



FreeExpression

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A NEWSLETTER OF FREEDOM FORUM

Draft Bill on Social Networks Rewrite bill as per national laws and int'l instrument on FoE

UNESCO Kathmandu Office and Freedom Forum jointly organized a multi-stakeholders' discussion on a draft bill on Social Network Management and Operation 2024 in Kathmandu on December 27, 2024. The draft bill developed by the Ministry of Communications and Information Technology, will be presented in the upcoming session of the federal parliament after the Cabinet endorsement.

The event was held to draw the stakeholders' perspectives on the draft bill and the major issues to be addressed for its amendment, aligning it with the national legislation and international standards of freedom of expression. Total 80 participants, representing diverse sectors spanning from Members of Parliament, House of Representatives' Education, Health and Information Technology Committee, Ministry of Communications and Information Technology (MOCIT), and representatives from the National Human Rights Commission (NHRC), Federation of Nepali Journalists (FNJ), Nepal Bar Association, media, journalism, advocacy, free expression activists, human rights and the concerned civil society participated in the discussion.

Starting the event, FF Executive Chief Taranath Dahal said although efforts were on for bringing social network bill for some years, it has not been materialized yet. The government was also making efforts to enrich and regulate internet and digital ecosystem, however lacking address to the concerns raised from multiple sides. The discussion therefore whets the pressing issues on the bill that was under



consideration in the legislation committee of the Council of Ministers as part of the preparation to table in the federal parliament, he said.

Former district judge and expert on cyber law and cyber crime, Dr Shree Krishna Bhattarai, presented his observation on the draft bill through justice approach and showed concern that if it failed to incorporate concerns, it could cost much on FoE in digital spheres. "It reflects a state-driven, control-oriented approach to the use of social networks," he asserted.

Dr Bhattarai suggested various amendments, advocating for the inclusion of clear and precise terminologies that would protect citizen's fundamental rights and ensure the bill is in line with constitutional provisions. Advising to revise the definition of social network,

he proposed to clarify what makes an act an offense, how to prove offensive acts and define cyberspace accordingly. Other terms he sought clear definitions for were- smishing, vishing, share, and cyber stalking.

In view of Dr Bhattarai, the bill could be improved with addition of further terms such as pornography, pedophile, child sexual abuse, age bar for use of social media, abetment to crime, aggregative crime, and accomplice. "Clarity in punishment is imperative for its enforceability," he said, suggesting removal of redundancies because there were some mentions that were already included in the Criminal Code.

Similarly, in the next presentation, advocate and Freedom Forum General Secretary Sanjeeb Ghimire voiced concern over the draft bill, expressing wonder why administrative

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Message from Executive Chief

Speed up media reform

The atmosphere for freedom of expression and assembly could not see positive developments in Nepal last year, 2024. The press freedom violations continued unabated. Freedom Forum's annual media report showed a rise in number of journalists and media persons intimidated in the anti-press incidents. The trend of harassing, threatening and attacking journalists for writing news, especially the investigative news, entrenched further. At a time when federalism with three-tiers of governments were in place where the local levels functioning as the closest governments to the people, created hope of good governance, the financial irregularities are reported rife there. But the journalists writing investigative stories on the activities of local governments are often targeted. Journalist Gopal Dahal was forced to leave his reporting field, Dharan city after repeated threats issued by the Mayor and his supporters.



Taranath Dahal

Similarly, using laws to suppress journalists in Madhesh was equally upsetting. Journalist Jiya Lal Saha has been facing cyber crime and defamation case merely for writing news on financial irregularities and administrative malfeasance in Birgunj Metropolis. It is contradictory that the political parties which often hail the role of free press in speech and written text for establishing and protecting democracy, and sometime even cooperating with parties at difficult moments of democratic struggles, are now acting as the hostile elements to the journalists. Especially the district and local level political leaders and cadre are in the forefront to this. In the wake of increasing number of people and activities getting online, the hostile elements have shifted gradually to the digital sphere to harass and threaten journalists. It has posed further security risk to the journalists.

This past year had placed huge expectation on the government, for it was hoped to bring the necessary laws and policies that would pave way for progressive atmosphere to protect freedom of expression and journalists' rights, and create clean and healthy information ecosystem. Although the present government lifted the ban on Tiktok, the diktats issued time and again are against FoE and freedom of assembly online. The draft of the bill relating to FoE and digital spheres witnessed some changes compared to the previous time, but substantial correction for democratic values are awaited. Similarly, the transitional justice is a long pending issue. The parliament passed the bill, which was also expected to accelerate the formation of transitional justice mechanism- truth and reconciliation commission- along with the appointment of qualified persons. Even the process to nominate the officials for the commission was forwarded, but the political bickering stalled it, raising serious concerns over the transitional justice again. Freedom Forum has been advocating for fair investigation and justice to the journalists enforced disappeared and killed during the decade long armed insurgency. But the prolonged transitional justice has taken a toll on justice to victim journalists and their families, thereby leaving impunity unaddressed. The law on public service broadcasting (PSB) and subsequent formation of office to transform the State-run media- Radio Nepal and Nepal Television- was a positive development in Nepali media last year. At the same time, whether the transformation will fully grasp the value of PSB is a wait and see. Editorial freedom, and governance and financial autonomy are imperative for meaningful transformation to PSB. The amendment of constitution surfaced for some months, creating debate and discussions on the need for correcting faults and anomalies. However, substantial homework to this regard is elusive.

On the other hand, the economic slowdown has not only dented growth but also hugely curtailed employment opportunities. The shrinking economic activities in the country have also resulted in the low advertisement to the media, causing financial instability in media. The Nepali media that suffering much since Covid-19 has not been restored. Neither of the side- government, private sector or institution- has showed interest to recover the media. In the wake of weakening media and civil society, the public disenchantment has thrived and articulated via digital spaces- going to the stretch of information disorder and waning debate on accountability in society. The political parties' attention was focused more on securing government, rather than making parliaments more functional and accelerating the making of necessary bills to enforce federalism effectively. The constitutional bodies that are created for good governance, making accountable executives were rather shadowed by the government. It led to the failure of stringent moves against corruption. Nepal is a liberal democracy where transparency and accountability of government and public agencies is required much so that citizens would be able to exercise their rights unobstructed and live a fulfilling life. For it to happen, the foundational right- FoE with journalists' safety- counts much. Freedom Forum continues its efforts for creating FoE friendly atmosphere with its renewed commitment on the occasion of the New Year. **Happy New Year, 2025!** 🌱

FF signs MoU with OAG on performance audit



Freedom Forum signed a Memorandum of Understanding (MoU) with the Office of the Auditor General (OAG) Nepal on December 29, 2024 to participate in the performance audit for the fiscal year 2081/82. FF has been actively collaborating with OAG in performance audits as part of the OAG's Citizen Participation in Audit (CPA) initiative.

FF General Secretary Mr Sanjeeb Ghimire signed the MoU with OAG in the presence of Assistant Auditor General Mr Shyam Prasad Bhandari, Head of the Performance Audit Directorate. Also present in the meeting were Mr Subash Dahal, PFM Coordinator at FF, and Ms Srijana Rimal, and Mr Tara Dhoj Sunwar, Directors at OAG.

A team of 5 to 6 individuals from Freedom Forum will participate in the performance audit, engaging in surveys, discussions, and evidence collection. All collected information, along with the final compiled report will be submitted to OAG's Performance Audit Directorate. The survey will be conducted in the Kathmandu Valley, using a questionnaire provided by OAG to gather responses from the auditees. Additionally, FF collects supplementary information related to the audit and organize closed focus group discussions on the audit topic.

Various other topics related to improving the CPA initiative, public financial management (PFM) improvement in Nepal, audit recommendation implementation, and training for new citizen auditors were also discussed in the meeting. FF is a leading CSO in advancing the CPA initiative and has been working with OAG on performance audits for the past five years. The organization has also trained over 95 persons as citizen auditors from across Nepal and established their national network.

Last year, four surveyors (three females and a male) represented Freedom Forum in the survey. The surveyors were Subash Dahal, Nanumaiya Khadka, Aruna Adhikari, and Manju Dahal. FF remains committed to engaging in performance audits as part of its advocacy for promoting citizen participation in audits. 🌱

Freedom of Expression Violations

Koshi Province

Mayor Sampang continues threat to investigative journalist Dahal over news on irregularities

Mayor of Dharan Sub-Metropolitan City, Harka Sampang, issued a public threat to an investigative journalist, Gopal Dahal and journalist Janak Rishi Rai over a news reporting.

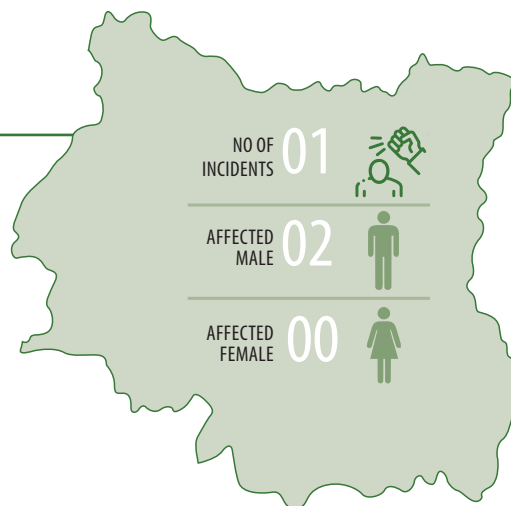
Mayor Sampang took to social media, Facebook, on December 4 and threatened the journalists of 'ending their career.'

"Gopal Dahal, Janak or any representative of the Centre for Investigative Journalism, appear before me at Dharan-18 tomorrow, otherwise I have the clout to end your investigative journalism for which I bear the name Harka Sampang. Be sure, you crook!" It was what Mayor Sampang posted on Facebook.

Earlier, Dahal had written an investigative story on 'arbitrary rule of Harka Sampang; Dharan mired in irregularities' for the Centre for Investigative Journalism (CIJ). The CIJ published the story on its website.

