



# Free Expression

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A NEWSLETTER OF FREEDOM FORUM

## RTI to Reform Local Governance

### RTI Orientations Benefit 210

Information is a powerful tool to empower people. But, different kinds of information with public importance are not always at hand to people, which evidently keeps the public in dark. Voluminous information is generated in the public agencies and many of these are not disclosed for lack of active demand and supply sides of information. In our context, information relating to economy and finance weigh more than that of other also because these are intended to keep secret by the public agencies, which actually should be disclosed proactively as per the law.

Lack of people's elected bodies in the local level for long has further shrouded the information on financial activities. As the information is concealed, transparency and accountability are daydream. It has therefore marred the local governance, the closest agency to serve people. The local governance is badly tarnished with corruption and financial irregularities. With this in mind, Freedom Forum (FF) decided to intervene



Mr Dharmendra Jha facilitating training

with municipalities in a bid to enhance governance through improved access to information related to municipality and to reduce information asymmetry regarding fiscal information among the political parties and general citizens.

Sarita Poudel, Constituent Assembly member of Kaski-3 was the Chief Guest of the opening session while executive officer of Pokhara Sub-metropolitan city Mr. Jhalak Ram Adhikari and FF representatives were the guests. Speaking at the program, CA member Poudel said all the concerned service providers

including Metropolitan should keep people informed about their rights, entitlements and services targeted to them proactively. "RTI should support underprivileged people to survive with dignity," she stressed.

Executive Officer Mr Adhikari said that demand side should be aware of their right to know and the process how information can be received from public agencies. He also said that there is confusion among government officials

whether information is to be protected or freely given due to conflicting provisions in the laws.

FF Treasurer Chiranjibi Kafle, trainer and General Secretary Dharmendra Jha, and Program Manager Anirudra Neupane were the facilitators in the trainings conducted seven municipalities from August 5-25.

During the trainings, they highlighted the importance of RTI for good governance and stressed that the RTI has provided no room for secrecy as there is no word for secret or private

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## Open Data Research: Reflections

The Open Data in Developing Countries (ODDC) research programme is a multicounty and multiyear study working to understand how open data is being put to use in different countries and contexts across the developing work. It seeks evidence that can confirm or challenge the belief that open data holds the promise to improve transparency, accountability, citizen participation and economic activity. Coordinated by the World Wide Web Foundation and established with funding from the International Development Research Centre (IDRC, Canada), ODDC has conducted 17 southern-led independent case studies in 13 countries, offering the opportunity to compare different contexts to explore the emerging

impacts of open data. This case study: "Exploring the emerging impacts of open aid data and open budget data in Nepal" was conducted by Freedom Forum with capacity support from Web Foundation, Development Initiatives and a research mentor during the months September 2013 to May 2014.

It is widely believed that greater openness in many areas of public life, including around budgets and aid, leads to greater civic participation in decision-making processes related to resources, greater government accountability and better public service delivery. A case study approach was used to explore these assumptions in the context of Nepal, by seeking empirical evidence of the types of budget and

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## Scribe displaced for reporting on corruption

Ramesh Rawal, a reporter with the Karobar daily from Kalikot, a remote hilly district in the far-western region of Nepal, was displaced for writing news on corruption in the district.

Rawal arrived in the capital city, Kathmandu, on July 21, after mounting pressure from the district administration office and office of the district development committee, reasoning he wrote the news about distribution of fake citizenship to the irregularities, and about the development activities carried out by the district development committee.

Reporter Rawal, informed Freedom Forum that he was bound to leave his district, as he could not tolerate the pressure from the Chief District Officer and Local Development Officer over the news he wrote on the administrative irregularities and corruption.

The government authorities' pressure to hide the irregularities and silence journalists with threats is quite worrying. Such pressure to a journalist, who is writing news and making aware the public, is completely against press freedom. ■



Reporter Rawal

## Message from Chairperson

**M**inister for Law, Justice and Parliamentary Affairs, Narhari Acharya, tabled the bill on contempt of court at the Legislature Parliament on July 27, 2014. But it quickly drew the attention of groups working for freedom of expression and media freedom. The civil society organization, media and rights groups argued that the proposed bill was intended to suppress citizens' freedom of expression and press freedom. The pressure of the civil society and media fraternity quickly dominated the scene thereby making the legislators speak against the proposed bill. Finally with the objection from the lawmakers within the Parliament, the Speaker directed the Minister to withdraw and take it to the public for broader debate.



Freedom Forum, as a civil society organization working for the cause of democracy and advocating for freedom of press and of expression, justice, and transparency, welcomed the Parliament's decision to take the bill before the public and stakeholders so that their voices could be addressed. It is appreciative also because such sort of initiative is taken for the first time by the parliament to heed people's views on such important issue. Needless to say, it also showed that the parliament was being accountable to the people.

Importantly, some provisions in the proposed bill were objected on the ground that the media persons, as the bill mentioned, could not write about the activities of the justices. As the media is the bridge to gap difference between the people and governance, the matter of justice, their speech can not be hidden merely in the name of strengthening judiciary. Yes, a robust and independent judiciary is one of the pillars of the democracy, but there is no denying that the free media plays tremendous role to make the judiciary independent and efficient.

Mere critical views on courts, administration of justice, and judge can not be the contempt of course but the medium to create public debate on the functionaries of democratic state. If the press or the media persons are not allowed to make healthy criticism on these issues, the freedom of expression is limited on the one hand and right to information violated on the other.

Both judiciary and free media are equally significant to build better society with good governance of balanced and harmonious relations. But the one way of respecting judiciary with weakening citizens' rights can not suit the democracy. The ultimate goal of the court is also the empowerment of and justice to the citizen. Once the citizens feel free and fearless to exercise their right to freedom of expression, the atmosphere thereafter helps strengthen the court.

Therefore, act is necessary in a way it would harmonize the relations between the judges and citizens, but not estrange them.

So, the concern is- if the bill is not amended, it could curtail the freedom of expression, the fundamental rights of the people enshrined by the constitution.

Only harmonious relations between the court and the press can make any democracy functional, creative and effective where the views of all citizens are respected. Harsh laws are not only suppressive but counterproductive as they gradually stalk the pillars of any system.

Finally wishes that the initiative which the parliament took, though late, to hear the voices from the people and address accordingly would balance the press and judiciary role for better democratic practice and system. From its place, the FF is ready to cooperate with the parliament on how it could amend the bill by wiping out the confusion and adding clarity so that the rights of citizens are protected and the judiciary made respected. ■

**Taranath Dahal**  
Freedom Forum

## OGP Asia Pacific Regional Conferences Whets Openness

The Open Government Partnership (OGP)'s Asia Pacific Regional Conference, the first of its kind in the region, was held in a very constructive and univocal note that openness helps government to deliver better; transparency helps government and civil society gain better trust each other.

The conference 'Unlocking Innovative Openness: Impetus to Greater Citizen Engagement' that took place in Bali, the renowned island of Indonesia enriched with history, tradition and culture, on May 6-7, imparted a message to the globe that meaningful partnership among government and civil society candidly contributes to enhancing government's efficiency and most importantly the lives of the people.

Participated in by more than 600 delegates representing government officials, members of parliament, law enforcement officials, CSOs, youths, private sector, media and multilateral institutions from around 50 countries of the Asia Pacific Region, the event concluded that reforming government does not have to be a solo undertaking but a global one.

"That inviting public participation must not be a daunting task but an inspiring one. That innovating public services shall not be a costly initiative but an affordable one", said Dr Eko Prasajo, Vice Minister, Ministry of State Apparatus and Bureaucratic Reform, Indonesia, while delivering concluding remarks on May 7.

