



Free Expression

Joint Issue 25-26 July-Dec. 2013

A NEWSLETTER OF FREEDOM FORUM

Towards Open Government

Crusading for the right to information (RTI) in Nepal since its inception, Freedom Forum has continued its activities to build good governance for the promotion of democratic practice. RTI is used as a tool to create informed citizenry for aware society and accountable and transparent public agencies. Whether it is through training or information seeking campaign, the RTI activities are augmented in different parts of the country. This time, FF has brought two publications featuring the issues relating to the RTI and some success stories of RTI use in Nepal.

The books were launched at a national seminar in the capital city on September 20, 2013. The seminar was organized by Freedom Forum in collaboration with the Citizens' Campaign for Right to Information and the World Bank Nepal Office.

World Bank's Country Manager in Nepal, Tahseem Sayed and former Chief Information Commissioner Binay Kumar Kasajoo jointly released the books- Towards Open Government in Nepal, and RTI Success Stories from Nepal published by the Freedom Forum (Link: <http://www.freedomforum.org.np/content/publications/books.html>).

Addressing the programme, WB Country Director Sayed said the released books were really useful to expand good governance and RTI regime in Nepal.

She thanked the Freedom Forum for bringing such insightful publications that promote democratic culture.

"I expect the books would create a buzz in the sector of governance in Nepal," she said, urging the government bodies to abide fully by the RTI and ease environment for better information and smooth service to people in particular and entire development process in general. Moreover, she said the World Bank

was committed to push the RTI agenda ahead as a critical tool for development.

Vikram Chand, a Lead Public Sector Specialist of World Bank in South Asia, also lauded the works of the Freedom Forum in the RTI regime and good governance. He briefly spoke about RTI status in the South Asia.

RTI expert and former registrar at the Supreme Court, Dr Ram Krishna Timalsina reminded that days

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World Bank's Country Manager in Nepal, Tahseem Sayed and former Chief Information Commissioner Binay Kumar Kasajoo jointly releasing the books

FOE Violation Up in Election

Banda, bombing, obstruction, threats, vandalism, attack, murder

Entire nation was engrossed in the second election to the Constituent Assembly being held on November 19, 2013.

The government, political parties, Election Commission, security bodies, civil society, and the general public almost

finalized the preparations for holding the CA elections successfully. The voters were curious and upbeat to select new candidates of their favour for the CA to draft new constitution. Despite this, many untoward and violent incidents occurred at different parts of the country thereby threatening people's right to vote, right to expression/speech, right to information, and right to free mobility and to life.

Freedom Forum therefore continuously monitored the freedom of expression situation during the elections in the country. Here are the incidents that violated people's (election candidate's) right to give speech freely by obstructing and discouraging them to give speech as through bombing, threats, vandalism, attack, arsons, murder and banda (general shutdown) are chronicled. Two teams-one led by Executive Director Krishna Sapkota and another by Media Monitoring Officer Narayan Ghimire monitored the situation by visiting polling stations on Election Day (November 19) in Kathmandu and Chitwan, and by maintaining updates through various media on others.

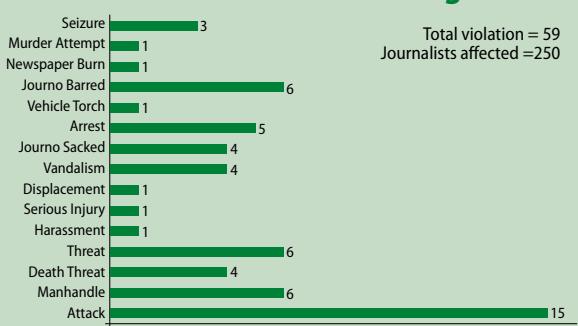


An elderly woman casting vote on November 19 CA election.

From across the country, including the Capital City Kathmandu, there were the news reports of the incidents as bomb blasts targeting political leaders and innocent people, arson on the vehicle's used by political leaders, obstruction for the party leaders and people to reach election gatherings, arson attempt at election candidate's residence, bomb blast near candidates' residence.

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Press Freedom Violation during 2013



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Message from Chairperson

Thanks to the non-political government that it conducted the second Constituent Assembly on November 19, 2013 in a fear-free, peaceful and credible atmosphere. With the successful accomplishment of the second election to CA, people's aspiration for democratic constitution has been pronounced again. It, despite conducted out of political wrangling, has therefore made Nepalis hopeful for having their rights guaranteed this time. Now, the time has come for broader and effective participation of the people in the constitution writing process. Whether it is a discussion among the political parties on content of constitution or in the parliament, the voices, needs and aspirations of the people need to be directly reflected and mulled. As the parliament is the place which connects people and policy, the discussion in its various committees in course of writing constitution are very significant in terms of advocating people's rights. Once the parliamentary committees adhered to the significance of civic engagement in the vital issues, it would undoubtedly help protect and promote democratic culture and values.

As the freedom of expression, one of the fundamental rights of people, has broader value and implications, it needs to be addressed without any condition and compromise in the new constitution the CA is going to draft. The last CA which met the unceremonious dissolution without delivering constitution had tried to shrink the sphere of the freedom of expression. So, alertness from the people's level and civil society organization is imperative against the efforts to shrink the scope of the freedom of expression. It is obvious that once the scope of FoE is limited, the condition of free press, cinema, and other forms of expression is under scan. It does not suit to broader goal of democracy.

Similarly, it is time for the people's representatives to learn lesson from the past failure. It is time they and the entire people focused on how people could feel the ownership of the constitution. How can new constitution incorporate the best practices of democracy and international standards is another significant aspect to consider. The happiness of the people lies there where there is the guarantee of rights and freedoms. It not only consolidates democracy but also boost up political culture. So, political parties are also in need of rising above the partisan interests and garner suggestions and support from the people of diverse community, culture, lingual groups and ethnicities.

Freedom Forum, as a civil society organization, working in the sector of freedom of expression and right to information since its inception, has been untiring advocating for democratic culture and practice. Batting for the right to information, transparency and accountability as major tools to good governance and the good governance to build and support democratic institutions, norms and values, the Freedom Forum is ready to share its knowledge, expertise and experience in the national process of constitution writing once the authorities seeks support.

Finally, Freedom Forum's commitment to RTI, FoE, transparency, accountability, good governance, human rights and democracy continues unflinchingly. Wishing Happy New Year 2014! ●



Taranath Dahal



Right to Know Day Marked Across Country



Morning rally on Right to Know day in Dhanusha, a district in southern plain of Nepal.

The Right to Know Day (28 September) was marked organizing various programs across the country. The Right to information (RTI) activists prepared by the Freedom Forum through the intensive RTI trainings organized the programs ranging from morning rally to interaction.

The programs were organized in a bid to make people aware about their right to know (information), and importance of information to ease their life. The programs were focused in the districts where people were deprived of many public services for lack of proper knowledge on their rights and where the public agencies were susceptible to bad governance, and mired in malpractices.

Dhanusha and the environs are the places in southern plain of Nepal where the practice of good governance in public agencies is quite discouraging thereby depriving people of their basic right to get service. Similarly, in the remote upper hills as Kalikot district most of the people are almost unaware about their rights. They are taken advantage of the innocence by the so called big people and the public offices.

The programs organized at such background are expected to enlighten people with right to information, press the public agencies to respect citizen's RTI and maintain transparency and accountability, and widen the RTI sphere in the country.

The RTI activists in Panchthar, Dhankuta, Dhanusha, Bara, Nawalparasi, Jajarkot and Kalikot districts organized the programs marking the Right to Know Day. ●



Signature campaign on Right to Know day in Dhankuta, eastern hilly district of Nepal.

Press Freedom Sees Improvement

Time to Heed New Media

As it was in the previous year, Nepali media suffered varieties of intimidations from political parties and their youth wings, security bodies, government officials, unknown persons this year too. Attacks, threat of physical action, death threat and manhandle to journalists, vandalism of press vehicles, obstruction, newspaper burning, are some important anti-press incidents occurred during the year. These incidents directly suppressed journalist's right to fear-free and independent reporting, press freedom and deprived citizens of their right to information.

Compared to the last year, this year, however, witnessed fewer press freedom violations. Freedom Forum recorded a total of 59 incidents of press freedom violation this year against 147 last year. The violations had surged up last year on the eve of the dissolution of the Constituent Assembly (May 27, 2012) while the violations of freedom of expression (especially the freedom of speech) mounted this year on the run-up to the election to the second Constituent Assembly of November 19, 2013.

Despite gradual increase in the number of media every year, **the pluralism in media is yet to gain pace**. However, very slow but gradual development in this front is unavoidable.

About the democratic discourse the media can create, Nepali media is chiefly focused on political issues, which, many argue is the flaw. Social, economic, constitutional and developmental issues could be equally important.