After the threat issued by Mayor Sampang, journalist Dahal said as a municipal chief Sampang holds power so he was in fear and could need support against possible intimidation. Journalists submitted an attention letter to Home Minister Ramesh Lekhak seeking security and support from the administration at a gathering held on December 6. Thereafter, they lodged a complaint at Area Police Office, Dharan against the Mayor.

Again, on December 8, Mayor Sampang wrote a letter to the Home Minister requesting him to take legal action against the journalists. In the letter, Sampang accused the journalists of defaming him through false reporting. The ministry officials however said that they were unaware about any letter from Mayor



Sampang. Moreover, journalist Dahal received life-threatening messages on his mobile phone from a number 9707368707. It is said that the Mayor's supporters own the phone number. Messages read as- 'Your days are limited.' Mayor Sampang continues to share the posts abusive to journalists on his social media page.

According to National Human Rights Commission Koshi Province Office's Chief Bir Bahadur Budha Magar, the Commission was in contact with the journalists and had written to the Police Office for the journalists' security. The Federation of Nepali Journalists has also formed a mission team to investigate the case on December 24, 2024.

Madhesh Province

Reporter Faces alleged cybercrime charge

Reporter at www.sidhakura.com and birgunjcity.com Jiyalal Prasad Sah has been facing charges against cybercrime under the Electronic Transaction Act for his news reporting. Sah has been working from Parsa district.

Freedom Forum received an email from reporter Sah appealing for support and cooperation on November 20. In his email, Sah wrote a letter addressing FF's chairperson that he had been facing charges for investigative stories since January 9, 2024.

The story was about Birgunj Metropolitan City Mayor's involvement in a fake citizenship case. According to Sah, the Mayor helped a girl from a separate family receive a citizenship certificate by descendent with his name as her father. Reporter Sah had mentioned Mayor's family members' quotes and administration office's documents as proof in the story. Following this, Sah had published follow-up stories critical to the Mayor on both news portals. "After publication of the stories, the Mayor had been abusing me indirectly during his speeches in different programs. Thereafter, on September 19, news about the



Mayor's fraudulent activity in the purchase of National flag along with the proof. Again on September 20, 2024 I wrote news about Mayor's involvement in embezzlement of funds for distribution of materials received from health ministry", he added. Thereafter, Mayor Rajesh Singh tried to lodge a complaint for crimes as per Electronic Transaction Act. As the police office refused to register his complaint, Singh went to the

District Attorney Office, Parsa on October 23, 2024 to create pressure on police for initiating action against journalist Sah. Following his complaint, the Attorney Office wrote to the District Police Office to register the case and initiate investigation as per the Criminal Procedure (Code) Act 2074 on October 23, 2024.” As a result, the police office initiated investigation as per which an arrest warrant was issued against reporter Sah under an offense related to Cybercrime. Later, the case was registered at the District Court, Parsa on November 24, 2024.

Then, reporter Sah was presented at the district court on November 26 and was released with deposit of bail amount Rs. 5000. Again, on December 17 he submitted answers at the

court to defend himself against the allegation on defamation charges. Reporter Sah is currently facing three cases- one under ETA 2007, and two on Defamation charges for the news published.

The court has scheduled witness testimony on the cases on January 9. Freedom Forum is providing legal support on the case.

Attack

Editor at newsaaja.com Suresh Yadav was attacked in Dhanusha on November 24.

Representative for the province Rajan Singh reported that editor Yadav asked a question

to the Mayor Kariram Yadav during a public hearing program organized by the media house. During the program, editor Yadav asked the Mayor about details of expenses in his past two years office at Sabaila Municipality. Following his questions on misappropriation of funds at the municipality, political cadres supporting the Mayor attacked the editor.

Dukhi Yadav, Palta Yadav, Jitu Yadav and Rajkumar Yadav attacked the journalist. Meanwhile, on-duty police officers formed a security circle and rescued editor Yadav.

Representative Singh informed that Chief of District Police Bhubaneshwor Tiwari assured of fair investigation on the case. 🌿

Journalists mistreated, device seized

A. Editor at barakhabar.com Ranjan Yadav was mistreated while reporting in Bara on November 24.

Freedom Forum's representative for the province reported that journalist Yadav was abused while reporting on the construction of illegal structures at a marketplace in Jeetpur Submetropolitan City ward number 7. While Yadav was taking photos and videos of the site, ward chairperson Sunil Gupta shouted at him saying why he took pictures of the place without his permission and seized his mobile phone. The chairperson misbehaved with Yadav in presence of the police persons and also issued death

threat if the news was published, informed representative Singh.

Journalist Yadav lodged a complaint at District Police Office, Bara and informed Chief District Officer seeking security for himself.

Then, on November 27 both journalist and Chairperson Gupta were called at the police office where Gupta apologized and returned journalist's mobile phone.

B. Police persons misbehaved with Chandani Jha, reporter to Prime Television and TV Today while reporting on December 1. Jha is a reporter based in Dhanusha.

Freedom Forum's representative from the province Rajan Singh reported that Jha was misbehaved while reporting on the by-election for ward chairperson in Dhanushadham ward number 1. As reporter Jha reached the election site, Sub-inspector Ashok Jha barred her entry into the site and asked her to return back saying she could not collect the news due to security reasons. Reporter Jha introduced herself as a journalist but in vain.

Thereafter, she started taking bytes of the locals about election. Again, other police officers on duty shouted at her saying she could not talk about election. 🌿

Bagmati Province

Attack

Journalist and Chairperson at kapurbot.com Santosh Deuja was attacked while reporting in Chitwan on December 4. Journalist Deuja wrote on his Facebook post that cadres of Rastriya Swatanta Party (RSP) attacked him while reporting on the protest against the ongoing investigation on the party president and former Home Minister Ravi Lamichhane. He had to take refuge in a house

nearby to escape the attack. Leader Lamichhane has been facing charges of cooperative fraud and money laundering.

Deuja said that the attack was intended to kill him because he published news exposing

the party's activities in the past. Police arrested Dipak Sedhain of RSP for allegedly attacking journalist Deuja on December 19.



Threat

A. Reporter at Nepal Samacharpatra daily Buddha Nepali received a threat of attack over news on December 26. The incident took place in Sindhuli district, Bagmati Province.

Freedom Forum's representative for the province, Rammani Dahal, reported that Nepali was threatened for news published on the print version of the daily. The news titled 'Simle Hayatar road construction reaches 45% at the end of contract period.' Representative Dahal quoted reporter Nepali as saying that after the publication of news contractor Subash Waiba called Nepali on phone and said that he would go to Ghyanglekh rural municipality to attack the reporter.

After the threat, reporter Nepali sought support from fellow journalists. Following this, FNJ district chapter called both to discuss the incident. During meeting, contractor Waiba assured that he will not abuse any journalists over news in the future.

B. Journalists at <https://sahityapost.com/> were threatened to remove contents from the website on December 29. The portal operated from Bhaktapur, Bagmati Province publishes news, articles and audio visual contents related to books and literature.

Chief editor at the online Aswinin Koirala shared on December 29 that an email was

received from Bookhill Publication threatening to delete the news published about the publication's fraud to author Sunil Kumar Jha. The email addressed to the author further read- if the news was not deleted, the email sender would report at American Embassy and police.

The news published on December 26 in editor Krishna Dhungel's byline quoted author Jha as saying that he had paid whole amount for book publication as demanded by Executive Chief of publication Bhupendra Khadka but he could not get printed copies of the book on time. Due to this, he had to bear huge loss. Freedom Forum condemns the threat issued to the journalists and author. It is sheer violation of freedom of expression.

Press Council blacklists online media

Press Council Nepal blacklisted four news media; Trinetra weekly, YoHo Television, Koshipost.com and khojtalasonline.com for allegedly publishing contents against the journalistic code of conduct. According to the statement issued on November 10, those media were blacklisted for disobeying the Council's instruction and publishing information without fact-checking.

Similarly, the Council wrote to Nepal Police, Cyber bureau to investigate a YouTube channel Purvanchal DBR TV for sharing misleading contents. Moreover, the statement issued on

November 12 reads- PCN has been conducting special monitoring of social media accounts specially Facebook and YouTube channels both associated or non-associated with media. Those platforms which are associated with news media will be monitored as per the journalist code of conduct and others will be monitored and communicated with Nepal Police for further action if found publishing misleading, obscene contents and those inciting violence. According to the Council, a separate procedure was formulated to monitor social media platforms.

Again on November 25, the Council took action against 10 YouTube Channels for allegedly publishing misleading contents. Out of 10, four channels (Nepalene HD, Hamro sandesh, Khalipana and Gnews Nepal) are registered and listed under the Council. Remaining six are Mission Today, Dailynews NP, Sewayo news, Media Tajakhabar and Hot news Nepal.

For those listed in the Council, it has asked to furnish clarification over published contents and for the rest it has written to the Nepal Police, Cyber bureau.

Executive Chief Taranath Dahal states, "Monitoring and regulation of social media platforms is against the jurisdiction of Press Council Nepal. The Council's statement that it has developed a separate procedural guide to monitor social media platforms is also against the norms of Press Council Act 1992." 🌿

May the New Year 2025 inspire everyone to create atmosphere for unobstructed exercise of human rights including freedom of expression and information to pave way to better democracy.

Happy New Year 2025

Freedom Forum

Gandaki Province

Attack

Manhandle

A. Agitated protestors manhandled reporters and cameraperson while reporting in Pokhara on October 20.

Freedom Forum's representative for the province Rajan Upadhyaya shared that reporters Niraj Tamang, Anita Ghimire and cameraperson Arjun Bhandari were manhandled while reporting live on a protest at Shahidchowk, Pokhara.