The conference inaugurated by Indonesian President Susilo Bambang Yudhoyono hosted a great number of outstanding openness actors around the region that offers countries and communities the opportunity to connect and learn from each other on the benefits across good and open governance. Besides, the event also provides opportunities for everyone to share their ideas, innovations and exchange contacts that are keys to the development of ideas and thoughts and partnership to facilitate greater collaboration ahead.

In his inaugural speech, the President said, "Through OGP the governments and civil society can work together to ensure openness. OGP proves that the government is not monolithic but full of reformers sharing aspirations of transparency and accountability to help fight corruption, spur innovation and economic growth and deliver development agenda"

There were a total of 18 breakout sessions which touched upon a wide range of issues including open data citizen engagement, good and open governance in post-2015 Development Agenda, legislative openness, fiscal openness, access to information, and openness in natural resource management. "The sessions talked about the cross-sectoral benefits of openness" said Ashish Thapa, Executive Director of Transparency International, Nepal Chapter, who also participated in the event.

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# Press Freedom Violations

**Manhandle:** On July 11, the employees at Janakpur municipality manhandled Abadhes Kamat, a reporter with a local FM Mithila radio, in Janakpur, a city in the southern plain of Nepal. Reporter Kamat said, while talking about the sanitation and development activities in the municipality, a group of employees at the municipality said to him, 'Why are you being bossy, and writing whatever you like?,' and manhandled. Reporter Kamat further said he had written a news story about the irregularities and corruption in the municipality a week back and they were venting ire on him referring to the story. It shows how the journalists are becoming the target while writing news against corruption and malfeasance in the local level.

## Police takes reporter under control:

On May 16, police took under control a reporter of a local Kalika FM Radio of Chitwan, a district in the central southern plain of Nepal while he was with colleagues to report about street children.

A police patrol took under control Arjun Sapkota for an hour without any reason, said a reporter to the National News Agency (RSS), Narayan Adhikari, adding that he was with his colleagues Urgan Tamang and Suman Khanal to report about the condition of street children.

## Journalists under control from

**peaceful protest:** Police took under control as many as 33 journalists from various media while they were staging a peaceful sit-in at Finance Ministry in Singha Durbar, the central administrative place, of Nepal on July 1.

The police took the journalists under control while they were staging a sit-in at Finance

## Journalist Mishra Taken Under Control for three hours

A reporter with the National News Agency (RSS) of Nepal, Purna Prasad Mishra, was taken under control for more than three hours by an owner of a school and pastor, Anka Dhoj Mote, in the capital city, Kathmandu, on June 17.

Mishra was taken under control by Mote's staffs while he was taking photographs of a church run under board of a school, Hope Imperial School, at Jorpati in the capital city.

"Why did you take the photo of this church? Who has given you the rights to make story on it? Who are you to photograph it," reporter Mishra faced such flurry of threatening questions by the owner of the school and pastor Mote, and was grilled for over three hours though Mishra said he was a reporter and making news about the church run on the school premises.

He further told that he along with the church pastor and staff were taken to the

police station, Bouddha. He then told the police that he as a reporter was making story so he photographed the church hidden inside the school under the school's name.

Although reporter Mishra was released by the police some hours later, the pastor is learnt to have continued pressure on reporter Mishra to delete the photos of the church. "I'm afraid of possible attack from pastors' side as he has not stopped threatening me of physical action," said Mishra.

Taking a journalist under control merely over reporting is condemnable. Even the police initially followed the suppressive way of the school owner which panicked journalist. Such grilling despite giving journalists' identity is a move to silence journalist, smother free press and deprive people of their right to information. ■



Journalist Mishra

Ministry, demanding the release of the increased amount for proportional advertisement the government committed to media.

**Barred From Reporting:** During August 2-3 Nepal visit of the Prime Minister of India, Narendra Modi, many media, especially private ones were not allowed to enter the programs for reporting, photographing and visualizing.

It obviously was government's

discrimination towards the private media. Not allowing media persons in the meeting/ programs attended by the foreign dignitary is suppressing media and depriving people of their right to information. It is also against journalists' right to free reporting.

Such practice does not suit the democratic culture. It has obstructed the free flow of information. ■

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## OGP Asia ...

OGP began in 2011 as a multinational initiative of the countries that include Brazil, Indonesia, Mexico, Norway, the Philippines, South Africa, The United Kingdom and the United States and a number of civil society organizations. After less than three years, it has transformed into a global movement involving 64 countries and around 200 civil society organizations.

Though Nepal is one of the eligible countries in Asia Pacific that meets the four criteria required by the OGP including fiscal transparency, access to information, asset disclosure and citizen engagement, it has not yet joined the global movement.

Freedom Forum has been massively working on all four issues apart from asset disclosure to push the government to collaborate for joining OGP. It FF had also participated in the conference. ■

## Employees demanding salary hike hinder newspaper circulation

The Press and Publication Workers' Organization affiliated to the Communist Party of Nepal-Maoist at the Kantipur Publications obstructed the printing and dissemination of the Kantipur and Kathmandu Post dailies for two days in the last week of August.

The employees representing the Organization agitated with the demand of salary hike in line with the Working Journalists' Act. With the agitation, the circulation of the newspapers was disrupted thereby depriving people of the right to information. It was against free flow of information and therefore a press freedom violation.

On the other hand, the Publication had its agitating employees imprisoned for three days.

When inquired, the Police Office, New Baneshwor, said seven employees of the

Kantipur Publications have been detained for three days under Some Public Office Act.

The demand of minimum salary to the workers in media including journalists, fixed by the Working Journalists' Act is however genuine.

Therefore, Freedom Forum maintains the stand that both sides- agitating employees, and the media house, Kantipur Publications, must abide by the rule that Publication addresses the demand of employees, and the employees stop obstructing the dissemination of newspaper.

Not fulfilling the workers' rights for professional security is against the Working Journalists' Act. So, balanced treatment is vital for smooth functioning of media house where rights are ensured thereby helping to build democratic culture. ■



# Arrest over facebook comments tampers freedom of expression

On June 1, police arrested a businessman Mohammad Abdul Rahman from Portaha of Saptari, a district in the southern plain of Nepal, over his comment on a facebook post of a news story. The police arrested him reasoning his comments violated the Electronic Transaction Act.

The police then filed a case in the district court, Saptari, which later sent to the Kathmandu on June 19, saying it had no jurisdiction to look into the case. So, businessman Rahman was brought to Kathmandu by the police.

In response to a journalist's facebook post of a story, 'Improving security in Saptari', the businessman on May 31 had commented as 'How to say the security improving as I had to pay Rs 50,000 to bring back my looted motorcycle.'

## FoE Watch

The comments by businessman Rahaman is neither a hate word/speech nor has violated the existing laws. So, his arrest by the police is a sheer abuse of the authority and violation of citizens' right to express freely. Such incident suppresses the freedom of expression which is essential for effective democratic system.

A month back, the police had arrested a government employee over a similar case- response on a facebook post. Though brought to the capital city for action, he was released after some days.

Freedom Forum has been continuously objecting to the misuse of the Electronic Transaction Act because the government has used the Act as a tool to suppress people's right to freedom of expression and information going beyond the intention of the Act. ■

## Parliament Seeks Public View on Contempt of Court Bill

It is appreciative that the Legislature-Parliament, for the first time, decided to garner people's views and suggestions on a bill- the bill on contempt of court.

