have made such news more hypothetical than factual.

Similarly, different news titled "Suspension of Pashwan from

Party" (Rajdhani Daily, September 26, 2011) has been published. The news further reads that the central chairman of Dalit Janajati Party, Bishendra Pashwan has been suspended for neglecting the party's constitution, directives and activities against party interest and disciplines.

The internal rifts of NC and UCPN-M have remained as major news discourse during this month. The internal dispute on CPN-UML has remained silent now. Comparatively, the issues of intra party rift have been highlighted and massively presented rather than the other issues of party building process.

The forth government formed after the CA election 2008 has passed a one and half month, keeping its main commitment of accomplishing peace process in limbo. No tangible progress has been achieved except hand over of the keys of arms container to the special committee. Honestly speaking, the CA members, its committees, structures and institution have remained passive despite many issues of the constitution drafting have not been accomplished. The issue of arms adjustment has remained in status quo.

No tangible progress has been observed as per major political parties' commitment to work even in festive holidays. The internal rift exists in ruling and main oppositional parties. The third time extension of CA tenure has almost passed its half time though no achievement has been gained.

In the same context, the draft of the constitution seems impossible even until its deadline-if the internal rift in UCPN-M and CA passiveness. The future days of Nepalese politics will be determined by how Maoist will address its internal rift and how it will take other political parties in confidence.

November 4, the Rajdhani national daily published the news, '1.1 million more women voters than men.' The news mentioned that the number of women registering the names for voter ID cards was 1.1 million more than of the men and it was the highest number of women registered names as voter ID. Similarly, on November 13, the same daily made news, 'Most of the leaders did not register their names for voter ID card. The news had Kavre dateline.

On November 15, the Nagarik published a news story titled 'president to be elected by people and prime minister by parliament.'

**Analysis :** The six newspapers mentioned above have made coverage on the aspects of political consensus on how the future election system should be. As most of them are more formal lacking in-depth analysis, no comprehensive information was witnessed on min disputes among then political parties.

Compared to the last month, fewer news stories were published this month. There were district reporting on the voter registration campaign of the election commission while the news are made from the central level on the form of governance and electoral system, discussion in the constituent assembly (CA) and the agreements in the committees of the Legislature-parliament. Although there were few news coverage they were given special focus in the print media.

The news about the political development this month spread positive message as the parties made consensus on how to move ahead resolving current problems. However, the follow up and multi-dimensional analysis on the political development did not come up as per the expectation which resulted in no debate and the people without comprehensive information.

Similarly, the matter of election eluded the news, opinions and editorials in the media. The election related reporting could not be increased because of less priority to the election in editorials.

Two news published in the Rajdhani daily regarding the process of voter's registration has denuded the serious faults in it which may draw the attention of policy makers and concerned authorities.

**Conclusion/Projection :** It seems it needs still some more days to have election issues prioritized in the media. It can be surmised that after the political parties conclude on form of governance and model of the parliament, the discussions would be centered on electoral system and the media pay attention on it. But, the policy makers in the media and journalists are in need of keeping in account that how the election process should be for running democracy in new Nepal is an instrumental matter.

## Part Two : 7-point Deal Brings Hope

### Crucial Achievement on Statute Writing and Peace Process

The consensus among major political parties on November 1, 2011 for drafting constitution and concluding peace process is the major achievement this month. It has been able to move ahead the peace process and constitution writing which has been obstructed for long. With this achievement, Nepalese politics has moved ahead into another phase. The Nepalese media has given special emphasis to the news related to this process.

**Statute Writing and Peace Process :** Basically, positive news prevailed on Nepalese media this month about drafting constitution and peace process. The discussions and talks on these issues among the major political parties got the major space on newspapers till the mid of this month. Crucial Consensus on Peace Process (Gorkhapatra daily, Oct 19,2011-page-4), The Final Exercise to Resolve Peace Process (Kantipur daily, October20,2011,page-1), Political Parties Coming Closure on Issues of Differences in Peace Process (Annapurna Post daily, October 21,2011, Page-1), Parties Plan Peace Deal Before PM's India Visit ( Republica daily, October 20, 2011, Page-1), Very Close to Package Deal , Claim Leaders of Major Parties( The Kathmandu Post daily,October-20,2011,page-1), Peace Process Deal Soon, Says N.C. Leaders (The Himalayan Times daily, Oct.30,2011, page-3), Possibility of Crucial Consensus on Peace Process (Gorkhapatra daily, October 30,2011, Page-1) are important news related to Nepali politics this month.