The recent random distribution of the membership based on political faith by the only umbrella organization of the journalists across the country, the Federation of Nepali Journalists (FNJ), can be taken as a step against the welfare/rights of the journalists and politicization on media profession. On the other hand, the role of the Union of Media Employees, which is broader than the FNJ, is very lackadaisical.

No specific laws and policy were brought by the government this year so that media freedom could be boosted and journalists' rights protected. However, **the ministry-level decision to study on online media is an appreciative step**. New media as the online media and social media have emerged as new challenge in terms of their regulation without hindering the free flow of information, freedom of expression.

During this year, three journalists were arrested by the police for their update on news portals as per the Electronic Transaction Act. The police administration dubbed it a cyber crime and harassed journalists and suppressed media

freedom. It is a matter of great concern and debate that the State/government needs to address without interfering with the press freedom, and freedom of expression which are oxygen to functioning democracy.

For the safety and security of the journalists, few CSOs have been providing training which is meagre in relation to the number of journalists. The number of working journalists (active) remains somewhere between 5,000 to 6,000 across the country. In addition to the CSOs, nearly 300 plus two college and some 200 graduate colleges are providing academic course on mass media and journalism. Similarly, it is fair to say that many journalists in Nepal are low-tech which has been a drawback for them to enhance capacity and sharpen technical knowledge in par with modern journalism.

Professional safety as proper payment to the working journalist is quite discouraging. It has direct bearing on the media freedom and professional development.

The physical safety of journalist is threatened also because of the misconduct of journalists' themselves. As the number of media outlets is growing, the journalists' number is grown with the chance of taking media as tool to gain other. Some reports on journalists' detention are related to their misconducts.

Looking into the broader area of the freedom of expression, **the right to freedom of expression (FoE) was suppressed and obstructed, especially during the run-up to the election to the second Constituent Assembly (November 19, 2013)**. Although disagreed initially by the Communist Party of Nepal-Maoist which boycotted the election for the anti-poll activities as bombing, barricade, arson and obstructions, the government confirmed the party as the enforcers of such wrongdoings. These misconducts directly/indirectly suppressed and affected people's (especially election candidates') right to freedom of speech. The poll-boycotting party conducted nearly three dozens of activities that affected freedom of expression. In addition to these, the government (Home Ministry) pressed the film festival organizing body to screen documentary based on war while Nepal Army pressured film producer not to show the feature film, *badhshala* (slaughterhouse).

Into the front of impunity regarding the press freedom, it can be taken as an improvement that the mastermind of the murder of Uma Singh was nabbed and sent to jail though very late. Similarly, the murderers of the journalist Yadav Poudel were imprisoned. Importantly, the murders

of journalist Dekendra Thapa from the far-west of Nepal were finally brought to justice despite heavy political pressure and protection. On January 28, 2013, nine leaders and cadres of the then CPN-Maoist were filed murder case by the Dailekh District Court establishing proof of their involvement in journalist Thapa's murder. The justice was meted out after almost eight years of the crime. These are major indications in the improvement of impunity on media freedom this year.

In some few cases, the police persons first threatening journalists have later admitted mistakes and abided by people's right to information and journalists' right to free reporting.

Compared to the last year, Nepali media remained satisfactory as the press freedom incidents declined sharply. The independent government was relatively very friendly thereby resulting in the reduction of press freedom violation from 147 to 59. It suggests that politically instable government is more hostile to media than the stable and independent one. These, along with the improvement in impunity situation, are positive developments in Nepali media.

In conclusion, political parties, despite being the essential elements of democracy, are still hostile to media, another element of democracy. They need to embrace media for healthy and competitive system of democratic discourse. Government officials and security bodies are also yet to internalize the role of press freedom to foster democratic principles with enhanced and accountable governance.

Only politically neutral and professional role of media unions could help consolidate professionalism in media and protect journalists' rights. Faith-based treatment among journalists would enfeeble media unions' capacity of collective bargaining.

In order to make the media safe and professional, journalists are the first persons responsible for this. The joy of safe, free, professional and dignified media lies in the strict adherence to it ethics by the media persons. It has been a need of hour.

About the way forward, a review on press freedom violation occurred in the past 15 years is needed so that a long term plan on media safety and rights could be outlined. As the country is in new democratic context, new kind of media strengthening was essential.

Similarly, the coming government which is to bring new constitution should guarantee the broader regime of media freedom with proper laws and policy so that all media could thrive healthily and boost democratic practice. ●

FOE in Party Manifestos

Political parties are instrumental elements in democracy. Their policy and programs becomes guiding principles to any system. Keeping this in mind, Freedom Forum closely monitored the manifestos of the political parties for the Constituent Assembly election 2013. Here, we've excerpted what seven big parties have mentioned about freedom of expression and press freedom which are essential to our democracy.

In the commitment paper, the largest political party, **Unified Communist Party of Nepal (Maoist)** led by Pushpa Kamal Dahal 'Prachanda' has said it was committed to freedom of expression and of press, rights of the working journalists, their professional and physical security. It is for providing relief and grants to the media run by women, Madhesi, Dalit and indigenous people. Even the media on small investment and in remote place would be supported. Similarly, it would like to provide all sorts of advertisements proportionately.

The second largest political party, **Nepali Congress**, which has been championing democracy in Nepal, has included the right to information under the fundamental rights. The party led by Sushil Koirala has said in the election manifesto that freedom of expression, of press is one of pillars of democracy. It said it was for making all sorts of media free, independent, fair and credible. Similarly, professional security of journalists with minimum remuneration and career development would be stressed by the party. It has also aimed



for making the online media well managed and effective. It is also for the e-governance, and making liberal policy for private sector to development IT sector. Importantly, it has said it would formulate any policy needed in the media sector with proper consultation with the media persons.

Similarly, the third largest political party, **Communist Party of Nepal (UML)**, has also committed to the complete press freedom and freedom of expression. There are the fundamental rights, it said, adding that state-run media would be kept away from political influence; community broadcaster made autonomous. In the election manifesto, it has stressed on transparency in the investment in media, adherence to working journalists' act, minimum remuneration to the working journalists, implementation of the RTI Act, media pluralism, new policy to make online media effective, establishment of mass media museum in the Capital City for media study, training and research, and

formulation of national film policy.

Saying that RTI Act is oxygen of democracy, a region centric **Madhesi Janadikar Forum, Nepal** led by Upendra Yadav, has stated in its manifesto that the party is committed to media freedom. It is for the adoption of an independent media policy and implementation of the Working Journalists' Act. Also, the party is for making the media inclusive and more democratic.

A region centric **Madhesi Janadikar Forum (Democratic) Party** has said the media policy and mechanism the country has is not inclusive. There is not representation from Madhes/Tarai, the party argues, adding that it would struggle to subvert present media policy.

The leftist party, **Rastriya Jamamorcha**, led by Chitra Bahadur KC has showed itself committed to the press freedom, saying guarantee of press freedom, physical and professional security/safety of journalists, implementation of RTI, compensation to the conflict-hit journalists and their families, discount to the media persons in various service were essential.

Similarly, a fringe party established in 2003, **Nepal Janata Party**, has said everyone will enjoy right to information, freedom of expression and press freedom. It aims to transform press council to a media council, advocated for just representation of all Nepalis as ethnicity and people from backward communities. ●

Pressure against Documentary Show

The organizers of a film festival in Nepal were pressed not to screen Sri Lankan documentaries in the festival that kicked off in the capital city Kathmandu on October 3, 2013.

Film Southasia, a festival of documentaries from seven South Asian countries began but the pressure came from Sri Lankan government, writes a national daily of Nepal, 'Kantipur' quoting the Chairman of Film Southasia, Kanak Mani Dixit as saying.

According to the organizers, the Ministry of Information and Communications in Nepal issued directive, urging them not to show the documentary.

As the freedom of expression is a frontier-less issue, the pressure was not only undue but against freedom of expression.

It is worth mentioning that Article 19 (b) of the International Covenant on Civil and Political Rights (ICCPR) states, "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art or any other media of his choice."

Freedom Forum expressed solidarity to this provision of the ICCPR and urged Sri Lanka not to press Nepali authority to ban the screening of the film. The films the Sri Lankan government wanted to ban screening were "Broken" and "The Story of One" directed by Kannan Arunasalam and "No Fire Zone" by Callum Macrae. These films document the civil war and the atrocities during the conflict in Sri Lanka.

The Nepali authority too needs to respect international standard of the freedom of expression and right to information and instill democratic culture. ●

Amendment of RTI Regulation Widens Scope of Access to Information

The substantive reform the Government of Nepal made in the Right to Information (RTI) Regulations-2009 in August 2013 is a welcome deed. The second amendment to the Regulation has categorically made 13 achievements, having huge potentials to burgeon the scope of access to information in Nepal.