Minister for Law, Justice and Parliamentary Affairs, Narhari Acharya, had tabled the bill on contempt of court at the Legislature Parliament on July 27, 2014. But the legislators did not allow the immediate passage of the bill, saying it needed broad debate in the public level. The legislators' views came in response to the concerns especially from the legal and media community, and civil society. The media fraternity argued that the proposed bill was

intended to suppress citizens' freedom of expression and press freedom.

Parliament's decision to take the bill to the public is laudable, as it will not only link the parliament to people but also make the parliament accountable which is indeed a democratic practice. Once the provisions in the bill that are hostile to freedom of expression are deleted and made democratic, it would obviously garner people's support.

Harmonious and good relations between the judiciary and media/press are essential for a functional democracy, Freedom Forum concludes. ■

## Pre-budget Statement Appreciative

It was deemed positive for Finance Minister Dr Ram Sharan Mahat taking initiative to enable environment for systematic pre-budget discussion in the parliament.

Minister Dr Mahat facilitated the environment by presenting budget policy and priorities of the fiscal year 2014/015 as pre-budget statement with the onset of budget session in mid June.

The disclosure of base paper for the discussion of pre-budget through the website offered opportunity for citizens to participate in the budgetary process.

Practically, the pre-budget statement should be made publicly available at least before

a month the executive tables the budget in the parliament, the government's initiative albeit appreciative is incomplete.

Though the 'Principles and Priorities of Appropriation Bill-2071' presented by Finance Minister Dr Mahat mentioned the list of the government priority areas, it could include several areas since pre-budget statement sets the entire policy framework of budget.

However, we can hope that the introduction of the practice of pre-budget discussion will enhance the role of parliamentarians and efficacy of parliamentary oversight on budget process and help ensure citizen's better access to budget related information. ■

## Journalists' Rights stressed



Freedom Forum organized a discussion on Role of Security Agency on Protection of Freedom of Expression and Journalists' Safety in the capital city on July 24. Four police officers (from Inspector to Superintendent)- from all three districts of the Kathmandu Valley, senior official from the Department of Information, journalists, and journalists and researchers attended the discussion.

At the programme, a presentation was made by senior journalist, Suresh Acharya, on 'role of state (security) on protection of journalists.'

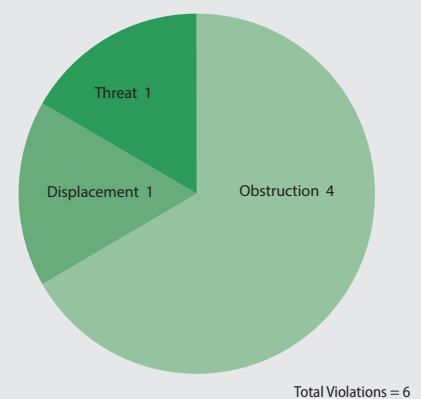
Similarly, another senior journalist Dharmendra Jha made aware the police persons how aware the security and state agencies are on FoE issues in Nepal.

On the occasion, Saurav Rana, Superintendent of Police from Metropolitan Police Office, Rani Pokhari, said the police persons were being trained on human rights and journalists' rights from time to time. And, the police persons always try to protect journalists' rights of free reporting, he added.

Also the representatives from the National Human Rights Commission, and Director General at Department of Information, Laxmi Bilas Koirala, shared their views on journalists' rights to free reporting.

At the discussion, need of a guideline to police persons on handling the case of FoE issues, including the attacks/threats on journalists was realized. ■

Press freedom violation from 2014 May- August



# RTI Reaches at Remote Hills



**Ganesh Baniya**  
(Jajarkot)

All government and non-government offices of Jajarkot district are stationed at the district headquarters, Khalanga. Due to difficult geography, transport is limited to the district headquarters and the vicinity thereby hindering the development activities. It is because of the lack of transport facility, it takes a day's walk to reach one ward to another in most of VDCs. It takes two days for the people here to receive the services- their fundamental right in needs- electricity, food grains and health check up. Many die untimely for lack of medicine/medical service. Even an ordinary medicine as cetamol is not available.

The government bodies allocate hundreds of millions rupees in different sector every year. But the citizens are not aware who allocates how much budget, and in which sector. They are confused as they don't have any information on these. They are almost unaware of the Right to Information (RTI). Only a radio or people's mobility is the medium of information. These are the common problems of most of the Jajarkot people. For, only handful people- the bigwig ones -in the district headquarters formulate development plans, begin works, complete, and report, but in paper only- no participation of people at all. If anyone objects it, he/she is decried and expelled from the community. There is no record of rigorous action against corrupt persons in Jajarkot district.

With these maladies in the background, we- the RTI campaigners have been reaching RTI to every remote village, hinterland, and make them aware of its importance. We've been seeking information and making public the information of public agencies and giving information to the citizens in the district.

In this connection, the RTI was applied to get information about the Ragda VDC located 55km away in the east of the district headquarters. The information sought was- sector-wise allocation of budget in the fiscal year 2013/014. Initially while going to file application, VDC secretary was not present in the VDC office. It took almost four days to meet him. The VDC secretary was first made aware about the RTI Act and handed over a booklet on it. As a result, we were successful to file an RTI application at the VDC Office on May 17, 2014. Luckily, the VDC Office provided the information we sought after five days.

As per the information, the VDC had allocated Rs 3.9 million for the fiscal year 2013/014. We reached the concerned villages with the information after some days and found irregularities in the development projects. An example here- local chairman to look after agriculture, forest and environment issues in the village was found gone to neighbouring Dolpa district for yarshagumba trade taking Rs 600,000 allocated for the development projects related to forest and environment.

Similarly, Rs 15,000 was taken from the district headquarters for red panda conservation but without reaching the concerned VDC. Rs 115,000 money allocated for the children of one VDC was found distributed to the children in another VDC. Interestingly, the negligible money- only 20,000- was distributed to the children and remained embezzled.

The people in the concerned VDCs were informed about such embezzlement of budget and how their rights were went unheeded with the loot of government money by particular bigwig.

Later, aware farmers' groups in the villages complained in the offices of VDC, and District Development Committee in written and demanded their share- Rs 50,000 each. It is all because of the RTI. Those naïve are now watching closely the budget and its allocation.

If the government and non government organization extend help in the RTI campaign, the people in the remote village really would be empowered and could enjoy their rights. ■

# RTI for Change



**Bishnu Chaulagain**  
(Sunsari)

I got training on 'Practical Use of Right to Information (RTI)' from Freedom Forum and one and half year ago. It was a very good opportunity for me to learn many new things to empower people by making public agencies transparent and accountable to the public with the use of RTI.

I've filed as many as 21 applications in different public agencies seeking information.

However, I've not received response from four agencies. The public agencies I have sought information are government offices, semi-government offices and corporations eg Dharan Municipality, Traffic Police Office, Drinking Water Supply Corporation, and Community Schools.

Seeing my campaign for transparency with the filing of RTI applications in various agencies, the people here are saying that they could empower themselves with the use of RTI- getting information of their need from the public agencies.

Similarly, the employees and officers at the public agencies used to be harbor fear that it would harm them if the information was provided to the people. But, now, they are changed. They are aware of the importance of information and of transparency. "Sharing information to people makes us easy to work," they said when asked about their changed concept on RTI. However, there are some in the Drinking Water Supply Corporation, and community schools not fully abiding by the RTI laws.

Change is tangible also because the Freedom Forum provided training to the employees at the Municipality Office on RTI. Nowadays, we, the RTI campaigners, are invited to attend every meeting of public concern in the Municipality Office. The employees in the Municipality Office are very positive to our campaign of information seeking. Interestingly, the Municipality Office itself began giving RTI training to its staffs and the decision of every meeting is updated in its website. The traffic police have also begun providing information sought by any person.