All these news have reflected different interactions and discussions among parties on political development, the latest one- the seven-point deal. In all these news the main issue, protracted peace process, has been published. Major such issues are the issues of arms adjustment and rehabilitation, relief of conflict victims, and conflicting issues on drafting constitution.

The seven-point deal, among the major political parties, was signed on November 1, 2011 which helped a lot to expedite the lethargic peace process. Most of the papers published this news while many papers published the full text of the deal. Some headings are- Historical Consensus for Peace (Annapurna Post ,November 2,2011,page -1), Signing for Finalizing Peace Process (Kantipur, November2,2011,page 1), Historical Agreement in Peace Building (November,2,2011, page-1), Breakthrough in Peace Process (Republica Daily, November, 2,2011, page-1), Parties Join Hands on Peace Process (The Kathmandu Post, November, 2,2011,page-1), Excited Combatants Due to Seven Points Deal (Gorkhapatra, November 3, 2011, page-1). These news have given the positive message on the peace process and constitution drafting and thereby creating positive expectation among the people. Regarding this news the papers have also prioritized news seeking the commitment from the political parties for the implementation of the deal. Further, the excitements of combatants have made the peace process easier.

Besides these, some news were published against the seven-point deal as the United Communist Party of Nepal Maoist (UCPN-M)-Obstructing the Peace Process (Gorkhapatra, October,19,2011 p-2), Meeting of the Three Political Parties Tops' in Shadow of Maoist Debate (October 20, 2011, page-1), Combatants Dissatisfied on Seven Points Deal (Annapurna Post,November-6.2011p-1), Seven Points Deal Won't Take off: Baidhya (The Himalyan Times, November 3,2011,page-1), Will Go to People against the Agreement ( Gorkhapatra,

November-3, 2011, page-1). These have carried the message against the seven-point deal by the UCPN-M's Baidhya faction.

Despite some disagreements, some positive achievements have been observed this month on the peace process and drafting of the new constitution. This can be observed on the basis of newspapers. This news has been given ample priority by newspapers monitored by Nepal Election Channel. These papers have given headlines on these news. Among them, Shabha, a weekly special issue of Annapurna Post focused on peace process and statute writing which is an admirable work.

**Analysis :** All the newspapers observed have given due priority to the issues of peace and constitution writing processes. The seven-point deal has been considered a crucial document on peace process after the twelve-point agreements. Why has it not been made previously even after five years time of the peace agreement? Why the issues of arms-adjustment and rehabilitation and state restructuring commission or expert panel, mentioned in seven- points agreement, have not been included in the Comprehensive Peace Accord (CPA).

Were the parties in confusion about it? If not, why the issue was relegated for five years? What has inspired them for this agreement? No newspapers have published news into such issues having an interview or comments from the negotiators, signatories or technical experts - taking part in the CPA. Assessing this, we can say this as a sign of laziness for investigating journalism. Similarly, the voice of conflict victim, a major part of building sustainable peace, has found neglected by the media.

**Party Building :** The internal rift was witnessed among main political parties this month. The persistent protest of UCPN-M rival group of Baidhya has been grabbing the issue of recently held Seven-Point Agreement along with the four-point agreement which was the base of the formation of present government. The Baidhya Camp has taken it as surrendering decision and further called, formally, UCPN- M combatants not to follow it. These issues are primarily covered by the monitored newspapers.

Contradictory opinion in Maoist on Four Point Deal (Kantipur Daily, October 19,2011,P-3), Surrender is Unacceptable in the Name of Concluding Peace Process (Annapurna Post, October 21,2011,P-8), Badal Spilt Venom on Old Parties, Rival Camp (The Kathmandu Post, October 21,2011,P-4) Dahal Dancing to Raw Tune (Ripublica Daily, October 24,2011,P-1), BIPPA Only Widens Maoist Rift (Republica Daily, October 25,2011,P-1),Dispute Sharpened in Maoist (Kantipur Daily ,October 25,2011), PM, Dahal Should Quit Party: Gajurel (The Kathmandu Post, October 26,2011,P-1), Heavy Debate in Maoist Meeting (Kantipur Daily, October 26,2011,P-1).

These newspapers have revealed the increasing internal rift in UCPN-M. This has been exposed in voice against of BIPPA Agreement that has extended to personal allegation among one another. The proclaimed disagreement on Seven-Point Agreement by UCPN-M Baidhya Camp, has rendered peace process in crisis. So, this has remained not only a simple internal rift of the Maoist, rather it has indicated the confusing presence of UCPN-M towards peace process and can halt it, if it remained unresolved on time.