The Council of Ministers of Nepal passed the RTI Regulation (Second Amendment)-2013, which is evidently a huge achievement in the expansion of RTI practice and movement in Nepal.

In a bid to make the information request application and appeal process wider and practical, the Regulation has legally defined complaint and

application process when neither the information nor the reason to provide information is provided to the requester. It has facilitated the process to directly file application to the National Information Commission (NIC) when information is not received from public agencies even after the first appeal.

Other key achievements projected by the amendment include bringing foreign aid, loan, grants and technical assistance received by any public agencies and their programs and progress reports to the domain of proactive disclosure, making classification of information more transparent and pragmatic and paving the way for requesting information through oral request.

The Regulation has enshrined progressive provisions in connection with record keeping and dissemination management, hearing process over complaint and appeal, authority delegation to Chief District Officer to push the implementation of NIC orders at local level, designating information officer to senior ranking official and setting up Nodal Agency based on Cabinet decision.

It is worth-mentioning that the overhauling amendment to the RTI Regulation was an outcome of constant engagement, practice and advocacy of Freedom Forum - a leading civil society organization in the area of right to information in Nepal. ●

Political Cadres Unreceptive to Press Freedom

The political parties, despite being the one of the fundamentals of democracy, are hostile to press freedom in Nepal. Through the mis/use of their cadres, the parties have committed several press freedom violations. It obviously suggests that the parties want to take the media under their control. The following incidents prove that Nepali political parties are yet to realize the importance of free press.

A. Newspaper Seized

Bal Krishna Basnet, regional chairman of Tarun Dal, a youth wing of the Nepali Congress party and Yudhir Poudel, former district secretary of Nepal Student Union affiliated to the same party, seized the copies of the Okhreni weekly in Sindhupalchowk district on July 2, 2013.

The local leaders of the youth wings of the Nepali Congress- Mr Basnet and Poudel seized 30 copies of the weekly thereby halting circulation. They seized the weekly, reasoning a publication of an article penned by Rishiram Poudel.

In this connection, police held the two seizing the weekly and investigated into the case.

B. Newspapers Burnt

A group of youths affiliated to the Youth Association of the Communist Party of Nepal (UML) burnt the copies of the Kantipur and Kathmandu Post dailies at Bansatari of Palpa, a hilly district in the western region of the country, on July 20, 2013. The dailies were burnt over the news reports they carried a day earlier. The youths were led by Surendra Pandey, central member of the Youth Association. Also, the locals from Mandiphant of Palpa had burnt the newspapers on the same reason.

C. Threat of Assault

The cadres of the Unified Communist Party of Nepal (Maoist) threatened reporter Purna Prasad Neupane of assault on September 9, 2013. Neupane reports from Okhaldhunga, a hilly district in the eastern part of Nepal, to the Commander Post daily published from the capital city. According to reporter Nupane, the UCPN (Maoist) cadres said to him, "Why did you write news about our party? We'll attack you at any time."

D. Attack

The cadres of the Communist Party of Nepal-Maoist attacked journalist Dev Raj KC, a reporter with a local Araniko TV of Kavre, at Banepa, a town nearby the Kathmandu Valley, on September 15, 2013. Reporter KC was attacked by the CPN-Maoist cadres while making news about the banda (general shutdown) called by the party. He got minor injury on forehead. The Maoist cadres had torched a bus at Banepa, reasoning it defied the banda they called. Reporter KC was making news about it.

E. Reporter Attacked

Reporter with the Radio Dolpa, Subarna Kumar Dangi, was attacked by the cadres of the Young Communist League, a youth wing of the Unified Communist Party

of Nepal (Maoist) in Dolpa, a distant mountainous district in the west of Nepal, in the evening of November 8, 2013.

The National News Agency (RSS) of Nepal wrote, "Reporter Dangi who was injured seriously said he was assaulted by six cadres of the YCL saying, 'He is the man writing news about us. So, let's break his hand.' He was beaten at Phulpani of Liku VDC while going to home of Dangiwada in the district.

F. Media urged to stop writing news on election

In the third week of September 2013, the Communist Party of Nepal-Maoist wrote to the media in Myagdi, a hilly district in the western region of Nepal, to stop disseminating news about the Constituent Assembly elections, otherwise face actions.

The CPN-Maoist which had opposed the November 19 CA election in Nepal wrote to the FM radios, and the daily and weekly newspapers in Myagdi, urging them not to publicize news on the CA election.

Talking to Freedom Forum Media Monitoring Desk, Station Manager at Radio Myagdi FM, Gopal Chhantyal, said, "The CPN-Maoist wrote us to stop making news on CA election, threatening if the media house publishes they themselves would be responsible for the actions the party take thereafter."

However, when asked whether the media in the district had stopped news on election, he said, "Although we have not stopped airing news about election, we are not free from fear."

Similar was the views of a publisher of the Myagdi Sanchar weekly, Sudarshan Shrestha. He said, "We journalists have our own code of conduct, so any party's diktat was meaningless. Therefore, news on election is continued. But, it is difficult to ward off fear psychology due to the threatening letter."

G. Obstruction to Newspaper Distribution

The distribution of newspapers was obstructed by the poll-opposing Communist Party of Nepal-Maoist on 11 November 2013. In the banda (general shutdown) called by a 33-party front led by the CPN-Maoist, a vehicle carrying the Nagarik and Republica dailies was vandalized by the banda enforcers at Gwarko of Lalitpur district and obstructed the distribution.

The CPN-Maoist had mounted the anti press freedom activities in the run-up to the Constituent Assembly election of November 19, 2013.

H. Leaders losing Election speak foul, manhandle journalists

Candidates from different political parties losing the Constituent Assembly election spoke foul on journalists at a press meet in Birgunj, a city in the southern plain of Nepal, on November 24, 2013.

A joint press meet was organized by the political leaders who lost in the November 19 election. When a local journalist Ritesh Tripathi asked them, 'Why did people need to vote for you?', a candidate from Rastriya Madhes Samajbadi Party, Prem Patel, spoke foul words on all journalists at the programme.

Not only Patel but the candidates losing election from Unified Communist Party of Nepal-Maoist, Nepal Sadbhavana Party, Madhesi Janadikar Forum, Sadbhavana Party and Tarai Madhes Loktantrik Party manhandled five journalists at the program reasoning they made unusual questions. It was learnt that there were 24 journalists attending the press meet.

I. Camera Seized, Returned with Apology

On the day of November 19 Constituent Assembly election, a supporter of a political candidate seized cameras from two journalists in Janakpurdham, a city in the southern plain of Nepal.

Ishwor Chandra Jha, reporter with the Himal Khabar Patrika, from Janakpurdham, said Chandra Shekhar

Yadav, supporter of the Nepali Congress party, had seized the cameras from him and fellow journalist Sanjay Raut of Himalayan TV. Mr Yadav seized the cameras while they were capturing the dispute among the leaders during vote counting. Later, Mr Yadav made an apology over the seizure and returned cameras, said reporter Jha.

J. Reporter Manhandled

Purna BK, a reporter with the Kantipur daily from Tanahu, a hilly district in the western region of Nepal, was manhandled and verbally abused while he was reporting on an incident of ethnic discrimination. He was manhandled by a local Surendra Adhikari in Damauli of Tanahu on October 1, 2013.

Reporter BK said, "When I reached Damauli for reporting on ethnic discrimination, a local Surendra Adhikari said, 'you journalists don't need to write about this issue. You only exaggerate discrimination.' He further said Adhikari also spoke foul words to him.

K. Editor Dhital Attacked

Kumar Silwal, hailing from Sindhupalchowk, a district neighbouring to the capital city, attacked Dipak Dhital, news in-charge at the Citizen's FM, in the capital city, on July 11, 2013. Silwal allegedly involved in the illegal supply of drug attacked editor Dhital, saying, "You're a journalist and following my case." Mr Dhital received injury on his face due to the attack. The attack, as the warn suggests, was a coordinated and against journalist's right. ●

Uma Singh's Murder Suspect Held

Four years after the incident, the police arrested Umesh Yadav, a suspect behind the murder of Uma Singh, a Janakpur-based journalist. He was arrested from Dhangadhi, the headquarters of Kailali, a district in the far western region of Nepal on September 16, 2013.

A sleuth of Nepal Police had reached in Kailali and detected the whereabouts of murder suspect Yadav and nabbed him from Dhangadhi bazaar.

Uma Singh, a reporter with a local FM radio- Janakpur Today- was hacked to death on 11 January 2009 in Janakpur, a city on the southern plain of the eastern part of the country. She mainly reported on the issues of the women's rights

and was vocal against the dowry system rife in the southern plain (Tarai) of the country.

Earlier, on 11 June 2011, the Dhanusha District Court had sentenced Lalita Singh and Nemal Paswan to life in prison for killing journalist Singh.