I feel that the government has not given importance to the RTI. The efforts only from non-government sector in the use of the RTI are not enough to ensure people's access to governance. I think the government should mention the RTI in budget, and conduct training, orientations and seminar on the RTI from time to time. The government can ponder how the common people could reap benefit from the public agencies with the use of the RTI.

In my view, RTI is for our rights to know, seek and use information which is linked with the fundamental rights. The RTI not only makes people aware of the activities of any public agency including of government, but also leads them for change, the progress. I, as an aware citizen, am devoting to the RTI campaign.

In a bid to protect and promote RTI in Sunsari district, an organization named 'Information Rights Network' has been set up. For six months, the organization helps any citizen to seek, and receive information from the public agencies. Through this organization, I took initiative for promotion of RTI and organized as many as 11 programmes on the RTI.

In future, we are planning to provide RTI training to the employees of NGOs and any youths interested in it across the district. Similarly, we've planned to make the Network strong having more members. ■

[dharahebip@gmail.com](mailto:dharahebip@gmail.com)

## SUCCESS STORIES FROM MOFUSSIL

## One-stop site: nepalelectionchannel.org

If there is only a website that talks thoroughly on Nepal's electoral process, media and constitution writing with the political development particularly after the second People Movement of Nepal, [www.nepalelectionchannel.org](http://www.nepalelectionchannel.org) can not be denied. Both in Nepali and English versions, the website stores numerous opinions, feature articles, interviews, media and election reports, stories about the election, legislative process, media and political issues is very useful and important for rights defenders, activists, journalists, researchers, academicians, legal practitioners, media students and university teachers. The website was launched in the late 2010- a significant time of political transition coupled with the responsibility of constitution writing. So, it incorporates every pressing issue of the constitution writing, stories of debates and disputes as on form of governance, state restructuring and federalism. The news stories, the stories of press freedom violation, reports on electoral and legislative process, and on media coverage of the electoral matters, interviews with Constituent Assembly members and experts on constitution and form of governance- presidential or other- are really valuable asset of the website. Moreover, the links to the offices relating to the above issues, various national and international instruments, reports are others carrying weight. Categorically, there are more than 1,300 opinions in Nepali version ([www.](http://www.nepalelectionchannel.org)



[www.nepalelectionchannel.org](http://www.nepalelectionchannel.org)) while nearly 500 in the English version ([www.nepalelectionchannel.org/english](http://www.nepalelectionchannel.org/english)). The number of stories outnumbers the opinions in both versions of the website. It is viewed from different countries across the globe. An opinion, "Media and Public Agenda," penned by Dharma Adhikari and updated in the English version on 21 September 2011, was read by 3,532 people. Similarly, "Dal Bhitraiko Pardarshita" (Transparency in Political Party) penned by Pranab Bhattarai and updated in the Nepali version on 24 January 2013 was read by 1,573 people. During the second Constituent Assembly election in November 2013, the website was viewed a lot from across the globe. It helped a lot to build healthy debate on constitution writing. ■

## Our Struggle Is On



We-Jyoti Saha and Nabin Dhungana, reporters with the Avenues Television and sacked unduly by the TV management, had shared happiness over our struggle (legal battle) for justice- respectful restoration of job with due remuneration as compensation from the TV management- nearing success in the last edition of this newsletter. The battle was against the TV owner/management, as we were sacked on illegal ground. However, we're yet to get the justice. Here is the update:

- Our goal is to see the implementation of the court rule come for our rights- reinstatement in the office and due payment.
- After Labour Court wrote the Avenues Television on 3 June 2014, we, on June 15, wrote to the Avenues Television, demanding the full implementation of the court rule. As an officer at the human resource department, Sharad KC, rejected to receive our letter, we sent the letter from Central Postal Office.
- We waited for 15 days for the response, but there was no response from the TV. Then we filed application at the Labour Office, Bagmati, requesting to inquire the TV why our letter was not responded.
- Then, the Labour Office said it would write to TV and inquire why it was delaying on the implementation of court rule.

**Background:** Although we were practically forced to quit the office (for the owner did not allow us to work by preventing from entering the office following his manhandling to me- Nabin Dhungana) since July 23, 2013, it gave us the letter of sacking on October 21, 2013 reasoning our continuous absence in the office. After the manhandling and sacking, the news was rife in different media which pressed the Avenues TV to hear our problem but in vain. We just wanted to return and join office on a condition TV owner Bhaskar Raj Rajkarnikar apologized for manhandling, misbehaviour and sacking without any ground, but he turned deaf ear. It made us visit many places in quest of justice. We filed a case (No 394) at the Labour Office on August 11, 2013 in accordance with Section 73.1 of Labour Act 2048; filed complaint at the Dol; and finally reached the Labour Court, Kathmandu. We continued the legal process. We had every document to substantiate our stand. The court gave us verdict in our favour on May 16, 2014. ■

## Appellate Court for Stringent Action against Murderers of Jurno Poudel

On July 8, 2014, the Appellate Court Ilam issued a verdict that all three murderers of journalist Yadav Poudel of Jhapa, a district in the east of Nepal, be imprisoned throughout life.

The murderers of journalist Poudel are Yuvraj Giri (main accused), Phul Maya Karki Dhakal and her husband Somnath Dhakal.

Earlier, the Jhapa District Court on February 25, 2013 had delivered a verdict awarding life imprisonment with confiscation of all properties to Yuvraj Giri, the main accused behind the murder of journalist Yadav Poudel, reporter with the Rajdhani daily and the Avenues Television.

Other accomplices as Phulmaya was slapped three-year imprisonment while her husband Somnath one year and Madan Rai six months.



Slain Jurno Poudel

Journalist Poudel who was also the Executive Editor of the Mechi Times daily published from Jhapa district was murdered near the Birtamod-based bus park in the night of April 3, 2012.

A permanent resident of Sijuwa, Morang, a district in the southern plain in the east of the country, had a decade long journalism career in the neighboring Jhapa district.

Freedom Forum welcomes the Appellate Court's verdict as it has sought rigorous punishment to all murderers of journalist Poudel which would obviously help deter further crimes, provide relief and justice to the agonized family and the moral boost to the fellow journalists who are working for professional journalism in different parts of the country. Also, it is a step forward on checking growing impunity in the country. ■



From Page 1

## RTI to Reform ...

even though some information can be protected for some period via information classification. Enhancement of the capacity of both demand and supply sides of information so as to insure free flow of information, they added.

Similarly, the participants were made aware on the objectives and expected outcome of the training as preparing empowered people's representatives and civil society and RTI friendly municipality thereby enabling environment for good governance.

During the trainings all seven municipalities, group work was conducted and expectation of the trainee collected. In the group work, participants discussed about major challenges and issues of municipal governance especially in relation to Pokhara sub-metropolitan city.

### During the training, the trainers stressed on

- Improved flow of fiscal information
- Timely update and improved status of proactive disclosure of information
- Conducive environment for citizens' engagement in the development process through better disclosure of fiscal and program related information
- Involvement of political parties and their cadres in promoting access to information at municipality
- Reduction of asymmetry among political parties regarding access to fiscal information.

In course of the trainings, the participants were made aware on the fundamental principles and international standard of RTI. A music video on RTI was screened where the participants raised their queries on some issues especially about relation of right to information with right to privacy.