The intra-party rift was witnessed in the opposition party, Nepali Congress (NC). The following news has exposed it clearly- Cadres Seek to Keep NC Unity Intact; Demand an End to Feud (The Himalayan Times, October 25, 2011 Pg-3) NC to Hold CWC Meets Outside (Republica, October 25, 2011. Pg-3), NC President Rules Out Party Split (The Himalayan Times, October 30, 2011. Pg-3). The dissolution dispute of NC's sisters wings is possible to extend the conflict is highlighted when some party leaders including senior leader Sher Bahadur Deuba have taken a stand against dissolution. We are hopeful that at least the coming CWC meeting will settle disputed issues.

The internal rift in Madheshi Janaadhikar Forum Loktantrik has also been observed which has been explored in some few papers. Dispute on Forum Democratic: Bhandari Demands (Annapurna Post, October 24, 2011, P-3). The dispute began after Bhandari was sacked from the ministerial portfolio after his disputed speech regarding national integrity. Besides the issue of intra-party rift, the Supreme Court decided to restore Sadbhavana (Anandidevi) Chairman-Shyamsundar Gupta-as the CA member. This issue was explored by some newspapers. (SC Reinstates NSP Leaders Lawmaker (The Himalayan Times, November 3, 2011, Pg-2)

As in the previous months, the internal rift of the ruling party UCPN-M and the main oppositional party NC's internal rifts have taken the major space in newspapers this month. The three months' previous rift in CPN-UML and the possible rift in Forum- Democratic have seen comparatively resolved. No news on party-building has been observed in the newspapers. An article titled "Party Fund: Maoist Lawmakers Step up Transparency Call" was published in The Kathmandu Post dated Oct 25, 2011.

The news has explored that the UCPN-M's lawmakers had asked for disclosing the internal account of the party's parliamentary board meeting. Especially, the CA members of Baidhya wing had raised this demand strongly. Fiscal management has been a major concern in Nepalese party-building, which has always been kept secret by UCPN-M. The other parties also have kept their financial detail secret, and had kept it un-audited. The political parties have neglected the provision of election law, law on political parties, and the provision of Right to Information and have kept their financial issues secret. It is a burning example of the weakness of Nepalese political parties in the financial transparency.

**Conclusion :** Observing the political news on print media this month (from 16 Oct. to 15 Nov.), we can comparatively say that we have made some remarkable achievements on peace building and constitution drafting. The peace process remained stagnant for long has got its momentum with the seven-point agreement signed on November 1.

This has paved the way for policy and its implementation on adjustment, voluntary retirement and rehabilitation of Maoist combatants. This has been a major achievement of the peace process. Despite the internal rift in UCPN-M about the seven-point deal, it has been observed that the peace process will get momentum after this agreement.

The adjustment of the Maoist combatants and their rehabilitation, relief package for conflict victims, returning of the property or land seized or occupied by the Maoist and consensus on forming expert panel are the major issues of achievement this month. A Sub-committee of the Constituent Assembly on settling the contentious issues of the constitution drafting has prepared a report on forms of governance, conducting its meeting which was halted for long period. After the seven-point deal, the government has forwarded the constitution amendment bill. The process of executing agreements has started.

Despite some positive initiatives, the process of arms adjustment and forwarding peace process has been hampered due to internal rift in the UCPN-M and the constant obstruction by the Baidhya faction. Despite seven-point agreement among political parties, the provision of forming an independent expert panel is not easier to form such a panel within the pressure from diverse social interest groups and different attitude on federalism of different political parties. So, there will be negative effects of political sharing on forming of such expert panel.

The future political course will be determined by how UCPN-M will address its internal rift and how the political parties will address the agreed points within the limited time frame of 15 days in this tenure of the Constituent Assembly. The adding of the constituent assembly's term, this time, will be somehow easier because some tangible achievements have been gained this time. There is high chance of voice to be prevalent for changing and forming the consensus government, during the time of CA extension this time.

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# International Day to End Impunity

November 23 is the International Day to End Impunity (IDEI). The IFEX community has chosen this day to honour those who have been silenced forever for exercising their right to freedom of expression, and to raise awareness that their killers often go unpunished.