The arrest of the murder suspect of scribe Uma Singh, though late, is very laudable act of the police

authority. It is very helpful to minimize impunity and deter further crimes. It also works as a relief to the family of the victim journalist and give moral boost to the journalists working in difficult circumstances in Nepal. ●

Impunity Watch



Killer Umesh Yadav

Murder Attempt on Editor Dewan

An unidentified gang made a murder attempt on Gopal Dewan, publisher and editor of the Biswoshta weekly published from Dharan, an eastern city in the hilly region of Nepal, in the evening of November 10, 2013.

Editor Dewan said, "A pillion rider on a motorcycle opened firing at me while going to office at a local Chataraline of Dharan in the evening, but I luckily escaped the shot and saved life.

Editor Dewan said, "Security's role on curbing impunity in press freedom is not satisfactory."

He added that police had formed a team to investigate into the incident. Talking to Freedom Forum's Media Monitoring Desk in December last week, editor Dewan said, "The police is yet to find the shooter and has not updated him of anything about the investigation. I'm not satisfied with security's role on curbing impunity in press freedom." ●

Intimidation from Unknown Persons

Threat of Action

An unknown person has threatened of action against Shambhu Shrestha, Chief Editor of the Drishti weekly, over the news the weekly published on September 3, 2013. The incident occurred in the capital city. According to the weekly, the unknown person was threatening Editor Shrestha of physical action regarding a news story.

Attacks

Gokarna Aryal, reporter with the Gorkhapatra national daily, was attacked by an unknown gang in the capital city on 8 December, 2013. He was attacked by three persons while returning home from the office in the evening. He received injuries on face and head. Mr Aryal said, "There were three unknown persons behind me while I was walking back to home from office. Suddenly, one of them attacked, saying why I boasted of becoming a journalist." He had to go to hospital immediately for the treatment, as there was something piercing on his head. His is out of risk now.

Similarly, Kumar Silwal, hailing from Sindhupalchowk, a district neighbouring to the capital city, attacked Dipak Dhital, news in-charge at the Citizen's FM, in the capital city, on July 11, 2013. Silwal allegedly involved in the illegal of supply of drug attacked editor Dhital, saying, "You're a journalist and following my case." Mr Dhital received injury on his face due to the attack. The attack, as the warn suggests, is a coordinated and against journalist's right. ●

Government Employees Hostile to Free Reporting

DB Budha, reporter with the Nagarik daily from Jumla, a remote mountainous district in the mid-western region of Nepal, was attacked by a government officer over a news story on August 18, 2013.

Account Officer at the District Development Committee (DDC) of Jumla, Mun Bahadur Rawal, attacked reporter Budha at Jumla airport for writing news about the absence of officers in the DDC office.

Reporter Budha said, "Account officer Rawal even threatened me of taking life, reasoning I had written a story about the absence of the officials in the DDC office including Rawal." He argued that the news was factual.

Meanwhile, attacker Rawal apologized with reporter Budha later and promised not to repeat such

incident but respect press freedom and people's right to information.

A dozen of sports journalists were barred from entering a stadium to report and visualize boxing and football competitions in the capital city on September 25, 2013. The journalists even showed identity cards along with the pass issued by football association but they were not allowed entry to report on ongoing sports in the stadium.

In Solukhumbu, a mountainous district in the eastern region, Bharat Shrestha affiliated with the a local Himal FM, was assaulted by administrative officer in the District Development Committee, Tularaj Sunuwar, reasoning journalist Shrestha complained about the latter's misuse of finance. The incident took place on July 15. ●

Security Persons against Media

A. Threat

On December 16, Deputy Superintendent of Police Govind Acharya threatened two reporters of filing a case against them under the cyber crime, over the news they wrote on misuse of public vehicles in Taplejung, a district in the mountainous area of the eastern region in Nepal.

DSP Acharya issued such threat by phone against reporter to the ABC TV, Devraj Gurung, and Rabin Bhattarai of the Nepal Samacharpatra daily reasoning the news about the misuse of public vehicles while going to picnic.

Reporter with the ABC TV, Devraj Gurung, said DSP Acharya threatened him over the phone that he would file a case against them under the cyber crime. They had written news that the government officials in the district headquarters misused vehicles to go to picnic spot. "I and my family got mental torture due to DSP Acharya's threat," reporter Gurung said, adding that DSP Acharya however apologized after the news of his threat was disseminated.

B. Arrest

On December 17, two journalists were taken under control for two hours by the police under the direction of Additional Inspector General of Police, Ram Nath Singh, in the capital city, Kathmandu.

Police arrested reporter of the Himalayan Television, Nirash Tamang, and camera person Shailendra Chaudhari, while they were making story on the health condition of a sub Inspector of police who was injured in a clash with smugglers, according to the press release issued by the Himalayan TV.

C. Camera Seized, Photos Deleted

Security persons seized a camera from Dhrub Dangal, a reporter with the Nagarik daily from Sindhupalchowk, a neighbouring district to the capital city on October 20, 2013. Nepal police and Nepali army persons seized the camera while photographing security persons mobilized for the election security in the district.

Reporter Dangal said, "I was taking picture of the Nepal army personnel mobilized for the election

security in the district. But a police person and an army man seized my camera and forced me to delete it." The incident occurred at Chautara, district headquarters of Sindhupalchowk district.

"I felt that press freedom is still a dream in our country," said reporter Dangal while sharing experience about the incident.

D. Camera Seized

Raju Bishwokarma, reporter with the Rastriya Samachar Samiti (National News Agency of Nepal) from Saptari, a district in the southern plain of Nepal, was misbehaved by the security persons at the country border on November 7, 2013.

He was manhandled and had his camera seized by security persons while he was visualizing on a security person taking bribes from the people bringing daily goods illegally from abroad. The security persons were the Armed Police Force mobilized from Dantakali Battalion of the district.

Later, the armed police persons had returned camera deleting the image and clips.

E. Arrest

Ramesh Rawal, editor of the Jana Swayamsevak monthly was arrested by police persons near Singha Durbar, the central administrative hub of Nepal, on 14 November, 2013.

The police in plainclothes arrested Rawal while he was on reporting and released after some hours. The security persons in the name of boosting security in the run up to the Constituent Assembly election (Nov 19) evidently violated journalist's right to free reporting. The arrest raised concern over press freedom.

All these incidents show Nepal's security persons are also hostile to media freedom. It has hindered people's right to information. These are serious as there is the involvement of police persons who are responsible for maintaining peace and security in the community. But they have turned hostile to the journalists breaching the latter's right to free reporting. ●

Social Media on Target

Facebook post leads to arrest

The District Police, Kathmandu, arrested editor of the Share Bazaar weekly, Dinesh Acharya, over a complaint lodged by an industrialist on September 30, 2013.

Industrialist Nirvan Chaudhary had accused editor Acharya of assassinating his character through facebook post of news. Editor Acharya had published a news story about Chaudhary in the Share Bazaar weekly on June 23 and posted it on facebook too.

The way industrialist Chaudhary and the police adopted to address the complaint was intended to harass

editor Acharya. If the accusation was of the character assassination, it was not police administration to see the case because we had a separate body, Press Council Nepal, which monitors the media content and journalist's code of conduct.

Similarly, if it was the case of defamation, the industrialist Chaudhary could go the district court rather than to the police. The arrest of editor was therefore like a treatment meted out to a criminal person which was condemnable. The publication of news was the first one to look into rather than treating it in line with the Electronic Transaction Act as police was doing. It

must be treated as civil defamation but not as a criminal defamation.

Although the police had filed a case on cyber crime mentioning the Electronic Transaction Act, the District Court, Kathmandu, dismissed the case saying the news post was not intended to assassinate the character of industrialist.

The news story was about extra marital affairs of the industrialist and the Sharebazar had taken it from other sources.

At a time, social media has emerged as one of the effective mediums to create public discourse on any issue, and a platform of free expression, the arrest of editor Acharya over facebook post demeans the role of new media. ●

Police, Political Parties Take Media as Enemy: Editor Acharya

With the spurt of media, online journalism has emerged as a significant arena for media development in Nepal. However, the journalists affiliated to the online media have been hassled in the recent time, partly because there is not specific law to see this sector and partly because of the highhandedness of the police administration. Due to the lack of proper laws to see online media, the faults and even the minor mistakes in this sector have been treated indiscriminately with the misuse and interference of other laws. This time, we've interviewed a journalist who was detained by police as per the Electronic Transaction Act which is not attracted to sue media person. Freedom Forum had closely monitored his arrest and case.

Q. 1. Why did police detain you?

Police detained me based on a complaint lodged by Nirvan Chaudhari, managing director at Chaudhari Group. Mr Chaudhari had filed complaint at police office arguing that Share Bazaar weekly published under my editorship assassinated his character and demanded action against me as per the Electronic Transaction Act. The Act, however, was not the law to be attracted to the media. The Act was brought for the ecommerce.