Similarly, the facilitators provided orientation on the constitutional and legal framework of RTI in Nepal. A video documentary prepared by the National Information Commission (NIC) was presented and discussion held on RTI. Interaction with participants was held based on the documentary. Participants were made clear about constitutional and legal provisions of RTI with special emphasis to the important provision of RTI Act 2007. Power point presentation highlighting the major provisions of Interim Constitution 2007, RTI Act 2007 and RTI Regulation 2009 was also made to make the trainee further clear on the respective issues.

Presentation of success stories of the RTI use was made. Different success stories from Nepal and India were shown on the presentation to encourage them to seek important fiscal information from respective public agencies including municipality. Participants were made able to understand the possible areas of mismanagement of public resource. They were also shown about how individual right to development and right to life could be protected

## Diversity in Participation

Category	Baglung	Lekhnath	Pokhara	Malangawa	Gaur	Dhangadhi	Tikapur
Political Parties	7	11	5	11	15	21	13
Officials	9	6	5	7	6	7	6
Civil Society	11	13	16	9	15	7	7
<b>Total</b>	<b>27</b>	<b>30</b>	<b>27</b>	<b>27</b>	<b>36</b>	<b>35</b>	<b>28</b>

through RTI. Participants discussed several issues that are necessary for them for public oversight and scrutiny of activities of public agencies.

Next issues the participants made aware was budget transparency and flow of fiscal information. A video of *Hamara Paisa Hamara Hisab* (Our Money, Our Monitoring). Transparency of budget process with emphasis on budget process of municipality was another pressing issue the participants learnt. They were asked about their understanding on budget process of local level. Some of them criticized municipality for not providing adequate budget related information through any means.

**Political parties' leaders said that they are engaged in the budget monitoring process but it is just for formality. Participants from civil society requested municipality to publish relevant information timely.**

Public Agencies and Proactive Disclosure Provision was another important agenda of the discussion during the training. The participants discussed nine different types of public agencies as provisioned by RTI Act 2007. They also discussed about 20 different kinds of information that should be proactively disclosed by any public agency including Municipality.

Municipality officials admitted that website in Pokhara municipality was not being updated as required due to constraints such as human resource, lack of standardized format for website and limited knowledge of what kinds of information should be kept in the website.

Moreover, the next session was focused on roles of information officer and head of organization and information request filing process. The success stories such as answer sheet of SLC result, report of VAT defaulters, justice to family

of JP Joshi and justice to Judge Mt. Chitra Dev Joshi's revival to the post of district court judge were shared in the session so that they could identify the issues to seek information. The participants were made aware on the provisions regarding appointment of information officer, his roles, duties of head of public agencies to protect citizens' right to information, National Information Commission (NIC), process to be followed to file RTI application. Illustration on the technique of how issues are identified or the way of preparation of RTI application to prepare clear RTI application was made on the occasion.

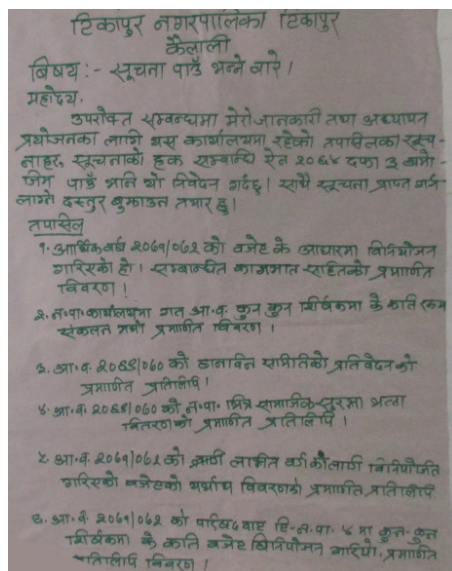
The participants were instructed how to write RTI application to request form information with the public agencies.

### Some Observations

- Lekhnath municipality has not appointed Information Officer. At Baglung and Pokhara, information officers took ownership of the training and attended all the sessions.
- Participants of all three municipalities were active and interested in the issues and almost all the participants were literate.
- One of the participant from a political party said that there was nexus between political parties and officials. He added, "RTI will be of great help to expose such nexus."
- As in the cases of other municipalities most of the political parties and municipality presented themselves as a same side and they hardly said anything about municipality with an exception in Pokhara.
- Only 5 political parties' representatives took part in the training in Pokhara.
- Officials said that they had time and resource constraints to update and proactively disclose different types of information.
- Executive officers found to be less influential in the municipal governance because local employee found to be dominating in the decision making in the municipalities.

It was evident in the programs that participants understood important basic concepts and legal provisions in the country. The supply side better realized the importance of information management and the process of proactive disclosure. Similarly, both sides became aware on significant fiscal information and issues that are important for public. The similar understanding built among diverse stakeholders helped reduce the gap between civil society and municipality.

The trainings were conducted from August 5 to August 25 in the municipalities as Malangawa of Sarlahi (5-6 Aug), Gaur of Rautahat (7-8 Aug), Dhangadhi and Tikapur of Kailali (11-14 Aug), Baglung of Baglung (20-21 Aug), Lekhnath of Kaski (22-23 Aug), and Pokhara sub-metropolis of Kaski (24-25). ■



# Fair Trial for Free Expression

Judicial precedents should provide a reference for addressing the contempt of court bill in Parliament

✍ **Binod Bhattarai**

A new bill in Parliament and a charge of contempt of court against the journalists of Kantipur daily has warranted a discussion on the limits of free expression and the power given to courts for use in preventing interference in justice administration.

The contempt of court case is for the courts to decide but the process is in the public interest and has to be closely watched because precedents (najir) are the equivalent of laws. Similarly, the bill also needs to be thoroughly discussed (It is something else that commentary on the bill has also been cited in the charge of contempt) to ensure that it does not infringe on free expression.

## Basic rights

Both free expression (FOE) and the right to a fair trial (related to contempt) are basic democratic rights. The right to hold opinions, seek, receive and impart information and ideas is a cornerstone of democracy [Article 19 of the International Covenant on Civil and Political Rights (ICCPR) to which Nepal is party] as is the right to a fair trial (Article 14).

There are situations when free expression can be restricted, and according to Toby Mendel, an expert on FOE, "for protecting the rights and reputation of others" would include "rights linked to the administration of justice". Therefore, the ICCPR provides a framework for dealing with both contempt and free expression laws.

Both sanctions of preventing interference in proceedings (sub judice) and of enforcing court decisions (though not much is heard about its use) are important and acceptable. But sanctions for 'scandalising the court'—when judges are criticised—becomes of concern, particularly because decisions could infringe on free expression.

There is one argument for giving judges power to punish scandalising. The Supreme Court of Zimbabwe, in 2000, said that judges do not have a forum to reply to criticisms and cannot debate issues in public as that could jeopardise impartiality—therefore the right. (How this will



apply in countries where judges have been reported visiting political party offices before and after appointments is something else). But in many mature democracies, the courts have begun doing away with this absolute power. Their reasoning is that if courts remain beyond slander in deed, there would be no need for criticism in the first place.

There is no doubt that courts need to protect both fairness and impartiality. They need the sub judice rule to prevent 'trial by media', for example. But there are also other ways to ensure fairness and impartiality. One example of how this can be done is through minimum assurance that adjudicators do not have conflicting interests and are not related to the dispute in question. "This is basic natural law. No one can be a judge in his or her own cause," says Bhimarjun Acharya, a constitutional lawyer.

## Constituting contempt

There is, in the draft bill, an inclination to use the contempt law to prevent media scrutiny of the courts, ostensibly for protecting public trust/confidence. But aren't courts public bodies that must remain open to public scrutiny as any other—if not to higher standards of accountability?