According to representative Upadhyay, reporter Ghimire said that they were reporting live on the political cadres' protesting against the arrest of Former Home Minister and President of Rastriya Swatantra Party Rabi Lamichhane. Lamichhane was arrested by a team of Central Investigation Bureau (CIB) from the party's central office in Kathmandu on October 18. Then, he was presented before the Kaski District Court in Pokhara on October 20. Lamichhane has been accused of embezzlement of funds from a local cooperative office based in Pokhara.

"During live broadcast protestors shouted- this is the television channel which broadcasts news critical to our party and leader. They also tried to damage our camera", she informed.

Meanwhile, Pokhara based reporter at AP1 TV Sagar Raj Timilsina was also injured while reporting the protest. He was hit by stones pelted by protestors.

B. Journalists reporting a protest were injured in a police attack in Kaski on November 5.

According to information provided by FF province representative Rajan Upadhyay, correspondent with Kantipur Television Indra Poudel, Public 4K Television's cameraperson Rajkumar Majhi and editor at drishyamkhabar.com Binod Lamichhane were attacked while reporting protest of the Rastriya Swatantra Party cadres at Shahidchowk, Pokhara. Police baton charged the journalists while controlling the mob. Journalist Poudel received injury



No incident of press freedom violation was recorded this quarter in Lumbini and Karnali provinces. It is welcome in deed that journalists and media houses did not face any obstruction, threat and intimidation. 🌿



on his hand and his mobile fell into drain. Cameraperson Majhi and editor Lamichhane also sustained minor injuries as police kicked with boot.

Representative Upadhyay also quoted Superintendent of Police at District Police Office Shyam Babu Oliya as saying the attack was not targeted towards journalists.

Moreover, journalists had not worn press jackets and nor had carried visible identity cards which made it difficult to differentiate them while controlling the mob, according to police.

The party cadres had been protesting against the arrest of their leader Rabi Lamichhane.

However, a fellow journalist Apil Tripathi commented that cameraperson Majhi was attacked even though he was carrying an identity card and a camera with the clear logo of media house.

Obstruction

Journalists reached in front of the District Police Office, Kaski were obstructed by the police officials while reporting on November 17.

As per information provided by Rajan Pokhrel, representative from Gandaki Province, on-duty police ordered journalists to stop taking photos and videos in front of the police office while they were reporting on the arrest of Rastriya Swatantra Party's President Rabi Lamichhane.

They were recording police attempt to arrest the party's cadres who were protesting Lamichhane's arrest. A police officer also tried to seize the camera of reporter Sandesh. 🌿

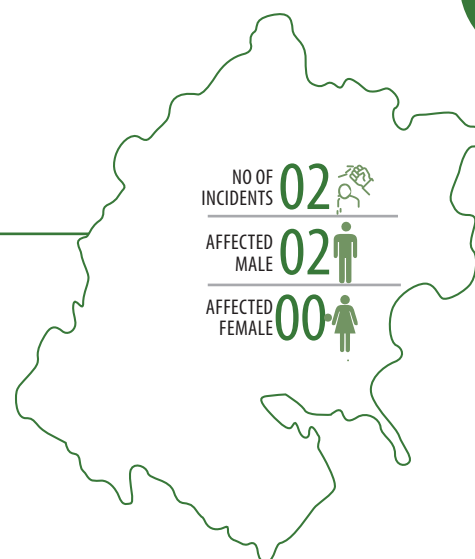
Sudurpaschim Province

Death Threat

Reporter to Avenues Television Bibek Nagari received a death threat on November 20 in Dhangadhi. According to the information shared by Freedom Forum's representative Min Bam, a travel entrepreneur Binod Chemjong issued threat to journalist Nagari for reporting on mismanagement of a local travel and tours company after the visitors were left stranded in the mid-way. According to the news published on Avenues TV channel on November 19, locals who took their tickets to travel to Bangalore, India through the travel company

were left stranded at Paliya. They could neither get the next bus to Bangalore nor could contact the travel's office.

Following this, a staff of the company Chemjong phoned reporter Nagari by a number 9848637117 in the mid-night and threatened him. Reporter Nagari lodged a complaint against Chemjong at the District Police Office, Kailali. Representative Bam informed that according to DPO Kailali's spokesperson police were searching for Chemjong. On November 29, police took



Chemjong under control and called reporter Nagari to discuss the case. Both the parties reached a mutual understanding and Chemjong apologized in front of the reporter.

RTI activist killed in Kailali

Right to Information activist and reporter at Sudurpati online media, Suresh Bhul, was beaten to death on November 9 in Kailali.

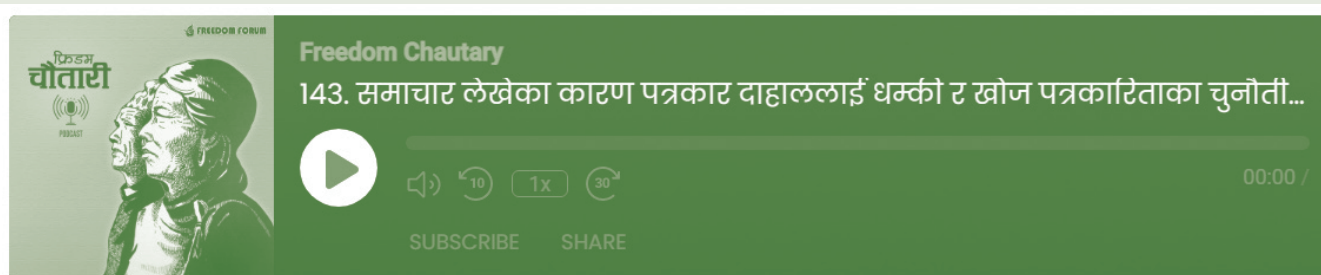
According to information provided by Freedom Forum's representative Min Bam, locals brutally attacked reporter Bhul for allegedly stealing a goat. Bhul passed away on November 11 while undergoing treatment in the hospital. Representative Bam quoted Bhul's father-in-law as, "Bhul did not steal

the goat, it was a misunderstanding but the locals suddenly attacked upon him."

"Even if he was guilty, they should have taken legal action, but they killed my husband", Bam quoted Bhul's wife as sharing woes. Police arrested eight of the attackers on November 12 and are searching for others. The Federation of Nepali Journalists formed a team to investigate the case. Although the Area Police Office, Kailali, received a complaint on November 5 accusing the deceased Bhul of stealing a goat,

the media persons have been arguing that Bhul was killed because of activism for right to information and media works. The journalists in the region viewed the crime was perpetrated in a planned manner with the accusation of goat theft in surface. "This is confirmed by a message sent by the deceased, Bhul, in the RTI Federation's Messenger group of Kailali, where he stated that he felt unsafe, and that police officers and the ward chairman of Ward No. 11, were also involved in the attack", according to FNJ media mission report.

Listen to Freedom Forum Podcast- Freedom Chautari



<http://freedomforum.org.np/content/podcast/>

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bodies were allowed much power in terms of regulating the content online. “Although it briefly touches upon compensation, it largely focuses on punishment,” he viewed.

He also sought clarity on many terms. “Vague and blanket approach to regulate social networks will be counterproductive to FoE,” Ghimire warned. Following this, key note speaker Santosh Sigdel, Founder Chair of Digital Rights Nepal, pointed out the draft document’s failure to address technology-facilitated gender-based violence (TFGBV) and appeared unenforceable. “It includes vague provisions and flatly ignores the ‘right to appeal,’” he remarked. The bill is also silent about user’s data protection.

Next, key note speaker advocate Baburam Aryal, also Chairperson of Digital Freedom

Coalition, criticized the document for attempting to criminalize the principles and practice of free speech while denying civil remedies. He warned that the bill should not undermine authority of judiciary thereby, giving excess rights to administrative bodies.

Here, Mr. Dahal reminded about Digital Services Act brought by the European Union which is even applied in the UK for creating safe and secure environment on online spaces was greeted with criticism because the digital issues are fast evolving.

Seconding him, Former Director at Nepal Telecommunication Authority, Mr Anand Raj Khanal viewed that the bill was discouraging and fully intended to regulate users through content moderations.

Referring to Australia’s latest step to ban social media among children under 16 years of age, a representative from Youth Internet Governance Forum Nepal, Mr Ananda Gautam, commented that in today’s digital age, children are increasingly attracted to YouTube. Thus, instead of restricting their usage, we should focus on teaching them how to use it safely. In this rapidly evolving world, such a bill could potentially hinder the future use of AI and limit people from accessing the internet freely.

Monika, a representative from Body and Data, an organization advocating for the digital rights of women, queer individuals, and marginalized groups, expressed concern over the provision criminalizing “anonymous” identities. She argued that such measures could harm sexual and gender minorities, as many prefer to use digital spaces without disclosing their true identities.

Similarly, Freedom Forum Executive Chief Taranath Dahal emphasized the need for a multi-stakeholder approach in government initiatives to enhance and regulate the internet and digital ecosystem. He noted that digital issues are rapidly evolving and impact various stakeholders simultaneously. “As the constitution guarantees freedom of expression, its protection—both online and offline—is imperative,” he stressed.

Founder at ChildSafeNet, an organization working for child safety on internet, Mr Anil Raghubanshi, said that in some instances, the mistranslation of certain terms into Nepali in the bill has caused confusion. For the bill to be effective as a regulatory framework, it should incorporate the “safety by design” concept and ensure robust age verification mechanisms on social media platforms. Additionally, he shared a recent report indicating that one in every four girls experiences violence from their intimate partners, underscoring the need for the bill to address gender-based violence comprehensively.

Speaking at the program research associate Ms Aarya Ghimire argued that discussion has taken place from various aspects without bearing any fruitful result. She also highlighted the need for a discussion on consent and data utility. As there is lack of a central unified data, judging the utility of data is another issue.

Mr Krishna Sapkota, VDRC Chair, emphasized on putting FoE principles in the fore front while regulating the digital spheres, while the law making process should undergo the pre-and post legislative scrutiny. Understating the issues, Mr Sapkota highlighted the need to analyze the cost while executing the implementation envisioned by the law.