Q. 2. Can you tell the news story that was objected?

The story I published in the Share Bazaar weekly was not our story, but taken from an online media showing its source. There was no concern and reactions to this story which was on the online media two weeks before the Share Bazaar carried it. After a week,

the weekly published it, the weekly's facepage updated in the facebook. Two days after the update in weekly's facebook page, a complaint was lodged. Legal action was sought on the ground that I sent weekly's PDF version through email to various persons and the facebook update was different from the one published in the weekly.

The news story was about the divorce of a big business person. Millions of rupees was sought as compensation. Actually, it was a real story. The concerned person (business man) did not refute the news but lodged complaint at the police.

Q. 3. Our constitution has fully guaranteed the freedom of expression. But, why were you detained for writing news?

I think the news about divorce was not the main point to complain against me. It was just a pretext. Any scoop may have troubled him. As Chaudhary was rich, police followed what he intended to do. My arrest is the arrest like that of a criminal person. It was an ill effort to equate act on libel/slander and media act. I think no democratic country in the world has such laws. The police, instead of suggesting such complainant going to Press Council or filing a libel case, arrested me. It is quite civil case.

Q. 4. What are the challenges (policy level/laws) of Nepali media in terms of freedom of expression?

Effort is made to use the Electronic Transaction Act against the spirit of the constitution. If the precedent was set on this case, no media law could function. Accusers do not adopt media law and



civil laws, as these have lesser degree of punishment to media persons. The media laws have the evident provisions that anyone dissatisfied with news can refute the news, complain in the Press Council Nepal, and even go to the Court. The use of Electronic Transaction Act against journalists is intended to harass them.

Q. 5. How can we improve freedom of expression and press freedom in Nepal?

Mainly it depends on intention. The government bodies and law enforcements units are not media-friendly. Police persons, political parties and court take media as their enemy. Police are making efforts to enforce the Electronic Transaction Act in the media sector and want to set precedent. If they enforce this Act in the media sector, the police can arrest any journalist writing against their activities. It was what I faced.

Therefore, we need to be alert over imposition of ecommerce law on media sector. It was our failure to subdue Electronic Transaction Act from interfering with the media. Still, Nepal does not have any specific law to see online media. So, public interest litigation (PIL) should be filed to scrap contradictory laws on freedom of press and expression, which are enshrined under the fundamental rights of the constitution. It is high time we had clear interpretation of laws on media. ●

TV Chairman Manhandles Reporter over Wage Dispute, Sacks Two

Bhaskar Raj Rajkarnikar, Executive Chairman of the Avenues Television, in the capital city Kathmandu, manhandled reporter Nabin Dhungana at the news section of the Television on July 23, 2013.

Reporter Dhungana said, "Executive Chairman Rajkarnikar manhandled me in the presence of a dozen fellow workers, reasoning I voiced for the salary the TV management has not paid for long."

"Anyone forming groups against TV management would be sacked one by one", Chairman warned, while raising hand against me again, but the manager prevented him, added Dhungana.

According to him, he and another reporter Jyoti Saha were sacked from the job with a false allegation of politicking among Television workers and forming groups.

It is learnt that many journalists in the Avenues Television have not been paid for long (up to 13 months). The voice for proper wage is unheard for long.

The incident was quite discouraging that a journalist was manhandled before the fellow workers, which has morally devalued him. It is a big harassment indeed.

The TV management must abide by the Working Journalists Act which ensures minimum remuneration to the journalists. Unless the journalists are secured in terms of payment and benefits, it hampers the profession.

Timely remuneration to the working journalists is a big problem in Nepali media. Many journalists are underpaid and unpaid despite full time work. It is quite disappointing and discouraging factor for journalists to continue their profession.

Needless to mention, the incident has violated the journalists' right.

For free, fair and professional journalism, the media owners too need to respect the Working Journalists' Act. ●

Reaching People Thru RTI

RTI and Good Governance

Freedom Forum has successfully accomplished the project named 'Improve Implementation of RTI to Promote Good Governance'. The project was categorized into three parts- RTI Radio Program, RTI TV Program and Training to Journalists on RTI, Investigative Journalism and Good Governance. The 25-minute long TV program had 24 episodes. The broadcast of the program began on 23 July and concluded on December 31. There were field reporting, interview with RTI experts, success stories, helpline RTI news on national and international front. The program was broadcast every Monday on the Himalaya TV from 9:30 to 9:55pm. The program was broadcast freely by a local TV of Rupandehi district. Similarly, a 15-minut radio program was aired every Monday from 9:30pm to 9:45pm. The matters for the radio program were similar to that of the TV program. The radio program was aired by the Radio Nepal, the only state-run radio which has as much as 80 percent outreach across the country. Moreover, the radio programs were aired freely by five local FMs as community radio, Bijay FM of Nawalparasi; Kalinchowk FM of Dolakha; Krishnasar FM of Banke; Radio Naya Karnali of Kalikot;

and Afno FM of Okhaldhunga. Both TV and radio program focused on the bottom up contents of the RTI as use, effects, and its relation to governance in the local level. During the project, for the program, the field reports were centered on the local development activities and adherence to the RTI for building good governance. **Listening to the RTI radio program, a local from Pawaoti VDC of Dolakha district, Sher Bahadur Bhujel, said, "I learnt a lot of things about the RTI and the program inspired me to seek information in the local bodies."** Similarly, Chief District Officer in Nawalparasi district, Keshav Raj Ghimire, had made committed of assigning Information Officer at every government office while giving an interview to the radio program. Later, he thanked the Radio program for creating a positive atmosphere for him to exercising good governance practice by appointing IOs at every government office. The another success story/impact of the project that **after watching a TV program broadcast about the delay of the road construction, the locals from Jarsipauwa of Kathmandu, went to the District Development Committee (DDC) in a delegation, pressed the DDC to**



expedite construction, demanded action against contractor.

Moreover, FF provided 2-day training to more than 100 journalists from different parts of the country focusing RTI, Investigative Journalism and Good Governance. FF, in this way, tried to reach the grassroots level with RTI, empowering citizens, honing the knowledge of the journalists, and making local bodies aware about importance of information and service delivery for informed society and good governance through this project. The activities under the project are expected not only to widen the horizon

of the RTI regime but also to make the implementation of RTI more effective to promote good governance which basically begins from the local levels. The project was funded by the Enabling State Program (ESP). The partner of the project was Citizens' Campaign for Right to Information (CCRI) while the local partners were Karnali Awabalamban Bikash Manch, Information and Human Rights Investigation Centre, Banke; Sudur Paschim Media Development Centre, Kailali; Vijay Development Resource Centre, Nawalparasi; United Development Foundation, Jhapa; and Youth Concern Campaign, Bara. ●

Towards Open ...

twenty years back that it was very difficult to get materials related to RTI in Nepal and in India too, and expressed satisfaction that RTI has made progress these days. According to him, information was the fuel of democracy and any rich person these days was empowered with information. "Not only for democracy but for the strengthening of the entire nation, RTI is essential," he remarked.

Chairman of the Administrative Court, Kashiraj Dahal, said the publication of the three books was the proof that RTI was a vibrant tool to transform society. RTI is a significant tool to restore rule of law, he said, adding that Nepal had the most effective RTI law in South Asia for the consolidation of democracy.

On the occasion, Chairman of the Freedom Forum Taranath Dahal, who presided over the programme, said the seminar was organized to discuss the achievements and experiences in the sector of RTI since its establishment six years' back. The two publications by the FF on RTI were the documentation of how FF was working in RTI in these six years.

Executive Director at FF, Krishna Sapkota, made presentation on the publication 'RTI Success Stories from Nepal', while Treasurer

Chiranjivi Kafle on the publication, 'Towards Open Government in Nepal'.

The book- Towards Open Government- is the compilation of the 13 working papers relating to RTI which were presented in the RTI National Convention, 2011 organized by the FF and World Bank in Nepal. Similarly, the Success Stories from Nepal contains the case stories of the success of RTI laws in different sector including higher education, free distribution of fuel coupon, reinstatement of sacked judge, expose of multi-million VAT scam and others. FF, as a lead organization taking ahead the RTI issues in the country, prepared the book ranging the subjects from day to day

life to governance. The book has chronicled interesting success stories of RTI as exposure of VAT scam and egregious misuse of petroleum products in Nepal. It divulges how ruinous, biased the government bodies were towards people. Many industrialists had evaded the tax, while only bigwigs were provided petroleum couple free of cost while the common people are hit hard with price hike of petroleum. Another appealing success story is about a judge who was sacked, for he 'spoke against state'. The allegation proved baseless and the judge was restored. It was how a person to cater justice was a victim of injustice and was rescued with the use of RTI later. Other case stories are of equal importance. Various other persons, including former chief information commissioner Mr Kasajoo, and officiating secretary at the information commission expressed their views.