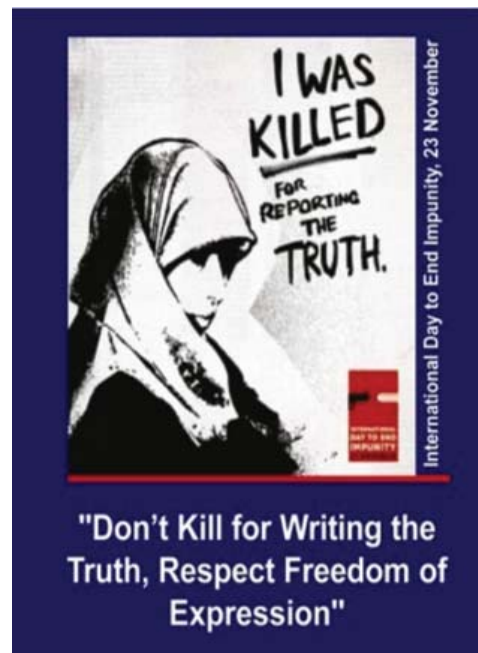
This day marks the anniversary of the Ampatuan massacre in the Philippines in 2009, which was the single deadliest incident for journalists in recent history and is a solemn reminder of the risks taken to inform the public and speak truth to power.

It is also meant to be a day to recognise the work IFEX members and others are doing to combat impunity and to inspire action everywhere to demand justice and advance efforts to stop impunity in the killings of journalists, musicians, artists, politicians, and other free expression advocates.

When it comes to justice for murdered journalists, the 13 least accountable countries are Iraq, Somalia, Philippines, Sri Lanka, Colombia, Afghanistan, Nepal, Mexico, Russia, Pakistan, Bangladesh, Brazil and India, according to the Committee to Protect Journalists' (CPJ's) Impunity Index. This Index measures a country's unsolved murders of journalists in proportion to its population.

While some countries have made progress in the investigations of journalists' murders, many others with a track record of letting killers go free worsened or stayed the same.

Iraq, which saw a rise in the targeted killings of journalists in 2010, has an impunity rating three times that of any other country, CPJ reports. CPJ pointed to Russia and Colombia with cautious optimism for finally taking measures to punish those who commit crimes



against journalists, thus increasing the level of safety for all reporters and advocates.

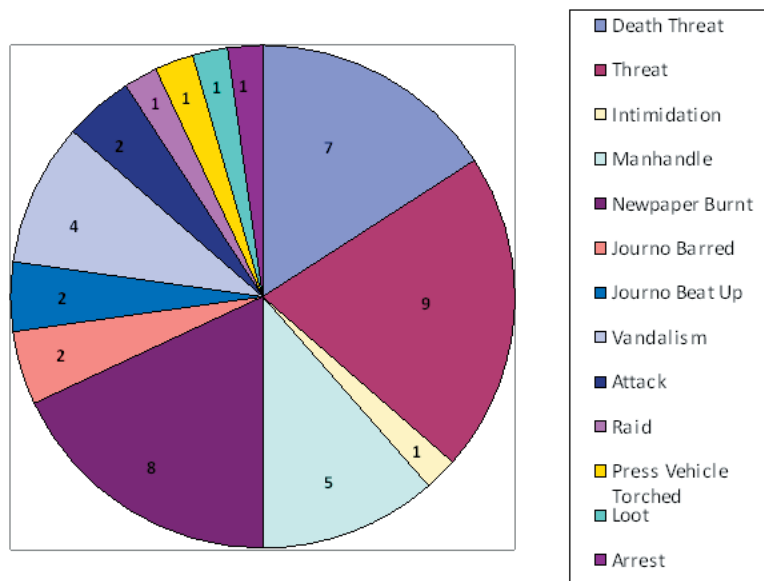
Impunity is a particularly difficult evil to counter because it is self-reinforcing, notes the International Press Institute (IPI) in a special report entitled "Impunity: a Global Scourge". When governments fail to investigate journalistic killings, it sends a message that the lives of journalists and the work of the media are trivial.

Where such a cycle exists, one can speak of a "culture of impunity", which encompasses the idea that the causes of impunity are often embedded within societies at multiple levels and at multiple institutions. Rarely is it possible to identify a single root cause, says IPI.

To kick off the first year of the campaign, each day from 1 November until today, IFEX highlighted a story of a journalist, writer, artist or free expression advocate who was killed on that day for reporting the truth, and whose murderers have gone free. "We were able to find a case of impunity for every day between 1 and 23 November. Sadly, this is a tale that can be told practically every day of the year," said Annie Game, IFEX executive director.

(Source: [http://ifex.org/international/2011/11/23/idei\\_launch/](http://ifex.org/international/2011/11/23/idei_launch/))

## Incidents of Press Freedom Violation, May to October 2011



Published by:

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