Mr Prabesh Subedi, Founder Chair, Digital Media Foundation, shared that the discussion presented the issues as complicated rather than its need for present generation. There are issues of cross platform functioning and monitoring. There might be the possibility of protection to content creator and not to the social media user. Mr Subedi advocated for the law that will govern the cross platform function and preserve the sanctity. Mr Dahal also spoke on the need for other necessary laws on IT, copyright, data protection along with the introduction of the social network bill. He emphasized the need for discussion of this bill because it was of much concern for all citizens. He further added the UNESCO guidelines can be used as reference on this case.

Ms Saloja Dahal, news editor at Nepal Television, argued that bill is not up to the mark and needs

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amendment on various provisions. She stressed that lots of changes were needed in the fine and penalties, otherwise it can be used to silence the voices of dissent.

Ms Akriti Ghimire, secretariat member of lawmaker Ms Sumana Shrestha, said that there is need for regulation on contents on social media and we need to work on it. She added that there is confusion on application of cyber bureau or any other department and whether the political satire is acceptable or not.

Prakash Rimal, Chief Editor, Republica daily, highlighted the need of others laws on right to privacy, AI, conflict of interest before the social media bill. All social media platforms have their set of rules and we need to look into it while making the law. Ms Prarthana Thapa, secretariat member of lawmaker Ms Laxmi Tiwari, argued it was imperative to understand the gravity of this bill implications.

Dr. Tikaram Pokhrel, Joint Secretary at NHRC, viewed the proposed law is more in favor of government and rulers than that of citizens. New regulations should be based on existing laws without curbing rights of citizens, according to him. In view of investigative journalist Mr Ramjee Dahal, the elected representatives must pay heed to the citizens concern before presenting bill in the parliament.

Mr Yagya Adhikari, Joint Secretary at NHRC, stressed that any laws should have protection of right, duty of punishment and right of remedy. UNESCO Guideline can be used as a reference and practice of any developing nations will assist, he said, adding that there are also remaining discussion in the Cabinet and the parliament.

Advocate Ms Rammaya Lamichhane opined that the law is related with rights of citizens and it should not curb any citizens right. This law must not overlap provision in other laws and create confusions, she underscored.

Listening to the diverse views, FF Executive Chief Mr Dahal viewed if other existing



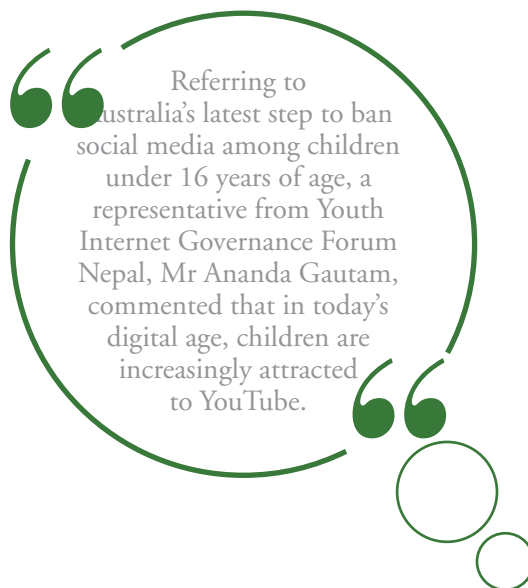
laws (Criminal Code and Privacy Laws) are amended as per the need of the hour, there may not be the need of this law. He added that once state proposes the new law, citizens' concerns need address.

Similarly, Dr Bhattarai responded there is a need to look into the mental health aspect, as well as social media verification process and parental control. Likewise, regulation of Wi-Fi and internet is also another important aspect.

Commitment from Members of Parliament

MP Ishwori Ghartimagar expressed her commitment on the proposed law with all seriousness to raise the issues in the subcommittee discussion and the parliament committee meeting. She further added that there would be discussions with experts, paying heed to citizens' voice. MP Sushila Thing also showed her concern on the bill. Amendment request from citizens and experts' suggestion would be given adequate attention. Likewise, she added that government and citizen should go hand in hand to ensure best outcome.

MP Laxmi Tiwari expressed her gratitude to FF and UNESCO for such fruitful discussion as it is essential to address the citizen's voice in law making process. She added that law should not be different from fundamental rights and it should not curb the citizens' right. Use of vague words and opaque provisions should be avoided. She also committed the improvement in the bill. MP Nagina Yadav said laws should be made without hampering the spirit of constitution and democratic values. She further stressed that personal agendas should be kept aside and legitimate concerns needs



addressed for making the best law. The genuine concerns of today's generation dependence on internet for study and research should also be considered well as they might be deprived of innovations. She further added that the model of other countries can be looked into it and if needed the bill should be rewritten, for which, she made commitment.

Concluding the discussion, Chairperson Mr Hari Binod Adhikari added that discussions like these help foster alliances to safeguard freedom of expression (FoE) and journalists' rights in an increasingly digital world. He also highlighted the value of such dialogue in raising awareness among lawmakers from different parties about pressing issues in the draft bill on social networks. Other participants too, asserted that freedom of expression (FoE) and journalists' rights must not be compromised but bolstered in both on and offline spaces. 🌱

Orientations to Province mechanisms for FoE protection



The National Human Rights Commission (NHRC) conducted orientations to the province mechanisms for protection of freedom of expression (FoE) and journalists' safety in December 2024. The orientations were organized in Koshi, Karnali and Sudurpashchim provinces.

On December 31, NHRC Karnali Province Office organized the program in Birendranagar, Surkhet. In the program chaired by NHRC Member Hon. Manoj Duwady, Ramesh Kumar Thapa, NHRC Chief for Karnali Province, gave brief introduction about the composition of mechanism in the province to safeguard FoE. He also informed that the mechanism conducts periodic meetings and emergency meeting whenever required based on incidents of FoE violations in the Province.

Hon. Duwady, also the coordinator of Direction Committee for Protection and Promotion of FoE, underscored the importance of having appropriate laws to protect FoE for both citizens and journalists. "FoE is a paramount right because it enables

the realization of other rights so it is imperative for all stakeholders to work toward its protection," he stressed.

Nanu Maiya Khadka shared Freedom Forum's monitoring report and data for incidents of foe violation in the province. According to her,

FoE is a paramount right because it enables the realization of other rights so it is imperative for all stakeholders to work toward its protection.

- NHRC Member
Hon. Manoj Duwady

40 incidents of violations were recorded in the province have been recorded over the past five years. She emphasized that investigative journalists, in particular, face a higher risk of attacks and threats for covering news on corruption at local levels.

NHRC Secretary Murari Kharel shared his presentation on national and international provisions on FoE. "While individuals are subjected to violence merely for expressing their opinions; journalists, in particular, are the most affected when it comes to FoE. The Directive is brought to address these challenges, identify threats, vulnerabilities and act to reduce the threats," he reminded.

Vice Chairperson at High Court Bar Association, Surkhet, Narayan Nath Yogi, remarked that not only journalists, advocates are also targeted for practicing FoE during court hearings. "We are always in fear of what citizens' reaction might be after the court hearing", he worried.



Deputy Superintendent of Police (DSP) Narayan Dhami from the Karnali Province Police Office highlighted the necessity of strengthening all police units to safeguard FoE. He mentioned that the mechanism established to advance human rights protection will be helpful to bring forth issues regarding FoE in the province.

President of the Federation of Nepali Journalists (FNJ) Karnali Province Bishnu Sharma and President of FNJ Surkhet, Sushil Sharma, noted that social media had become increasingly challenging platforms for journalists in recent times. They highlighted professional and economic sustainability of media and journalists as major problems in the province and suggested the need for a collaborative effort to safeguard FoE.

FF's representative for Karnali Province Laxmi Bhandari highlighted the need for capacity building of members of the mechanism for effective action.

On the same day, NHRC Sudurpaschim Province Office also conducted orientation in Dhangadhi. The program started with presentation of Joint Secretary Yagya Raj Adhikari. He shared salient features of FoE as mentioned in UDHR, ICCPR and other national and international instruments. Lately, "Threat is increasing for exercise of FoE through digital platforms," he said.

Highlighting the need of province mechanism, he instructed the mechanism members to work

in unison by learning the key issues of FoE and journalists' rights.

Similarly, Narayan Ghimire viewed the collaboration of NHRC with security agency, government and CSO for the rights of journalists and protection of FoE was commendable initiative. Presenting trend of FoE violation and challenges, he said shared work would help resolve problems.

President of FNJ Sudurpaschim Province Bharat Shah reiterated that murder of Suresh Bhul was not merely due to theft of goat but is related to his profession. Seconding him, NHRC Province Office's Chief Joint

Secretary Prakash Dutta Bhatta informed that the province mechanism had been monitoring Bhul's case and also wrote to all concerned agencies to cooperate the investigation. FF's representative for the province, Min Bam, urged the NHRC's central office to prod province offices for more proactive actions and continuation of works.

Earlier, similar orientation was held in Koshi Province on December 2. The orientation was attended by province mechanism members, NHRC central office representatives. Freedom Forum had facilitated the orientations, especially on the monitoring of FoE violation and journalists' safety in the country.

At the program, NHRC's Joint Secretary Yagya Prasad Adhikari reminded the objective of the formation of provincial mechanisms. He underlined the need for protecting FoE and journalists' rights, for which the mechanism at central and province levels would work in close coordination. "FoE is the fundamental of all other fundamental rights ensured in constitution, but journalists are still targeted by state and non-state actors for their reporting. So, the mechanism is formed as a shared responsibility of all stakeholders which is first of its kind in South Asia," he stressed.