Similarly, the RTI campaigners trained by the FF in the recent past shared their experiences from different districts on hassles about requesting for the information.

As total of 175 persons, including government officials, RTI experts, activists, campaigners, legal practitioners, civil society representatives, media persons and researchers participated in the seminar. ●



Participants at National Seminar on RTI

FOE Violation ...

Such violent activities though said earlier carried out by the 'unknown' people/gangs, the government later pointed to the poll-opposing Communist Party of Nepal-Maoist led by Mohan Baidya. The CPN-Maoist called banda (general shutdown) from November 11 to November 20 aiming at foiling the election publicity thereby violating people's freedom of expression and right to vote.

Incidents that directly affected freedom of expression in the run up to the CA elections:

A. Threats of Physical Action

Two weeks before the election, the party (UCPN-Maoist) wrote letters to the election candidates from various parties urging them to withdraw candidacy and boycott participation in election. Through the letters, it threatened candidates of physical action if they participated in the election.

B. Arson

On October 28, a vehicle belonging to UML CA candidate from Dhanding-3, Rajendra Prasad Pande, was also set on fire by an unidentified group at the north gate of Narahinti Museum. A motorbike-borne gang threw the flame of fire at the vehicle parked there.

On October 28, an unidentified gang torched a jeep (Ba 6 Cha 419) used in the election campaign of Nepali Congress (NC) candidate Narahari Acharya in Kathmandu Constituency-5, at Dhapasi in the Capital City.

On October 29, an unidentified group torched a vehicle (Ra 1 Ja 365) used by Shanta Chaudhary, Communist Party of Nepal (UML) candidate from Constituency No 2 of Dang, a district in the mid-western region of Nepal.

On October 28, an unidentified group torched a vehicle (Bhe 1 Cha 917) used in the election campaign of Nepali Congress President Sushil Koirala in Nepalganj, city in the mid-western region of Nepal. The group sprinkled diesel on the rear end of the vehicle and set it on fire.

On October 26, a jeep (Ma 1 Ja 73) owned by Mohan Giri, a Unified Communist Party of Nepal (Maoist) candidate from Kanchanpur Constituency No 4 was set on fire here on Saturday. The arsonists immediately fled the scene after they set the vehicle ablaze, according to police.

On October 29, a vehicle (Me 1 Ja 237) belonging to first-past-the-post (FPTP) candidate of Nepali Congress from Dhankuta was set on fire at the midnight.

On October 29, a jeep (Ra 1 Ja 365) of CPN-UML's Dang Constituency number 2 candidate Shanta Chaudhary, was also torched at night. Police said that the jeep being parked near her house in the district was set ablaze by an unidentified group

On November 1, two masked youth set afire a jeep that UCPN-Maoist Dhading constituency-1 candidate Pushpa Bikram Malla was using for his election publicity campaign. The driver and owner of the hired vehicle, who were inside the vehicle during the arson, managed to jump off the burning vehicle, which was destroyed in the incident. "We jumped off the burning jeep and saved our lives," said driver Sushil Adhikari said.

On November 6, Vehicle belonging to UCPN (Maoist)'s election candidate Bishnu Paudel of constituency-1 of Kaski, a hilly district in the western region was set ablaze in Siddha VDC.

On November 7, an unidentified group

torched the vehicle (Ba. 9 Cha 1126) owned by Kumar Lamichhane, candidate of Nepali Congress from constituency No. 4 of Kavre, district neighbouring to the Capital City.

C. Vandalism

On October 25, a vehicle (Na2 Cha 2734) used by CPN-UML candidate from constituency number 4 of Dang, Shankar Pokharel was vandalized by the cadres of CPN-Maoist.

On October 26, some unruly persons vandalised a vehicle belonging to Rastriya Prajatantra Party-Nepal candidate Birendra Bam near the Ghodaghodi lake of Kailali, a far western district.

On November 2, a vehicle (Lu 1 Ja 277) used by election candidate Prakash Chaudhari of the Sanghiya Samajbadi Party from Constituency No 1 of Dang district was vandalized. Even the **election publicity materials** of the party were seized by the unknown gang.

D. Obstruction

On October 22, poll-opposing Communist Party of Nepal-Maoist obstructed Nepali Congress party's election program at Phidim, district headquarters of Panchthar, a hilly district in the east of Nepal.

On October 23, poll opposing parties including the CPN-Maoist disrupted vehicular movement by falling trees on the Koshi Highway in the night to disturb the election gathering to be addressed by UCPN (Maoist) Chairman Pushpa Kamal Dahal in Dhankuta, a hilly district in the eastern hilly region. As a result, he could not reach the election gathering.

On October 23, the Unified Communist Party of Nepal (Maoist) foiled the election publicity program of a rebel candidate of the same party at Constituency No 10 of Kathmandu district. Padam Kunwar, rebel candidate to party chairman Pushpa Kamal Dahal was organizing an election publicity program at Kirtipur Naya Bazaar of Kathmandu (Constituency No. 10) but was forced to stop program due to party pressure.

On October 26, the CPN-M Maoist cadres obstructed CPN-UML's candidate Nabaraj Sharma by felling trees along the way at Singa. Sharma and his party activists were on their way to Baranja village for an election campaign.

On October 29, the CPN-Maoist cadres hurled stones and bricks at the election assembly of the UCPN-Maoist at Hulakdanda of Election Constituency no-2 in Kailali, a district far western region. Election candidate Thir Bahadur Karki narrowly escaped the injury.

On October 30, the cadres of CPN-Maoist halted vehicular movement and spilled *mobil* in various places of Dhulikhel -Panchkhal road section along the Arniko Highway and affected an election assembly to be addressed by UCPN-Maoist Chairman Pushpa Kamal Dahal.

On November 3, Kripasur Sherpa, CPN-UML's election candidate from Constituency No 2 of Bhojpur, a district in eastern hilly district, was obstructed on the way while going to an election gathering being held at Kudakkaule village. Stones were pelted on his team and roads blocked.

On November 6, the Nepali Congress cadres obstructed the election campaign of its candidate, Ram Chandra Paudel, from election constituency no-2 of Tanahu, a hilly district in the western region of Nepal. A group of youths affiliated Paudel's election campaign by hurling stones.

E. Election Publicity Materials Seized/Burnt

On October 25, the publicity materials of the CPN-UML were torn by unidentified persons in Dhangadhi Municipality of Kailali, a far western district of Nepal.

On October 26, cadres of the Mohan Baidya-led Maoist party seized and burnt publicity materials belonging the District Election Office, Kalikot, a remote hilly district in the mid-western region.

On the same day, the party cadres torched publicity materials of the Nepali Congress in Panchthar, a hilly district in the eastern region.

On the same day, election publicity and poll training materials were looted from Rithe VDC of Lekhanath Municipality, Kaski, hilly district in the western region.

On October 22, the CPN-Maoist cadres seized the election publicity materials of UCPN (Maoist) in Jajarkot, a distant hilly district in the mid-western region.

On October 23, the cadres of the CPN-UML seized and tore the publicity materials of the Nepali Congress at Puranokot-6 of Lamjung district.

On October 29, the CPN-M Maoist cadres attacked looted the election publicity materials of the UCPN-Maoist in Dailekh district.

F. Attack

A group of about 30 CPN-M cadres attacked UCPN (Maoist) candidate Sancha Pal Madan at Mehele in of Taplejung, a mountainous district on October 25. He sustained serious head injuries in the attack.

G. Bombing

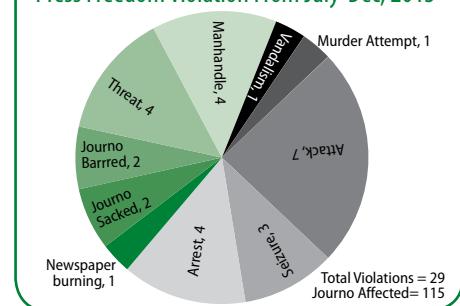
On November 9, a bomb was hurled at an election gathering organised by the Communist Party of Nepal (UML) at Khokling VDC of Taplejung, a remote mountainous district in the eastern region of Nepal. Party candidate for Constituent Assembly election from the Constituency No. 2 Dambar Dhwaj Tumbahamfe was scheduled to address the program. Five persons were hurt in the blast, but the candidate escaped injury.

On November 6, a bomb was found near an election gathering of the UCPN-Maoist at Baphikot of Rukum, a hilly district in the mid western region of Nepal.