There is also a long way to go towards winning public confidence. A 2011 survey by Interdisciplinary Analysts had found public trust in the Nepali judiciary to be around 5 on a scale of 1-10. (Public trust was 6.1 for TV, 6.5 for radio and 5.6 for newspapers.). The trust in the judiciary had declined from 5.4

earlier in the same year. There could be many factors affecting public confidence and the media might not be one of them but this is a subject for another study.

Contempt for scandalising has generally been used in situations where there has been scurrilous abuse of a judge or court; imputation of bias or partiality made against the judge or court; or an imputation that a judge or court has been influenced by outside pressures.

The Supreme Court of Nepal decided on 17 contempt cases between February 1967 and December 2006. In the 2006 decision on a case against Himalmedia, the Supreme Court attempted to lay down principles on what could qualify as contempt of court. Among others, it would be contempt if anyone, through speech, writing or through publication, spreads baseless (emphasis added) rumours and scandalises the court. Another instance could be when someone interferes in justice administration through the same means. Another point on what could attract contempt is when anyone spreads rumours against the court in a manner that could create loss of public trust on the court and judiciary while the court officials are administering justice (done) in "bad faith, (with) mala fide intention and with 'ulterior motives'". The presiding judges did not find the cartoon that had appeared in the Himal magazine to be in contempt while in some other cases, it did issue sanctions.

In one of the better-known cases of contempt after 1990—Thir Prasad Pokhrel v Harihar Birahi—the

court sentenced the defendant to seven days in jail and fined him Rs 500. However, the court did provide the defendant a window of time to make a public apology, because the one submitted in court was 'conditional'.

## Keeping with the times

But rules are not static and are not uniform in application because law is also influenced by changes taking place in society. During colonial times, contempt for scandalising, for example, had become obsolete in England while it was still acceptable in the colonies. In 1992, it was enforced in Nigeria to prevent 'chaos and disorder'. This, the court said, could result from diminution of authority and respect of the courts in a 'largely illiterate' society. These examples, as Mendel argues, also suggest 'strains of elitism' in some laws.

Mature democracies are moving beyond punishing journalists for doing their jobs, which is to make public bodies accountable. So it is ironic that a supposedly democratic government has a bill that tries to control speech by shielding the courts.

In a 1983 decision, the Australian High Court said that public confidence (in courts) should not be shaken by 'baseless attacks' on integrity or impartiality, suggesting that well-founded criticism is acceptable. In the United States a charge on scandalising could hold only when publication creates a 'clear and present danger' in justice administration. Similarly, in Canada (1987) the Court of Appeal said, "as a result of their importance the courts are bound to be the subject of comment and criticism... But the courts are not fragile flowers that will wither in the hot heat of controversy..."

The Nepali Supreme Court's decisions on contempt provide a reference for addressing the bill in Parliament. The case, now in court, could similarly provide insights into more recent thinking and jurisprudence. ■

*Bhattarai is a media and communication consultant (Source: The Kathmandu Post, July 6, 2014)*



# Open Data Research: Summary Poster



## Open Aid and Budget Data in Nepal: Experiences, perspectives and intentionalities.

Krishna Sapkota, Freedom Forum, Nepal (sangsreela@gmail.com)



### Introduction

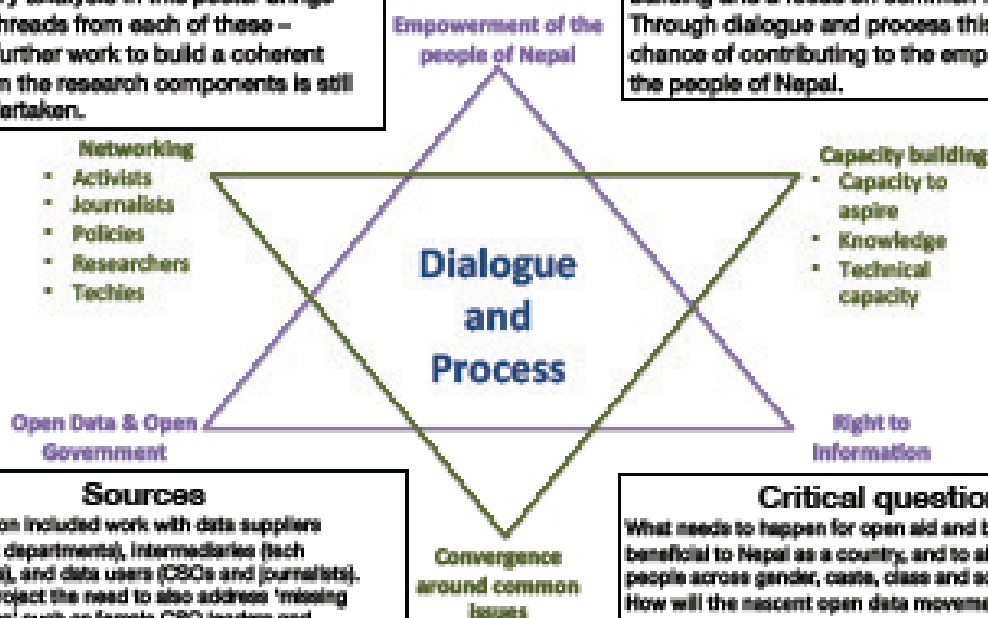
After more than a decade of civil unrest and governance breakdown, Nepal is experiencing a period of constitution building. The nascent open data / open development movement has been spurred on by government release of aid data, and sharing of budget information, and by activities by a small core of CSOs developing the Open Nepal project and platform. Through parallel exploration of the demand for and use of data and information on budget and aid, this case explored whether or not open data could make a relevant contribution to governance and inclusive citizen empowerment in Nepal today.

### Methods

The project was designed around a mixed-method approach, combining literature review, stakeholder mapping workshops, interviews (semi structured, open ended, informal), participant observation (including during 'open data days' and training events), survey work and media monitoring. The preliminary analysis in this poster brings together threads from each of these – although further work to build a coherent whole from the research components is still being undertaken.

### Findings

There is a gap between open data efforts, and the information needs and practices of civil society and journalists in Nepal. The six-point star below draws on the data collected and presents a model for future action-oriented research to integrate open data and the Right to Information with networking, capacity building and a focus on common issues. Through dialogue and process this has a greater chance of contributing to the empowerment of the people of Nepal.



### Sources

Data collection included work with data suppliers (government departments), intermediaries (tech organisations), and data users (CSOs and journalists). During the project the need to also address 'missing intermediaries' such as female CSO leaders and journalists.

### Critical questions

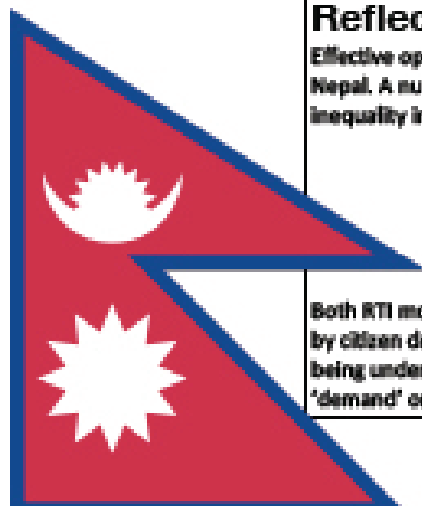
What needs to happen for open aid and budget data to be beneficial to Nepal as a country, and to all the Nepalese people across gender, caste, class and social background? How will the nascent open data movement in Nepal be able to generate the networking and the capacity building that will make this possible?

### Reflections & recommendations

Effective open aid and budget data should contribute to the empowerment of the common people of Nepal. A number of interview respondents were wary of open data potentially increasing internal inequality in Nepal.