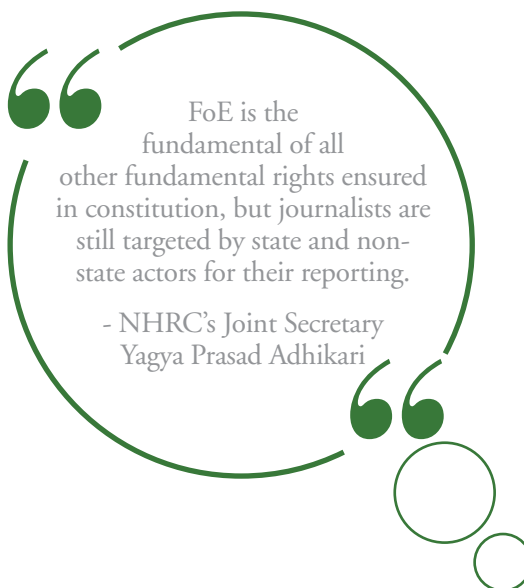
Bir Bahadur Budhamagar, Head of NHRC Koshi Province Office, made a brief presentation on status of freedom of expression and journalists rights in Koshi Province. He reminded previous works of province mechanism to support journalists. But, the mechanism lacks resources to continue its works, Budhamagar informed.

On the occasion, journalist Narayan Ghimire appreciated the role played by NHRC mechanism on FoE protection and journalists' rights with the formation of province mechanism. He also spoke on FoE violations, monitoring and trend analysis.

Assistant Attorney General Sandeep Telar from the Koshi Province Chief Attorney's Office said that the state, non-state and individuals should be aware of limits of FoE.

Brahmadev Yadav from Federation of Nepali Journalists in Province said that capacity building of new journalists is essential in this context.

The program explored possible collaboration with other government agencies at district level for immediate rescue and regular monitoring.



Need of open, safe and inclusive digital space

Digital Freedom Coalition, a consortium of organizations working in the area of digital freedom, cyber security, digital resilience and Internet governance in Nepal, organized the first Digital Rights Festival in Kathmandu on December 1-3. Internet Governance Institute, Internet Society Nepal Chapter, Freedom Forum, Digital Media Foundation, Media Action Nepal, Forum for Digital Equality, Antenna Foundation Nepal, Women's Group for Disability Rights and Media Lawyers Association are the members of the Digital Freedom Coalition.

The festival was hosted by Internet Governance Forum in collaboration with associate partners and the coalition partners. Net4Good Alliance, Human Rights Film Center, AI4Justice, Robotic Association of Nepal, NPCERT and Center for Cyber Security and Research Institute (CSRI) were the associate partners of the festival. The festival was supported by the Internet Society Accessibility Standing Group, UNESCO Nepal Office, International Commission of Jurists (ICJ), Rastriya Banijya Bank and Nepal Telecom.

The objective of organizing the festival was to increase awareness on digital rights, privacy and ethical considerations in the digital age through education and inclusive participation. The discussions held during festival also aimed to create a space for diverse stakeholders-activists, policymakers, technologists- to collaborate, share insights, and build networks.

The comprehensive event featured Digital Rights Conference 2024, Digital Rights Film Festival 2024, the Leadership Training on Internet Governance and Digital Rights for Persons with Disabilities 2024 and the National School on Internet Governance and Digital Rights, 2024.

Digital rights conference served as a highlight of the festival, focusing on critical issues in digital rights and governance. The opening ceremony featured Hon. Tap Bahadur Magar, the Chairman of the National Human Rights Commission, as the Chief Guest.



The discussion sessions included Global Digital Compact, Mis/disinformation, digital public infrastructures, bills related to social media and information technology, challenges of artificial intelligence (AI), intersection of AI governance and the protection of vulnerable groups, particularly person with disability, women and children and protection of human rights using AI.

Speakers and other participants at the conference advocated for digital inclusion and expressed their commitment to making the digital space open, safe, and inclusive for all. The festival featured discussions and interactions focused on key issues of digital rights and good governance.

Leadership training on internet governance and digital rights for persons with disabilities aimed to empower persons with disabilities to take an active role in internet governance and advocate for their digital rights.

The National School on Internet Governance and Digital Rights aimed to educate and

empower individuals with the knowledge and skills required to actively participate in internet governance and advocate for digital rights. Participants engaged in interactive sessions, workshops, and discussions on key areas, such as- understanding the fundamentals of internet governance and its importance for inclusive development, exploring the intersection of digital rights and disability rights, building advocacy skills and strategies for promoting digital inclusion and creating networks and partnerships to strengthen the voice of underrepresented groups in internet governance forums.

The Digital Rights Film Festival 2024 showcased two thought-provoking short films that sparked engaging conversations about digital rights and technology.

Some 200 digital rights enthusiasts, advocates, government officials, lawmakers, civil society representatives, and people with disabilities attended the event. 🌱

Hostility to media continues unabated

Increased number of media persons affected by the press freedom violations; delayed law-making on media freedom and journalists' rights; weak enforcement of RTI law; noncooperation from any side for recovery of media suffering a financial crisis; floods of misinformation, disinformation and malinformation polluting information ecosystem and discrediting media in the wake of rising digital spheres and expansion of internet; continuous shift of advertisement to digital platforms and applications; and pending cases of impunity featured significantly in 2024. Media sustainability warrants constant attention and engagement for favorable legal, political and financial atmospheres so that FoE and journalists' rights would be protected.

1. Press freedom status

Total 53 incidents of press freedom violations were documented by Freedom Forum in the past one year- January 1, 2024 to December 31, 2024. The violations directly affected 92 media persons, among which, 15% were

female and 85% were male. The number of press freedom violations stood one more than that recorded in the previous year 2023. However, number of affected media persons is higher with more number of female journalists affected.

1.1 Violations: Attack/ Manhandle most common

This year, FF categorized the violations recorded into six types- a) arrest/detention b) attack/ manhandle c) court case d) misbehavior e) obstruction and e) threat to life.

The major press freedom violation recorded this year was attack upon 28 journalists, followed by 27 journalists facing obstruction while reporting. Total 19 media journalists received threat to life through different mediums (phone calls, messages, social media platforms). Seven journalists were detained, seven faced misbehaviors and three faced court cases under charge of cybercrimes.

The year 2024 recorded a murder of journalist from Sudurpaschim province, Suresh Bhul, for his activism against corruption at the local level. Bhul, an RTI activist, and journalist had initially been threatened for his RTI campaign and was later brutally attacked for allegedly stealing goat of a local. Initially doubted whether it was because of media profession he was killed, later, it was found theft was fabricated for his murder over his RTI activism and media. Although most of those involved in murder were arrested, one is still absconding. It is essential to bring to book the absconding one and ensure justice to victim family.

Three journalists have also been facing lawsuit under cybercrime charge for the reporting. A media outlet sidhakura.com is also facing cybercrime case at court.

*Reporter at www.sidhakura.com and birgunjcity.com, Jiyalal Prasad Sah, from Madhesh Province has been facing charges of cybercrime under the Electronic Transaction Act for his news reporting and sharing in his online news portal. He shared, "On September 19, 2024, I wrote news about the Mayor's fraudulent activity, but the Mayor filed a cybercrime case against me."*¹

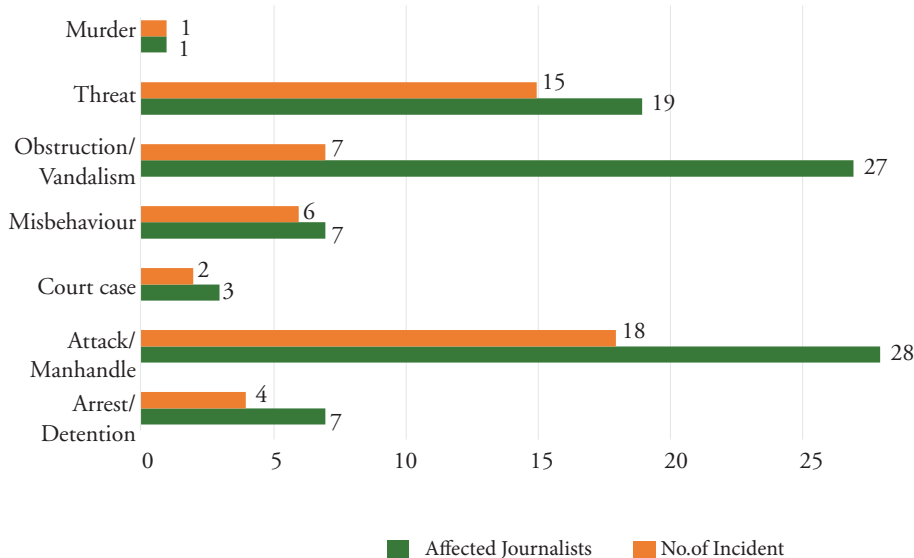
A media <https://thedmnnews.com/> also faced an obstruction on digital platform to make its posts.

To emphasize, though there were less incidents of obstructions; more journalists were affected because they were reporting in groups.

1.2 Bagmati Province with majority violations

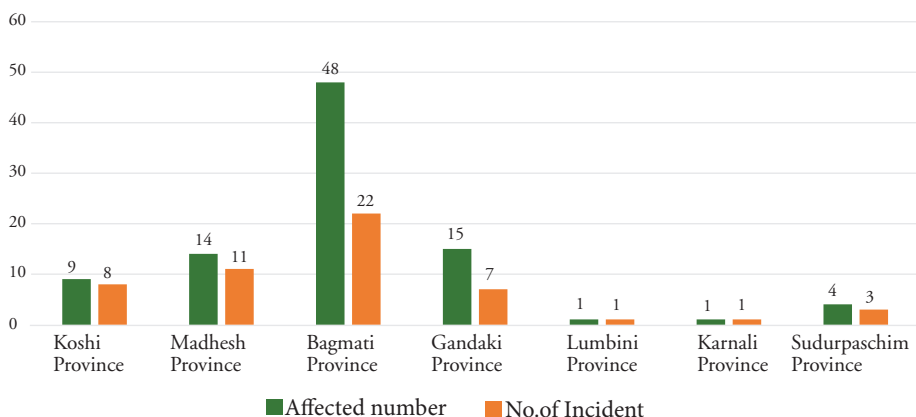
As in previous years, the highest number of press freedom violations were recorded in Bagmati Province with a total 22 incidents followed by Madhesh Province (11 incidents) and Koshi Province with eight cases. Similarly, seven incidents took place in Gandaki Province,

Category-wise press freedom violation



¹<https://nepalpressfreedom.org/main/issue-single/1471>

Press freedom violation in seven provinces



three in Sudurpashchim Province and one each in Lumbini and Karnali Provinces.