H. Murder

On October 10, CPN- UML election candidate from Bara Constituency No 4, Mohammad Alam, shot by unidentified gunmen in Bara, a district in southern plain, died while being treated at the TU Teaching hospital in the capital city. Two motorcycle borne assailants had opened fire at candidate Alam on October 4. Alam, 52, was shot in the head from close range by two unidentified persons as he was out campaigning in his constituency. ●

Press Freedom Violation From July-Dec, 2013



Journalists Trained on PFM

A two-day training on public finance management for university level journalism students was organized in the capital city from December 29, 2013.

Inaugurating the training, Auditor General Bhanu Prasad Acharya stressed the efforts to bring about public finance management reforms in a way to stimulate economic stability, effective resource allocation and management, public service delivery, good governance and state effectiveness.

Similarly, former vice-chairperson of the National Planning Commission, Deependra Bahadur Kshetry, and Joint-Secretary of Finance Ministry and Budget Formulation Division Chief Baikuntha Aryal underlined the need of conscious citizens to join hands in the movement to build a prosperous country through effective public oversight on public resource generation and mobilization.

Economist expert Keshav Acharya, Freedom Forum's Chairperson Taranath Dahal, senior economic journalist Kuvera Chalise, senior journalists and trainer Dharmendra Jha, and Joint Secretary at the National Planning Commission Gopinath Mainali facilitated the training.

The training was focused on enriching knowledge and skills of journalism students to build their capacity to become professional economic journalists in coming days. Some 30 journalism students from six colleges based in the capital took part the training. Program for Accountability in Nepal (PRAN)/CECI had funded for the project, 'Facilitating Accessibility and Promoting Transparency of National Budget for Public in Nepal' under which the training was organized.

Earlier, on December 20, 2013, an interaction on the bodies under the public finance management, their activities, and journalists' role on citizens' access to budget making process was organized recently in the capital city, Kathmandu. Representatives from the National Planning Commission, Office of the Auditor General, Education Department, and journalists working in economic beat interacted on public finance management and information related to this.

On the occasion, Joint Secretary at the NPC, Gopinath Mainali, Spokesperson at OAG, Baburam Gautam, stressed the need of making the budget making and planning process scientific and fully transparent. They also shared some practices of budget making in Nepal.

Moreover, a three day orientation to journalists on public finance management was organized in the capital city from November 10, 2013. On the occasion, the journalists were given orientation on budget making, implementation, auditing, and accounting practice in Nepal. Senior economist and chief trainer Keshav Acharya had stressed that the journalists could play a vital role to ensure people's access to the information on different phases of budget making.

A total of 17 journalists from various media had participated in the orientation facilitated by Dr Achaarya, former secretary Shambhu Charan Kayastha, former auditor general Bamshidhar Ghimire, former director general at Inland Revenue Department Narayan Raj Tiwari, and senior journalist Pratik Pradhan. ●

Information Officers Trained on RTI

Freedom Forum's initiative to support democratic practice by boosting the Right to Information (RTI) sphere is continuous. It has stressed on increasing people's access to good governance through the practice of RTI by enabling the supply side of information.

In the recent months, under the project, 'Local Governance Action Research Project' funded by The Asia Foundation, FF organized a 3-day RTI training to the executive officers and Information Officers (IOs) of different five municipalities from across the country in the capital city from July 25, 2014. The objective of the training was to enhance the capacity of the public officers in the local level so that they could better deliver the service by being accountable and transparent.

Inaugurating the training, Secretary at the Ministry of Local Development, Shanta Bahadur Shrestha, said the RTI was directly linked to the rule of law, legitimacy, accountability and the good governance.

It is attended by 12 persons- each two (Information Officer and Executive Officer) from Bhimdutta municipality of Kanchanpur, a district in the southern plain of the far western region, Narayan municipality of Dailekh, a hilly district of the same region, Byas municipality from Tanahu, a hilly district of the western region, Dhulikhel municipality of Kavre, a district adjoining to the Kathmandu Valley, and Dharan municipality of Sunsari, a district in the southern plain of the eastern Nepal. Under Secretary at the National Vigilance Centre, Sher Bahadur Dhungana, and Under Secretary at Finance Ministry Bhumi Ram Sharma had presented working papers on RTI practice and good governance in Nepal. ●

Engaging Stakeholders around Open Data

On December 12, a day-long training on open data to seven journalists representing different media was organized in Kathmandu. The program was designed to address capacity development needs of journalists as identified during September's scoping workshop. Different aspects of open data and journalists' role as intermediary to access, interpret and communicate data to public were highlighted with data organization and visualization tools and technique.

Under the same initiative, a 'scoping workshop with parliamentarians' was organized in the capital city on 13 September, 2013. The workshop was aimed at stimulating demand for information, develop some skills in understanding and using data and better understand the data and support needs of the parliamentary staffs.

The workshop mulled on how are parliamentarians working with data? What are their needs? What type of capacity do they need to use data in their works? How synergistic

cooperation could be created to promote the use of open data in producing parliamentary research works? It was the outcome of the consultative meeting held with parliamentary secretariat's employees a month back. It was a part of capacity development of possible intermediaries of data.

On the occasion, Som Bahadur Thapa, Joint Secretary at the Parliamentary-Secretariat lauded the initiative taken by Freedom Forum/Open Nepal to build capacity of parliamentary secretariat, saying it was a bid to make

Nepal's parliament more informative so that healthy discussion could be made in the legislature. Data use was quite traditional so there was the need to bring into use new technology. Representatives from four different parliamentary committees participated in the workshop.

In crux, the parliamentary staffs were in need of improved and strengthened reporting system. They needed to be able to use data to facilitate discussions and improve decision-making for the benefits of citizens. ●

Open Nepal Movement

New Publications

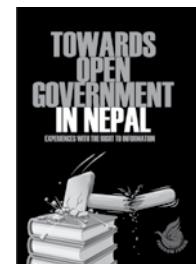
Freedom Forum has come up with three new publications namely **Khula Budget** (Open Budget), **Towards Open Government in Nepal**, and the **Success Stories from Nepal**. The first one Khula Budget is co-authored and translated by Anirudra Neupane and Somnath Lamichhane, and edited by senior economist Keshav Acharya. The book delves into the entire gamut of budget making process and assesses the practice of budget openness in Nepal. It is prepared under the project 'Facilitating Accessibility and Promoting Transparency of National Budget for Public in Nepal' funded by Centre for International Studies and Cooperation (CECI) under the PRAN. While shedding light on the openness of the budget, it talks on how a citizen can have access to the information ranging from the initial process of the budget making to its implementation and auditing. It is therefore categorized into four sections as budget making, approval of budget and implementation, monitoring of budget, and budget transparency and Nepal. It was released by Auditor General Bhanu Prasad Acharya amidst a function in the capital city on December 29, 2013. The book is believed to advocate for budget transparency which is essential not only to create good governance but also to empower citizen with key information.

Similarly the second one Towards Open Government in Nepal is the compilation of the 13 working papers relating to RTI which were presented in the



RTI National Convention, 2011 organized by the FF and World Bank in Nepal. The working papers were prepared by the national and international RTI activists and government officials in different areas relating them to the RTI. The issues range from good governance, constitutional setups, local government and transparency to political parties in focus with the RTI. Also, it includes the address by President Dr. Ram Baran Yadav and then Deputy Prime Minister and Minister for Information and Communications, Krishna Bahadur Mahara, at the convention. It is believed that the book brought with the support from the World Bank is worth reading to understand the emergence, importance, scope and implementation of RTI in Nepal.

Moreover, the third one RTI Success Stories from Nepal contains the case stories of the success of RTI laws in different sector including higher education, free distribution of fuel coupon, reinstatement of sacked judge, exposure of multi-million VAT scam and others. The book ranges from the subjects from day to day life to governance. The book is published as part of the project, 'Enabling Environment for RTI through Research, Training and Support to Nodal Agency'. ●