It is important to underscore the relationship between, and alignment of, open data initiatives for aid and budget, and established Right to Information (RTI) activism in securing empowerment. A strong relationship between Open Data and RTI can create further momentum.

Both RTI models and proactive-publication of open aid and budget data needs to be driven and shaped by citizen demand. Many networking and capacity building initiatives around open data are currently being undertaken in Nepal but in a more or less ad-hoc way. Up to now, they are not linked to a clear 'demand' or a 'shared issue'. This is a key area for future work.



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The funding for this work has been provided through the World Bank-World Foundation 'Exploring the Emerging Impacts of Open Data in Developing Countries' research project, supported by grant 107071 from Canada's International Development Research Centre (previously IDRC) and made available through the Open Data Research Network.

## Open Data ...

aid information that are available, and by testing the extent to which relevant stakeholders use, and are able to use, this information to deliver development outcomes. Given the early stage of development of open data on aid and budget in Nepal, developing strong evidence of impact was not possible. Instead the project sought to understand the interaction of key stakeholders and develop recommendations for intelligent action in future. The study focused on three groups of stakeholders within the open data ecosystem: data providers, data intermediaries and data users.

The project has combined a top-down look at the context of open data in Nepal with a bottom-up view of emerging uses and outcomes from open data. It has done this by looking at the experiences of different actors in the open data ecosystem, and in particular at journalists. The project was designed around a mixed-method approach, combining a literature review, participatory stakeholder mapping workshops, interviews (semi-structured, open ended and informal), participant observation (including during 'open data days' and training events), survey work and media monitoring. The methods were designed to gather data to build up a full picture of the demand for, and use of, data and information on budget and aid. To address the emerging outcomes of open data, the core components of the research framework were designed to study the context for open data, the supply of open data, the stakeholder governance of the open data ecosystem, the use of open data, and the potential impact of open data.

Nepal's political, social, economic, technical, social and organisational context presents a complex environment of opportunities and challenges for the further emergence of open data in Nepal. With the prevalence of a vibrant civil society familiar with advocating for transparency and accountability, emerging government support, a governance-friendly legislative framework in place, and a burgeoning community interested in the issue, open data has a solid potential to strengthen the transparency and accountability regime and

**The study concludes with a model for future action-oriented research, recommending the integration of open data and RTI along with networking, capacity building and a focus on common issues, including proactive transparency around public resources focused on budget and aid. Despite networking and capacity building initiatives on open data in Nepal but in a fairly ad hoc way. So, key recommendation is that both RTI and open data initiatives need to be driven and shaped by demand. Through this model, together with dialogue and process, we believe that open data can play an important role in contributing to the empowerment of the people of Nepal.**

to deliver effective development outcomes. However, Nepal ranks low on many of the social and economic indicators reviewed, and it is unclear how open data will play out in an environment with limited financial resources for data infrastructure and sharing, and with high levels of inequality. Among other issues, the low internet penetration, lack of open data policy, political and bureaucratic resistance to innovation, limited financial resources, high levels of corruption, culture of secrecy, limited demand for open data and lack of collaboration between open data and the Right To Information legislative framework form a range of bottlenecks constraining the growth of open data in Nepal. Despite this, there is a committed and skilled group of Nepali technical and thematic experts who are proactively trying to improve Nepal's supply of open data, stimulate demand for that data, and equip an ecosystem of actors with the skills to use that data.

In addition to the core research questions, over the course of the project, a number of other critical questions emerged. These were driven by themes emerging from key informant interviews, and relate more broadly to how the concept of open data can apply, or can best be applied, in Nepal. How can the concept, practice and culture of open aid and budget data be accepted in Nepal? What needs to happen for such initiatives to be implemented, and when implemented, what is the impact? Is open aid and budget data inevitably good for Nepal, and what needs to happen for open aid and budget data to be beneficial for Nepal as a country, and for the Nepali people? These questions add a critical aspect to the study and added, as an additional

objective to the study, an exploration of how far concepts of open data need to be adapted to be relevant to Nepal, and how far open data ideas should be prioritized given the current context in Nepal. Discussions that responded to these set of questions gave rise to a series of further themes including whether open data further empowered the already empowered, the potential of open data to increase inequality and the information divide between groups of Nepali people, and the critical need for honesty, pureness and personal integrity if a culture of openness, and hence open data, is to be accepted.

The study revealed that there is a gap between open data efforts, and the information needs and practices of civil society and journalists in Nepal. In order to address this, the study concludes with a model for future action-oriented research, recommending the integration of open data and Right to Information along with networking, capacity building and a focus on common issues, including proactive transparency around public resources focused on budget and aid. Many networking and capacity building initiatives around open data are currently being undertaken in Nepal but in a fairly ad hoc way. Up to now, they have not been linked to a clear demand or a shared issue, and a key recommendation is that both RTI and open data initiatives need to be driven and shaped by demand. Through this model, together with dialogue and process, we believe that open data can play an important role in contributing to the empowerment of the people of Nepal. ■

*(See summary poster on page no 8)*

## Congratulations!

FF has appointed Mr Nodanath Trital as a Program Officer in the mid August to look after the SANCHAR (Support for Accountable National Institutions for Citizen's Access to RTI) activities for a year. The objective of the project is to enhance good governance in the country with an increased practice of RTI by encouraging public bodies to become more responsive, transparent and accountable towards citizen's demands for information. Under this, FF will produce radio and television programs related to RTI issues, build the capacity of civil society, strategic partners and journalists, strategic RTI filing at public agencies in villages, develop RTI enabling environment in project area, and monitor safety threat to and protect RTI activists. Similarly, holding a national convention on RTI will be another task among key components.

FF congratulates Mr Trital and wishes very good performance.



**Nodanath Trital**

## FF in International Forum

Krishna Sapkota of Freedom Forum participated in the meeting of Open Data in Developing Countries (ODDC) Research Network Members held in Berlin, Germany, from July 14-15, 2014. Mr Sapkota also attended Open Knowledge Festival organized by Open Knowledge Foundation (OKF) in Berlin from July 16-18.