With maximum violations in Bagmati Province, number of affected journalists is also the highest in this province- 41 males and 7 female journalists. It is followed by 15 journalists (including two females) facing violations in Gandaki Province, 14 journalists (including one female) in Madhesh Province, nine (including three females) in Koshi Province, four (including one female) in Sudurpashchim Province and one each in Lumbini and Karnali Provinces.

1.3 Online journalists most targeted

Of the total affected media persons in 53 incidents, majority are associated with Online media (43) followed by Television channel

(15), Print media (12) and Radio (2).

The incidents where journalists are associated with news agencies and are attacked while reporting in a group are categorized under 'Others' category in this section.

In the aftermath of COVID-19 pandemic, FF has been recording an increasing number of attacks on journalists associated with online media. This trend continued in 2024 too. It is again followed by television journalists' this time similar to the previous year 2023.

As compared to the previous year's data, number of affected journalists associated with other type of media is nearly similar but those from online news media has increased significantly (by 50%).

1.4 Hostile elements

Out of 92 affected journalists, 22 faced intimidation from the general public, local contractors, businesspersons, private entities, fellow journalists, unknown sources, etc. in different incidents. These are categorized under 'Others' category in the figure.

While security persons (35) are the most hostile to media and journalists, political leaders and their cadres follow the list in second position affecting 26 journalists. This is again followed by government official and criminal/goons intimidating eight and one journalist respectively.

The hostility meted out by Mayor of Dharan Sub-Metropolitan City, Harka Raj Rai Sampang, was prominent this year.

1.6 Violation trend in five years

The yearly trend for the last five years 2020-2024 shows that this year is a huge decline from 2020 but same as to 2023. Importantly, the number of affected journalists has notably increased from last year. Only 59 journalists were affected last year, but 92 this time

FF has recorded increased violation against women journalists this year. It has noticeable trend.

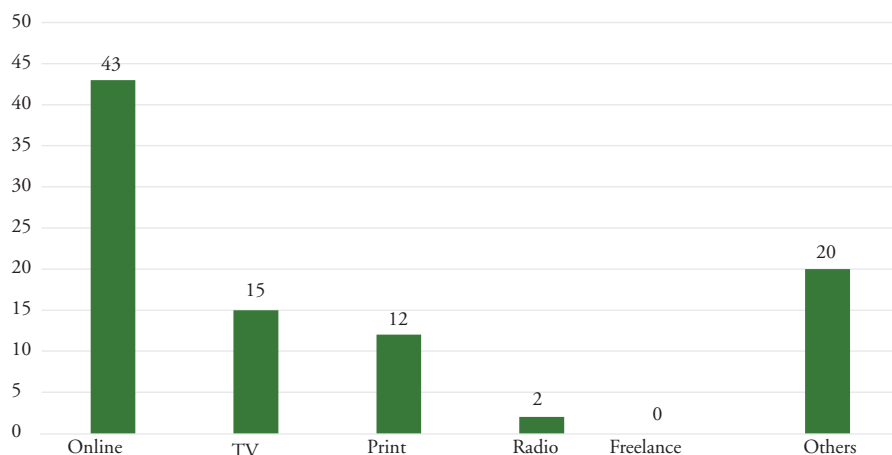
2. Impunity watch

Cases of impunity for crimes against journalists awaiting investigation and justice were not addressed this year too. Despite passage of Transitional Justice Act creating hope, the uncertainty over the appointment of new officials in the transitional justice mechanisms is posing challenges over timely justice to the conflict victims including the journalists murdered and forced disappeared in the armed conflict in Nepal.

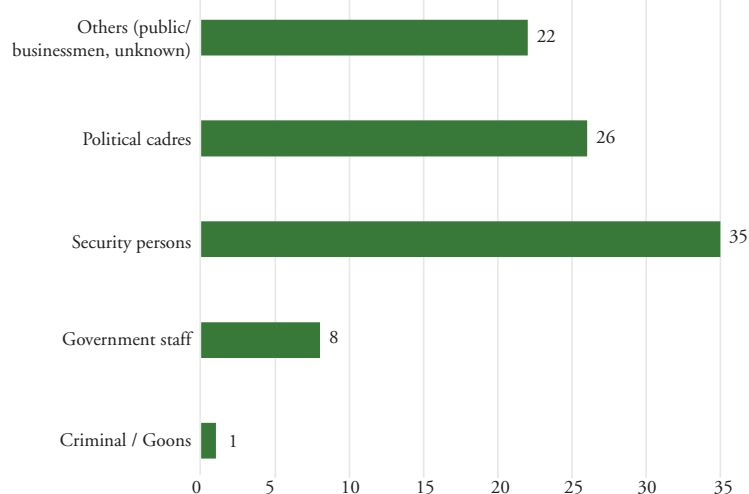
The cases of slain journalists- Nabaraj Sharma 'Basanta', Krishna Bahadur Sen, Gopal Giri, Ishwor Budhathoki, Kumar Ghimire, Dev Kumar Acharya, Raj Kumar KC, Kamal AC, Maheswori Pahari, and Ambika Timilsena registered at TRC are in limbo.

Similarly, no concrete steps were taken to initiate investigation and prosecution on cases of slain journalists Jagat Prasad Joshi, Jamim Shah, Rohan Chaudhary, Ganesh Chaudhary, Khagendra Shrestha and Devi Prasad Dhital.

Affected journalist and their affiliation



Elements hostile to media



3. Law and Policy watch

3.1 Federal level

The year 2024 saw some developments on media related laws and policies, but eluded milestone. Development on public service broadcasting is laudable. The introduction of Public Service Broadcasting Act is a new progress, paving way to adopt public service broadcasting with the merger of State-run Radio Nepal and Nepal Television. Even the Chief of

the Broadcasting Authority has been appointed to accelerate the transformation of State-run media to public service. However, its true transformation to PSB is awaited in terms of governance, finance and content determination.

Nepal's President had authenticated the Public Service Broadcasting Bill on October 8, 2024. It is worth mentioning that Freedom Forum had advocated for PSB concept and adoption of its bill for two decades in Nepal.

Similarly, Media Council Bill is endorsed by the Upper House of the federal parliament with few improvements, but waiting passage from the Lower House, House of Representatives with further clarity and amendments. The lawmakers have assured of its amendment to the Bill to make Media Council more contextual and independent.

Social Network Management and Operation Bill 2024 was submitted to the Office of Prime Minister and Council of Ministers on November 17, 2024. The bill is awaiting approval for getting tabled at the parliament. The bill has drawn serious attention of all the concerned including citizens. Its provisions are likely to suppress citizens' right to FoE and human rights online.

Ministry of Communications and Information Technology released IT and Cybersecurity Bill on March 2024 seeking public feedback. The Draft bill will replace the existing Electronic Transaction Act after enactment. The draft bill has also drawn attention of the stakeholders for its provision on data protection and digital rights of citizens.² Making law on National Mass Media has been pending for long. Due to delayed law making, existing anti-press law like Electronic Transaction Act is misused again and again to suppress citizen's right to FoE and journalists' rights which criminalizes citizen's exercise of FoE on digital platforms.

3.2 Province level

In 2024, no new laws and policies related to media were drafted and/or discussed in Koshi, Madhesh, Bagmati, Lumbini, Karnali and Sudurpaschim Provinces.

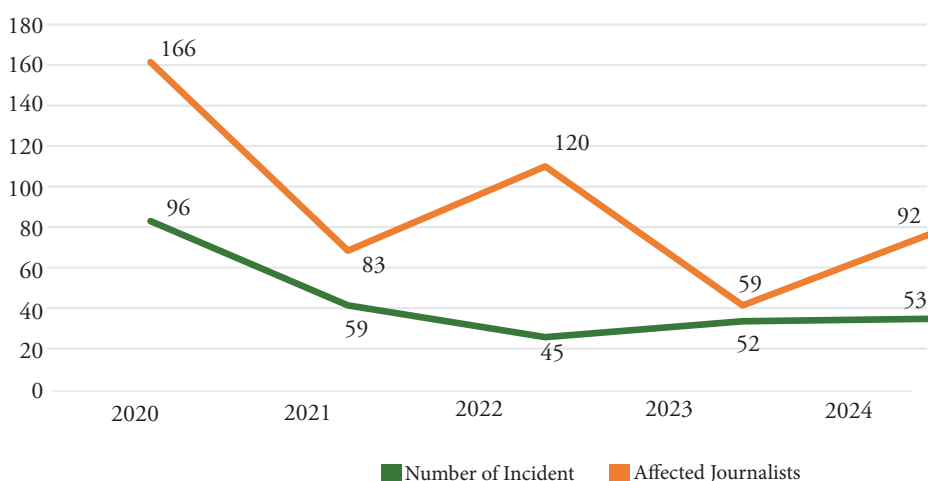
In Gandaki Province, the Mass Communication Management Bill was passed by the provincial assembly's legislative committee. Thereafter, Press Registrar Office was established and a Press Registrar appointed.

In all the provinces, the laws under discussion at the parliament are still pending.

4. Financial crisis perpetuates

Nepali media facing financial crisis since Covid-19 is not recovering but transitioning to digital fronts. However, there is no presence and adoption of any sustainable measure of

Press freedom violation in five years



² <https://myrepublica.nagariknetwork.com/news/fortifying-nepal-s-cybersecurity-analyzing-legislative-initiatives>

³ <https://freedomforum.org.np/youth-grilled-over-facebook-post-on-minister-police-denies-harassment-says-he-was-enquired-over-obscene-post/>

digital news media to protect freedom of expression and foster vibrant journalism.