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	Krishna Sapkota: Executive Director, Management head of the organization, coordinates overall organizational and project Affairs (Development and Implementation) Anirudra Neupane: Program Manager, Manages program affairs and Performs responsibilities as the Information Officer. Narayan Ghimire: Media Monitoring Officer, Blog operator of Nepal Election Channel Dan Bahadur Karki: Program Assistant Manju Ojha: Media Monitoring Assistant Trishna Dhakal: Admin Assistant / Receptionist Basanti Thapa: Office Assistant Project Staffs: Freedom Forum Hires Short Term Project Staffs based on Need of projects		
	Project Name	Supporting Agency	Date of Signing the Contract
	Enabling Environment for RTI through Research, Training and Support to Nodal Agency	The World Bank	8 October 2012
	Improving Freedom of Expression Situation through Holistic Monitoring	Foundation Open Society Institute	24 December 2012
	Improving the Safety of Journalists	UNESCO	2013
	Exploring the Use and Impacts of Open Budget and Aid Data in Nepal	World Wide Web Foundation	11 March 2013
	Local Government: Action Research	The Asia Foundation	28 March 2013
	Facilitating Accessibility and Promoting Transparency of National Budget for Public in Nepal	PRAN/CECI	31 May 2013
Project Information	Improve Implementation of RTI in Nepal to Promote Good Governance	ESP/DFID	June 2013
	Strengthening Capacity for Citizen Input on the Electoral Process	INTERNEWS	20 June 2013
	Open Nepal Freedom Forum Component	Development Initiative/ESP	21 November 2013
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: http://freedomforum.org.np/content/activities/completed-activities.html http://freedomforum.org.np/content/activities/current-activities.html		
Name of Information officer and Executive Director	Krishna Sapkota : Executive Director Anirudra Neupane : Information Officer		
Financial Information	Freedom Forum received grants amounting NPR 8678053.92 from different donors in F/Y 2012/13. Follow the link for detailed information http://freedomforum.org.np/content/publications/reports/financial-reports.html		
Official Website	www.freedomforum.org.np		
Publications of Freedom Forum	Freedom Forum has about 50 Publications (Printed) Please Follow the Link: http://freedomforum.org.np/content/publications.html		
Activities Carried Out Last Year	The Annual report of F/Y 2012/13 depicts the information in this regard. Please, follow the link below: http://freedomforum.org.np/content/publications/reports/annual-reports.html		
Mechanism for Information Dissemination	Websites: www.freedomforum.org.np ; www.nepalpressfreedom.org , www.nepalelectionchannel.org Newsletter: Free Expression		

FF in Forums

- Executive Director Krishna Sapkota participated in the Global forum using country systems on climate to manage finance organized by UNDP in collaboration with the South Korean Government in Incheon, South Korea from December 2-4, 2013.
- Programme Manager and Information Officer of Freedom Forum Anirudra Neupane Participated in the course 'Leadership and Management for Integrity- Government Record Management

and Access to Information" offered by Central European University (CEU), Budapest, Hungary. The programme conducted in support of UK based organization, Integrity Action had been held for 1-6 July 2013.

- Media Monitoring Officer Narayan Ghimire participated in a workshop on journalists' safety organized by UNESCO, Nepal in Hetauda on September 29, 2013. At the workshop, he presented a paper on 'Safety Situation on Nepali Journalists.'

Chairperson Dahal Nominated in CJRCC.

Freedom Forum Chairperson Taranath Dahal has been nominated in the Central Judiciary Reform Coordination Committee. The members in this committee are from the law and civil society organization. Chairperson Dahal is the only representative from the CSOs nominated in the committee headed by senior Justice.

71 journalists killed in 2013

(Syria, Somalia and Pakistan among the world's five deadliest countries for the media)

16 Dec, 2013: The annual toll of journalists killed in connection with their work was again very high in 2013, although this year's number, 71, was a slight fall (-20%) on last year's, according to the latest round-up of freedom of information violations that Reporters Without Borders issues every year.

There was also a big increase (+129%) in abductions and the overall level of violations affecting news providers continued to be very high.

"Combating impunity must be a priority for the international community, given that we are just days away from the 7th anniversary of UN Security Council Resolution 1738 on the safety of journalists and that there have been new international resolutions on the protection of journalists," Reporters Without Borders secretary-general Christophe Deloire said.

The regions with the largest numbers of journalists killed in connection with their work were Asia (with 24) and the Middle East and North Africa (with 23). The number of journalists killed in sub-Saharan Africa fell sharply, from 21 in 2012 to 10 in 2013 – due to the fall in the number of deaths in Somalia (from 18 in 2012 to 7 in 2013). Latin America saw a slight fall (from 15 in 2012 to 12 in 2013).

Syria, Somalia and Pakistan retained their position among the world's five deadliest countries for the media (see below). They were joined this year by India and the Philippines, which replaced Mexico and Brazil, although the number of journalists killed in Brazil, five, was the same as last year. Two journalists were killed in Mexico, while three others disappeared. The return of the Institutional Revolutionary Party (PRI) to power and new government pressure on the media contributed to a sharp increase in self-censorship in Mexico. An increase in self-censorship was probably also the reason for the fall in the number of journalists killed in other countries.

39% of the deaths occurred in conflicts zones, defined as Syria, Somalia, Mali, the Indian province of Chhattisgarh, the Pakistani province of Balochistan and the Russian Republic of Dagestan. The other journalists were killed in bombings, by armed groups linked to organized crime (including drug trafficking), by Islamist militias, by police or other security forces, or on the orders of corrupt officials.

Of the 71 journalists killed in 2013, 37% worked for the print media, 30% for radio stations, 30% for TV and 3% for news websites. The overwhelming majority of the victims (96%) were men.

The number of journalists killed in connection with their work in 2013 fell by 20% compared with

2012, but 2012 was an "exceptionally deadly" year with a total of 88 killed. The numbers were 67 in 2011, 58 in 2010 and 75 in 2009. The fall in 2013 was also offset by an increase in physical attacks and threats by security forces and non-state actors. Journalists were systematically targeted by the security forces in Turkey, in connection with the Gezi Park protests, and to a lesser extent in Ukraine, in connection with the Independence Square ("Maidan") protests.

More than 100 cases of harassment and violence against journalists were registered during the "Brazilian spring" protests, most of them blamed on the military police. Colombia and Mexico also saw major protests that gave rise to police violence against media

Highlights	No	+/-
Journalists killed	71	(-20%)
Journalists arrested	826	(-6%)
Journalists threatened or physically attacked	2160	(+9%)
Journalists kidnapped	87	(+129%)
Journalists who fled their country	77	(+5%)
Media assistants killed	6	
Netizens and citizen-journalists killed	39	(-17%)
Bloggers and netizens arrested	127	(-12%)
Journalists in prison	178	
Journalists killed:		
In a war zone	39%	
Freelance	8%	
Women journalists	4%	
Media types		
Print	37%	
Radio	30%	
TV	30%	
Website	3%	

personnel. Journalists were among the victims of the political unrest in Egypt in 2013, sectarian unrest in Iraq, and militia violence in Libya. In Guinea, journalists were regularly threatened, by both government and opposition, during protests prior to the elections. India, Bangladesh and Pakistan also saw an increase in threats and attacks against journalists, as well as murders.

There was a big increase in the number of journalists kidnapped (from 38 in 2012 to 87 in 2013). Most of the cases were in the Middle East and North Africa (71) followed by sub-Saharan Africa (11). In 2013, 49 journalists were kidnapped in Syria and 14 in Libya. Abductions gained pace in Syria in 2013 and became more and more systematic in nature, deterring many reporters from going into the field. Foreign journalists

were increasingly targeted by the government and by Islamist groups such as Islamic State in Iraq and the Levant (ISIS) and Jabhat Al-Nusra, but their Syrian colleagues were the most exposed. At least 18 foreign journalists and 22 Syrian news providers are currently abducted or missing.

Threats and violence forced a growing number of journalists to flee abroad. The violence of the conflict in Syria led to the departure of at least 31 professional and citizen-journalists in 2013. Many of them are now in Turkey, Jordan, Lebanon or Egypt, destitute and vulnerable. Victims of xenophobia and accused of being Muslim Brotherhood supporters in Egypt, interrogated and threatened by the security services in Jordan, and threatened by pro-Assad militias in Lebanon, their situation often continues to be extremely precarious.

Despite the moderate candidate Hassan Rouhani's election as Iran's president in June 2013, and despite his promises of reform, 12 Iranian journalists fled the country in 2013 to escape government persecution. Five Eritrean journalists fled abroad in 2013 to escape their country's tyrannical regime, refusing to be President Issaias Afeworki's propaganda slaves or fearing that they could be arrested and held incommunicado in one of the country's appalling prison camps.

The exodus of journalists continued in Somalia. Most of them end up in neighbouring Kenya, where their safety and living conditions declined in 2013 because of an increase in xenophobia resulting from the military offensive that Kenya launched in Somalia in 2011 and because of the uncertainty surrounding the UN Refugee Agency's registration of Somali requests for protection.

At least 178 journalists are in prison right now. China, Eritrea, Turkey, Iran and Syria continue to be world's five leading jailers of journalists, as they were in 2012. The number of imprisoned journalists is largely unchanged in China, Eritrea, Iran and Syria and has fallen somewhat in Turkey. Legislative reforms in Turkey have led to the conditional release of about 20 journalists but fall far short of what is needed to address the judicial system's repressive practices.

Reporters Without Borders' secretary-general called for tougher measures to combat impunity when he spoke at a UN Security Council meeting in New York on 13 December on "Protecting journalists." RWB wants Article 8 of the International Criminal Court's statute to be amended so that "deliberate attacks on journalists, media workers and associated personnel" are defined as war crimes. ●

(Source: Reporters Without Borders)

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.

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DESIGNED AND PROCESSED BY: PRINTCOMMUNICATION, 4241355



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