# Self Disclosure Updates

Type and Nature of Organization	NGO working for Democracy, Right to Information, Freedom of Expression, Human Rights and Governance		
Legal Status	Registered at District Administration Office Kathmandu. DAO Registration Number: 127/062/63, SWC Affiliation Number: 18518		
Location	Adarsa Marga, Prasuti Griha Road, Thapathali, Kathmandu		
Staffs and Roles	<b>Krishna Sapkota:</b> Executive Director, Management head of the organization, coordinates overall organizational and project Affairs (Development and Implementation)		
	<b>Anirudra Neupane:</b> Program Manager, manages program affairs and performs responsibilities as the information Officer.		
	<b>Narayan Ghimire:</b> Media Monitoring Officer, monitors press freedom violation		
	<b>Nodnath Trital :</b> Program Officer, coordinates RTI related initiatives		
	<b>Aruna Adhikari:</b> Finance Officer, Looks after accounting and administrative affairs		
	<b>Dan Bahadur Karki:</b> Program Assistant		
	<b>Manju Ojha:</b> Media Monitoring Assistant		
	<b>Trishna Dhakal:</b> Admin Assistant / Receptionist		
	<b>Basanti Thapa:</b> Office Assistant		
	<b>Project Staffs:</b> Freedom Forum hires short term project staffs based on need of projects		
Project Information	<b>Project Name</b>	<b>Supporting Agency</b>	<b>Date of Signing the Contract</b>
	Exploring the Use and Impacts of Open Budget and Aid Data in Nepal	World Wide Web Foundation	11 March 2013
	Local Governance Action Research Project (Phase II)	The Asia Foundation	25 March 2014
	Enhancing Safety of Journalists	UNESCO	14 January 2014
	Support for Accountable National Institutions for Citizen's Access Support for Accountable National Institutions for Citizen's Access (SANCHAR) Project	Governance Facility Program	July 2014
	Increasing Safety of Journalist	UNESCO	20-Jan-14
	Open Budget Survey 2014	International Budget Partnership	5-Apr-14
	Local Governance Action Research Project (Phase II)	The Asia Foundation	25-Apr-14
Services Offered/ Activities Carried Out	Research, Media Monitoring, Advocacy, Trainings, Meetings, Workshops, Seminars and other Campaigns to promote issues of Democracy, Right to Information, Freedom of Expression, Human Rights and Governance and Legal Support to Journalists.		
Responsible Authority	Chairperson: Taranath Dahal, Executive Director: Krishna Sapkota		
Decision Making Process	General Assembly : Making policies, rules and regulations of organization Executive committee: Formulation and Action Plans as per constitution of organization, rules and regulation Management team: Running projects and daily operational affairs and reporting timely to the Executive Committee.		
Past and Current Activities	Please follow the link: <a href="http://freedomforum.org.np/content/activities/completed-activities.html">http://freedomforum.org.np/content/activities/completed-activities.html</a> <a href="http://freedomforum.org.np/content/activities/current-activities.html">http://freedomforum.org.np/content/activities/current-activities.html</a>		
Name of Information officer	<b>Krishna Sapkota : Executive Director</b> <b>Anirudra Neupane: Information Officer</b>		
Financial Information	Freedom Forum received grants amounting NPR 8678053.92 from different donors in F/Y 2012/13. Follow the link for detailed information <a href="http://freedomforum.org.np/content/publications/reports/finacial-reports.html">http://freedomforum.org.np/content/publications/reports/finacial-reports.html</a>		
Official Website	<a href="http://www.freedomforum.org.np">www.freedomforum.org.np</a>		
Publications of Freedom Forum	Freedom Forum has about 50 Publications (Printed) Please Follow the Link: <a href="http://freedomforum.org.np/content/publications.html">http://freedomforum.org.np/content/publications.html</a>		
Activities Carried Out Last Year	The Annual report of F/Y 2012/13 depicts the information in this regard. Please, follow the link below: <a href="http://freedomforum.org.np/content/publications/reports/annual-reports.html">http://freedomforum.org.np/content/publications/reports/annual-reports.html</a>		
Mechanism for Information Dissemination	Websites: <a href="http://www.freedomforum.org.np">www.freedomforum.org.np</a> ; <a href="http://www.nepalpressfreedom.org">www.nepalpressfreedom.org</a> , <a href="http://www.nepalelectionchannel.org">www.nepalelectionchannel.org</a> Newsletter: Free Expression		



# Iran, Syria, and Somalia top countries that journalists flee



Journalists Fled from different Countries to Save Lives

CPJ releases annual report on journalists in exile to mark World Refugee Day

New York, June 18, 2014--Over the past five years, the Committee to Protect Journalists has supported 404 journalists who have been forced to flee their home countries because of their work, according to a new CPJ report on exiled journalists. Journalists cite the threats of violence and imprisonment as the top reasons why they flee.

The annual survey of exiled journalists assisted by CPJ spotlights the plight of journalists who have been forced to flee some of the world's most repressive nations. The top countries that journalists fled in the past five years were Iran, Syria, Somalia, Ethiopia, and Eritrea. CPJ released the report, including a narrative timeline of eight journalists' journeys, to mark World Refugee Day on June 20.

"Forcing journalists into exile with violence and intimidation is a very effective method of restricting freedom of expression," said María Salazar-Ferro, the Coordinator of CPJ's Journalist Assistance Program. "Journalists should not have to flee their homes, and abandon their careers and families, because they face imminent retaliation for critical reporting."

Countries that force the highest number of journalists into exile rank poorly on CPJ's other press freedom indicators. Iran is consistently one of the world's leading jailers of journalists; Syria was the most dangerous country in the world for journalists for the past two years; Somalia is the most murderous country for journalists in sub-Saharan Africa.

Journalists do not necessarily find an easier life in exile, as they are often stigmatized and can face the same threats they fled in the first

place. Even when journalists are able to build a new life, they pay a psychological toll. Only about one-fifth of exiled journalists are able to resume work in their field, CPJ found. This year's report includes recommendations to U.N. agencies and destination countries on how to improve the plight of exiled journalists.

To help journalists reach safe destinations, regain stability, and earn a living, CPJ's Journalist Assistance Program works with other organizations to optimize advocacy and logistical and financial support.

Exile is an enduring condition. In most cases, journalists who flee their countries do not have a clear vision of the future until many years later. Though none will ever be at home, some journalists are granted asylum and are able to rebuild their lives.

Frederica Jansz, from Sri Lanka, received asylum in the U.S. exactly one year after submitting her application. "Despite the nightmare that was the last two years, I love my country," she said recently. "I dreamt about it every night and cried." ...

"It took me 20 years to get to where I was in my career. I am 46 [and] starting over."

Similarly, Grace Ombara, the Kenyan journalist living in Pennsylvania, is waiting to hear if she has been granted asylum in the U.S. She said she wishes she could meet other journalists who have come to the country before her, but at the same time she is wary of other Kenyans in her city, not knowing whom she can trust. But the biggest struggle has been finding a way to survive:

"How do you move on when you can't work?"

In 2010, an Iranian investigative reporter

and photographer, who did not wish to be named in order to protect his security, began interviewing the families of protesters killed or arrested during

the demonstrations that followed Iran's 2009 disputed presidential election. While conducting the interviews for a documentary, the journalist received a series of anonymous telephone calls inquiring about the film and accusing him of having ties to the foreign press, he said. At least one caller threatened the journalist's family. ■

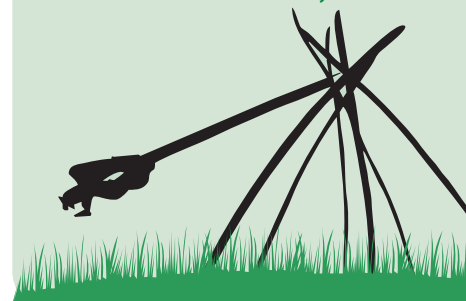
#### Source

<http://cpj.org/2014/06/iran-syria-and-somalia-top-countries-that-journali.php>

<http://cpj.org/reports/2014/06/journalists-flight-into-exile.php>

## Festivals Greetings!

Freedom Forum extends best wishes to all Nepali Hindu brothers and sisters in the country and abroad on the happy occasions of the Dashain, Tihar and Chhath festivals. FF wishes for peace, prosperity, longevity and happiness to all Nepali Hindu people living in any part of the globe. Also, FF wishes Nepal restored peace, promulgated the new constitution and inspired all to work together for better democracy.



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

Editors: Krishna Sapkota, Narayan Ghimire

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#### Freedom Forum

P.O. Box: 24292

Block No. 22, Adarsha Marg

Thapathali, Kathmandu, Nepal

**Telephone:** 977-1-4102022, 4102030

**Fax:** 977-1-4226099

**Email:** [info@freedomforum.org.np](mailto:info@freedomforum.org.np)  
[monitoring@freedomforum.org.np](mailto:monitoring@freedomforum.org.np)

**Web:** [www.freedomforum.org.np](http://www.freedomforum.org.np)  
[www.nepalpressfreedom.org](http://www.nepalpressfreedom.org)