The migration of advertisement from the legacy media- print, radio and television- to the digital media and Apps took a huge toll on media sustainability in terms of finance.

Number of digital media grew alarmingly, seizing the opportunity to influence the information consumers.

Neither government nor corporate entities has given any incentives to the media suffering the crisis, while they hail the role of media being together for democratic movement.

5. Digital sphere and media

It was positive that the government lifted a ban on TikTok on August 22, the most used mini video sharing platform in Nepal. But the subsequent comments of the government and leaders on information shared on digital spheres are not supportive to freedom of expression and critical thoughts.

- A youth was grilled by the police over his Facebook post on a Minister. A news story relating to then Home Minister was run by the Nagarik national daily in the front page on April 25. Ganesh Man Thakuri, a resident of Jajarkot district of Sudurpaschim Province was arrested and brought to Cyber Bureau of Police office, Kathmandu for an

inquiry upon his social media post. According to the Nagarik national daily, Thakuri had posted a comment on a Facebook critical to Home Minister Rabi Lamichhane. During the police inquiry at cyber bureau, officers asked him to show the proof of what he had written on the Facebook posts' comment and threatened to send him to jail as per order of the Home Minister.³

- In another incident, two youths were briefly taken under control in Dhangadhi for their critical social media post on August 28. Prateek Joshi and Rachit Shah were kept in detention for around six hours at District Police Office and later released after signing a letter stating that they would not share such critical posts on their social media pages.
- Two youths were held for pasting pamphlets as a sign of protest in various places of Janakpurdham on March 13. Pankaj Jha and Manish Purve were arrested for pasting doctored images of then Prime Minister Pushpa Kamal Dahal and Deputy Prime Minister Upendra Yadav. Police have arrested them under National Penal Code 2017, Section 118 Prohibition of Indecent Conduct.

With the number of people using digital platforms, especially Facebook and Twitter, on rise, any critical thoughts on political party or leaders were facing repercussion. The party supporters are mobilized to discredit journalists and independent thinkers online.

- Gopikrishna Jaisi, Dipak Thagunna and Ram Bahadur Budha were arrested on August 27 for sloganeering against the senior political leaders at 'Gaura' festival celebration event held on August 26 in Tundikhel, Kathmandu. With pressure built by the civil society for their right to freedom of expression, later on August 30, they were released on bail after paying security deposit amount Rs. 9000 each.⁴
- Comedians duo Madan Krishna Shrestha and Hari Bansha Acharya, popularly known as Maha Jodi, faced severe cyber trolls for their views against the arrest

of media mogul Kailash Sirohiya. A day after the arrest of Sirohiya, Chairperson of Kantipur media group, Kantipur Television had interviewed various experts and media professionals including comedian duo for their views on arrest of Sirohiya. During the interview, they had expressed concern over government's move to arrest media owner Sirohiya. Later on May 27, they appeared in a short video, saying, "They should not have been spoken on the matter sub judice in the court."⁵

Flood of disinformation created and augmented with cutting-edge technology, artificial intelligence (AI), not only polluted entire information ecosystem but also played a significant role to discredit media, democratic institutions, political parties and leaders alike.

The populist politics which leveraged the digital spheres equally played its part to spread the disinformation and create counter narratives, thereby putting the information consumers at the receiving end.

Misuse of state agencies continued this year too with the Press Council Nepal (PCN), a media regulatory body, imposing hurried ban on YouTubers and online media and writing security agencies for action over the news contents.

6. Right to information faces hindrance

It is appreciative that the National Information Commission has got appointment of officials on time. However, implementation of RTI requires activism to build good governance and bolster democratic values where citizen's FoE and journalists' safety would be ensured.

The SDG 16.10 (b) has not been given adequate attention in terms of RTI implementation: setting and updating indicator, baseline and target on it are awaited.

This year Freedom Forum recorded few incidents where journalists and activists faced intimidation for seeking information on the issues of public concern.

The populist politics which leveraged the digital spheres equally played its part to spread the disinformation and create counter narratives, thereby putting the information consumers at the receiving end.

⁴ <https://freedomforum.org.np/youths-arrested/>

⁵ <https://freedomforum.org.np/with-spiraling-cyber-trolls-comedian-duo-regret-views-against-govt-move-to-arrest-media-entrepreneur-sirohiya/>

Campaigners Ashmita Khatri, Adharsha Chhetri, Raju Sunar and Prem Shrestha were arrested based on a complaint of the municipality on June 18. However, the court ordered police to release six activists reasoning lack of evidence to keep them in police custody. The court asked them to appear whenever summoned at the court.

Chief Administrative Officer of Shivasatakshi Municipality, Jhapa verbally abused noted RTI activist Sharada Bhusal for requesting information on March 31. Activist Bhusal had requested information relating to the municipality's internal and external audit reports using RTI application on January 31, 2024 through email.

In four incidents, journalists were mistreated for requesting information at local levels and questioning the local representatives during public hearing programs.

7. Journalists' safety mechanism goes to provinces

The National Human Rights Commission (NHRC) central and provincial mechanisms for freedom of expression and journalists' safety took a significant step forward in 2024 following the amendment of the Directive on the formation and operational procedures for the safety mechanism for the protection of freedom of expression (FoE). The central-level directive committee accelerated the establishment of seven safety networks across the provinces. Each network comprises at least seven members with representatives including from NHRC Province Office, FNJ Province, security agencies, NGO Federation in province, and High Court Bar.

These mechanisms have carried out their functions in the provinces, providing support to media personnel and citizens alike. Notably, the mechanism took swift action in the case of journalists Sanjita Dhamala in Koshi Province and Mohan Singh in Karnali Province. Similarly, the mechanism in Koshi Province expressed concern over the threat issued to investigative journalist Gopal Dahal.

Observations

Hostility to investigative journalism continues. The investigative reporters are frequently in target for bringing to light the financial irregularities, politico-bureaucratic collusion and administrative malfeasances.

Mayor of Dharan Sub-Metropolis, Harka Raj Rai (Harka Sampang) continued his hostility to intimidate journalists and critical commenters. He not only harassed a female journalist but also issued series of threats, and mobilized supporters to issue death threats to the investigative journalist, Gopal Dahal.

- Journalist Miss Sanjita Dhamala was publicly censured, spoken foul words and removed from the Mayor Sampang's office mobilizing security persons for posing a critical question. She was further attacked by his supporters when she was in a line at a hospital.
- Gopal Dahal repeatedly received threat and death threat for writing a news story on Mayor Sampang's undemocratic and random activities in the sub-metropolis spanning from assigning his responsibility to a member rather than to deputy mayor in his absence to the encroachment of forest area. His highhandedness and indiscriminate decision making resulting into disorder in management was exposed by Dahal's reporting.⁶

Mayor Sampang took to social media, Facebook, on December 4 and threatened the journalists of 'ending their career.' They were threatened for an investigative story on 'arbitrary rule of Harka Sampang; Dharan mired in irregularities' for the Centre for Investigative Journalism (CIJ). The CIJ published the story on its website. Reporter Dahal continues to receive threat from the mayor and his supporters.

Journalists' Integrity and Professionalism at Risk

- Protecting source of information is a vital part of journalist's integrity. However, noticeable incident of erosion was observed

It is appreciative that the National Information Commission has got appointment of officials on time. However, implementation of RTI requires activism to build good governance and bolster democratic values where citizen's FoE and journalists' safety would be ensured.

this year. The journalists who faced prosecution divulged the identification of the news source, denting professional integrity.

Publisher Yubaraj Kandel and Executive Editor of an online news portal, sidhakura.com, Nabin Dhungana faced a contempt of court case on September 29. The Supreme Court of Nepal handed down three months' imprisonment to them and the media was also fined Rs. 5,000. Journalists were released after a week of jail term following their apology note submitted to the court as directed on the court's order. However, they are still facing charges

The central-level directive committee accelerated the establishment of seven safety networks across the provinces. Each network comprises at least seven members with representatives including from NHRC Province Office, FNJ Province, security agencies, NGO Federation in province, and High Court Bar.

⁶<https://cijnepal.org.np/harka-sampang-house-of-cards/>

⁷<https://www.presscouncilnepal.gov.np/wp-content/uploads/2024/11/Swata-Prakashan-2081-Sawan-Asoj.pdf>

“The latent intra-party and inter-party dispute over key issues like leadership, workstyle and handling of national affairs, and likely amendment of constitution may be manifested at any time, impacting adversely on citizen's rights, FoE and press freedom.”

under Electronic Transaction Act for news publication and sharing on social media.

- Populist political leaders have been targeting media repeatedly, which is likely to increase further.
- Discrediting media and journalists critical to any parties or leaders is on rise. Even the high level public officials and people's representatives are found discrediting media.
- Total 1,227 print outlets, 4,753 online media and 32 television channels⁷ have been registered at the Press Council Nepal.
- The journalists investigating corruption, financial irregularities and administrative malfeasance are on target as in the past. In 2024 alone, 15 male and 4 female journalists were attacked for their investigative reporting on corruption and irregularities at local levels. Out of total 16 incidents where journalists were attacked for reporting on corruption, nine incidents involve corruption and irregularities in municipalities.
- Some media like Setopati.com and myrepública.com started subscription-based models for generation of media revenue directly through their audiences, how sustainable it is matter of study.
- The declined media advertisement had caused massive retrenchment, which is yet to be corrected for full-fledged functioning of Nepali media and journalists' profession. It has direct impact on meager or no-report-

ing on people's problems and governments' activities, thereby emboldening government and political parties to suppress media freedoms and co-opt media persons.

- It is usual that in case of critical political developments, disaster, crisis and elections, Nepal is likely to have flood of mis/disinformation and malinformation denting trust and credibility.
- It is serious threat that big tech companies and platform are imposing censorship, thereby curtailing free speech. With their growing users in Nepal, and lack of proper regulatory provisions free expression online is under threat.
- As usual, section 47 of Electronic Transaction Act is threatening journalists and citizens for their free exercise of right to freedom of expression. This year too journalists and citizens have been arrested and facing cybercrime charges merely for their posts critical to public figure on digital platforms.

Recommendations and forecast

- In the wake of rising intolerance within political parties to suppress oppositional view on the one hand and digital weaponization to attack critical news, views, digital public sphere will not only shrink but also put media in constant fear. The latent intra-party and inter-party dispute over key issues like leadership, workstyle and handling of national affairs, and likely amendment of constitution may be manifested at any time, impacting adversely on citizen's rights, FoE and press freedom.
- The incidents to occur as repercussions of political conflict will further erode trust and credibility of media.
- Irrespective of the progress on public service broadcasting advocated for over two decades in Nepal, how the transformation will be materialized requires close observation and support with capacity building of the staffs. The autonomy of governance along with financial and editorial independence are imperative to translate it into the true spirit and objective of PSB.

- Journalists are in continuous support for capacity building including digital skills and artificial intelligence (AI) so that they would be able to negotiate the modern tech spheres to promote their free expression and journalistic profession.
- A multi-stakeholder approach for monitoring journalists' code in the wake of digital disinformation is essential to end the unilateral and traditional use of government agency that is sometimes misused to suit government interest, keeping journalists' rights at risk.
- The truth and justice mechanism relating to conflict victims should be ensured qualified officials so that they would work independently for justice to the conflict victims, including the families of the journalists killed and made enforced disappear.
- The law making on information and media need acceleration. The advocacy and pressure for timely law making to protect and promote FoE and journalists' rights and safety is essential.
- Revival of media finance is urgent to create free and vibrant media for functional democracy. Government advertisements should be distributed fairly and proportionally to all media.
- Only informed and speedy law making on media and journalists in the national and sub-national levels can help create atmosphere for free press in the continuously evolving information technology landscapes.
- Alertness over one-sided and unilateral initiatives on regulation of social networks is essential so that citizen's freedom of expression would not be curtailed.
- Digital and AI literacy at scale is urgent from the diverse sectors to help wipe flood of mis/disinformation.
- Collective, and informed voices for tech platforms' accountability are equally essential to protect citizen's freedoms online. 🌱

Self disclosure update

Type and Nature of Organization	NGO working for Democracy, Right to Information, Freedom of Expression, Fiscal Transparency and Open Data, Media Policy and Law, Internet Freedom		
Legal Status	Registered at District Administration Office Kathmandu. DAO Registration Number: 127/062/63, SWC Affiliation Number: 18518		
Location	Adarsa Marga, Prasuti Griha Road, Thapathali, Kathmandu		
Staffs and Roles	Taranath Dahal: Executive Chief, coordinates overall organizational and administrative affairs		
	Aruna Adhikari: Finance and Administration Officer, looks after accounting and administrative affairs and performs responsibilities as the Information Officer.		
	Nanu Maiya Khadka: Media Monitoring Officer, responsible for monitoring updates on freedom of expression, media rights and right to information		
	Aditya Dahal: RTI App and website operator		
	Manju Dahal: Front Desk Assistant, Ganga Kumari Gurung: Office Assistant		
Roster of Consultants/ Researchers	Krishna Sapkota, Narayan Ghimire, Subash Dahal		
Ongoing Project Information	Project Name	Supporting Agency	Date of start of project
	COAB Initiative (Collaboration for Open and Accountable Budgeting)	International Budget Partnership	21 st April 2024
	Enabling Safety of Journalist (ESAJ)	UNESCO (Global Media Defense Fund)	7 th May 2024
	Multistakeholders' discussion on Social Network Management and Operation Bill 2081	UNESCO Nepal	24 th December 2024
Services and Activities	Research, capacity development and policy advocacy including media monitoring, trainings on RTI and journalism, meetings, workshops, seminars and other campaigns to promote issues of democracy, RTI, FoE, fiscal transparency, human rights, local governance. It also provides legal aid to journalists, media and information seekers.		
Responsible Authority	Chairperson: Hari Binod Adhikari, Executive Chief: Tara Nath Dahal		
Decision Making Process	General Assembly: Making policies, rules and regulations of organization Executive committee: Formulation of action plans as per constitution of organization, rules and regulation Management team: Running projects and daily operational affairs and reporting timely to the Executive Committee.		
Past/Current Activities	Please follow the link: http://freedomforum.org.np/content/category/activities/		
Information Officer	Aruna Adhikari		
Financial Information	Freedom Forum received grants announcing Rs. 15,84,392.70 (October to December 2024)		
Official Website	www.freedomforum.org.np		
Publications of Freedom Forum	Freedom Forum has over 50 Publications (printed) Please Follow the Link: http://freedomforum.org.np/content/publications/		
Annual Report	http://freedomforum.org.np/content/publications/reports/annual-reports/		
Information Dissemination	Websites- http://www.freedomforum.org.np/ ; www.nepalpressfreedom.org , and Newsletter-Free Expression		

RSF's 2024 global round-up reveals rise in journalists killed and imprisoned

Gaza stands out as the most dangerous region in the world, with the highest number of journalists murdered in connection with their work in the last five years. Since October 2023, over 145 journalists have been killed by the Israeli army" - RSF



This statement was originally published on rsf.org on 12 December 2024. The Reporters Without Borders (RSF) 2024 Round-up reveals an alarming intensification of attacks on journalists — especially in conflict zones, where over half of the news professionals who lost their lives this year perished. Gaza stands out as the most dangerous region in the world, with the highest number of journalists murdered in connection with their work in the last five years. Since October 2023, over 145 journalists have been killed by the Israeli army, including at least 35 whose deaths were linked to their journalism. What's more, 550 journalists are currently imprisoned worldwide, a 7% increase from last year. This violence — often perpetrated by governments and armed groups with total impunity — needs an immediate response. RSF calls for urgent action to protect journalists and journalism.

"Journalists do not die, they are killed; they are not in prison, regimes lock them up; they do not disappear, they are kidnapped. These crimes — often orchestrated by governments and armed groups with total impunity — violate international law and too often go unpunished. We need to get things moving, to remind ourselves as citizens that journalists are dying for us, to keep us informed. We must continue to count, name, condemn, investigate, and ensure that justice is served. Fatalism should never win. Protecting those who inform us is protecting the truth. - Thibaut Bruttin, RSF's Director General

A third of the journalists killed in 2024 were slain by the Israeli armed forces

- **A record 54 journalists killed, including 31 in conflict zones** Around the world, the number of journalists killed for covering conflict zones — in Iraq, Sudan, Myanmar, Ukraine, and the region affected by the war in Gaza — has reached a five-year high (57.4%).

- **Gaza: the world's most dangerous region for journalists** In 2024, the Gaza Strip accounted for nearly 30% of journalists killed on the job, according to RSF's latest information. They were killed by the Israeli army.
- **Palestine is the most dangerous country for journalists**, recording a higher death toll than any other country over the past five years. More than 145 journalists have been killed in Palestine since October 2023, including at least 35 targeted in the line of duty, according to our latest information.
- **RSF continues to investigate these deaths** to identify and condemn the deliberate targeting of media workers, and has filed four complaints with the International Criminal Court (ICC) for war crimes committed against journalists.
- **Asia: the second most dangerous region for journalists** Due to the large number of journalists killed in Pakistan (seven) and the protests that rocked Bangladesh (five), Asia remained the region with the second-highest number of killed media workers.

550 journalists detained

- **The number of journalists behind bars increased** The rise in the number of detained journalists this year (+7.2%) is in large part due to new journalists in custody in Russia (+8) and Israel (+17).
- **Israel became the world's third-largest prison for journalists** Israel is, by far, the country that has locked up the most journalists since the start of the war in Gaza in October 2023, and is now the world's third-biggest prison for journalists.
- **Locked-up journalists are concentrated in four countries** The world's four largest prisons — China (124, including 11 in Hong Kong), Myanmar (61), Israel (41) and Belarus (40) — hold almost half of the world's detained journalists.
- **250 years in prison: the combined sentence of journalists around the world** Imprisonment is weaponised to repress journalism, especially in Russia's invasion of Ukraine and the Israeli offensive in Gaza. Russia (38) uses its prisons as a means to repress independent Russian and Ukrainian reporters (19).

55 journalists held hostage

- **70% of hostages are in Syria.** Most of them were kidnapped by the Islamic State during the war and, ten years later, it is still extremely difficult — if not virtually impossible — to obtain information on their fate and whereabouts. The collapse of Bashar al-Assad's regime has opened a window of hope.
- **Yemen: the only country with new hostages in 2024** Of the 55 media workers currently held hostage worldwide, 2 were kidnapped in 2024, by the Houthis in Yemen.
- **Mali: the only country with new hostages in 2023** Director Saleck Ag Jidou and host Moustapha Kone of Radio Coton were kidnapped on 7 November 2023 by an armed group. The demanded ransom is now 4 million CFA francs (around 6,150 euros).

95 missing journalists

- Nearly 100 journalists are still missing in 34 countries around the world. Over a quarter of these journalists have disappeared in the last 10 years.
- 28 disappeared in the last decade
- Most notably, they went missing in Mexico (five), Syria (three), Mali (three), the Democratic Republic of Congo (two), Palestine (two) and Iraq (two).
- 45% of missing journalists are victims of enforced disappearance.
- Disappearances are often attributed to authoritarian or negligent governments, which highlights the urgent need to combat impunity and strengthen protections for journalists. RSF calls on all countries to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, which was adopted by the United Nations General Assembly in 2006 but only counts 75 ratifications to date.
- Mexico stands out as the country with the most missing journalists: the country concentrates more than 30% of missing journalist cases.
- 4 new enforced disappearances occurred in Burkina Faso, Nicaragua, Russia, and Syria in 2024.

Source: <https://rsf.org/rsfs-2024-global-round-up-reveals-rise-in-journalists-killed-and-imprisoned/>

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



Freedom Forum

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