



# Free Expression

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A NEWSLETTER OF FREEDOM FORUM

## Open Nepal Initiative In Place

**O**pen Nepal Initiative (Open data and aid transparency) – a collective effort of a coalition of organizations including Freedom Forum, NGO Federation, Young Innovations and the aidinfo program at Development Initiative – was launched amid a function in the capital on June 6, 2013. The Open Nepal launch was an important event of Open Nepal Week beginning from June 2 that included media roundtable discussion, data literacy bootcamp and hackathon. On the occasion, a portal [www.opennepal.net](http://www.opennepal.net) was launched.

It is a platform to promote the availability of better data and provide tools, skills and support to help those in the development ecosystem to access, analyze and use data for more inclusive and effective development.

Giving welcome remarks at the launch, Chairperson of the Freedom Forum, Taranath Dahal, said that the initiative for the open Nepal and open data was taken with the motto that every citizen should be provided data/information in an understandable form and format. Only availability of information/data was not adequate to ensure people's accessibility to information, he said.

On the occasion, keynote speaker, principal advisor to the Finance Ministry, Dr Chiranjivi Nepal, said that openness was the only tool that could increase the wealth of nations. Openness could uplift countries and uplift people and the poor. "Aid transparency is not sufficient at present in Nepal", he said, adding the challenge to Nepal is to improve transparency.



Participants at Open Nepal Week Program (R), Keynote speaker Dr. Chiranjivi Nepal addressing the program

On the occasion, Victoria Room, a policy advisor from the Development Initiatives, said the Open Nepal was not to replace the existing information systems and processes. Instead it sets out to build on those existing systems and processes, and provide a hub to support different actors to access, analyze and use the data to maximum value.

Executive Director at the FF, Krishna Sapkota, said the FF in the Open Nepal Initiative aimed to strengthen capacity of economic-beat journalists and parliamentary secretariat employees to make them able to use, analyse and impart aid information as intermediaries, reach out to

citizen for increasing their awareness level on ATA issues through budget/aid literacy program and to establish a baseline of data availability.

Chief Executive Officer at the Young Innovation, Bibhusan Bista, said the portal was aimed at making every data available. Open Nepal was more than a technical platform, he added.

Earlier, on June 5, a hackathon was organized with the participation of the people, especially the techies. It was the development of applications from data relating to the motto of open data and open Nepal. Various 19 pitches

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## FF In IFEX Council

Freedom Forum is happy to share that it has been elected a Council Member of IFEX, the largest global network of institutions working for freedom of expression. Freedom Forum was elected for council through voting of IFEX members at the 17<sup>th</sup> General Meeting and Strategic Conference held in Phnom Penh, Cambodia from 17 to 20 June 2013. The newly elected council members for 2013-2015 are, Association of Caribbean Media Workers, Trinidad and Tobago; Canadian Journalists for Free Expression, Canada; Centre for Independent Journalism, Malaysia; Egyptian Organization for Human Rights, Egypt; Foro de Periodismo Argentino, Argentina; Freedom Forum, Nepal; Independent Journalism Center, Moldova; International Federation of Journalists, Belgium; International Press Institute,

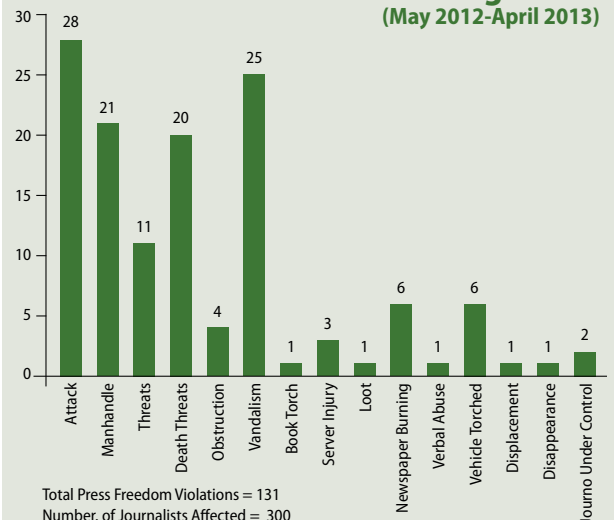
Austria; Media Foundation for West Africa, Ghana; Media Institute of Southern Africa, Namibia; and PEN International (Writers in Prison Committee), United Kingdom. The voting for the council member was held on June 17. In addition to election of the council members, various 12 organizations became IFEX members through this general meeting.

It is the regard of international community to the continued struggle of key stakeholders, including FF, Nepali journalists and media for improving and augmenting broader area of freedom of expression situation in Nepal. FF is grateful to all freedom of expression workers in Nepal and all IFEX members and supporters for this opportunity. FF Chairperson Taranath Dahal participated in the meeting.

Indeed, the FF, since its establishment

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## Press Freedom Violation during a Year (May 2012-April 2013)



*See annual May 3 report on page 3*

## Message from Chairperson

Freedom of expression and opinion is a fundamental right, and the media is an effective and vibrant means to express views and thoughts on any matter or about any issue of public concern. With the passage of time, new media has emerged changing the entire landscape of the media and its roles. Internet has provided tremendous opportunities and platforms to everyone to express views, engage people on any topic, debate on it and seek solution and furnish recommendation to any authority. As the internet is a broad area, it has helped build new forms of platform for expression as with website, blog, news portal, and social media including facebook, twitter, and linkedin. The changing facet of media has obviously affected Nepali media and journalists. But in the recent days, the police persons have been taking stock on journalists operating news portals and questioning the content though police are not the authorities to scrutinize the media content.



However, it is important that journalists have no special rights to exercise freedom of expression more than to the common people. So, they also need to heed the legal duty. In this connection, Section 47 of the Electronic Transaction Act 2008, according to which, the police harassed some journalists, has mentioned that anyone publishing 'illegal materials' in electronic form would be punished. The illegal materials as the Section describes are dissemination through internet/email which is contrary to the public morality or decent behavior or anything that spreads hatred or jealousy against anyone or jeopardizes the harmonious relations among people of various caste, tribes and communities.

Of course, the breach of law is punishable. But the concern is- Is it the police administration to see the media content? Where is the chance for journalists for self correction? How justifiable that journalists are arrested and suppressed for the news they write? The recent police action on the news portal operator and its news writer was evidently unjustifiable, as it discourages the new media opportunities and is responsible for growing self-censorship among journalists. This incident also points out an urgency to amend related laws. The amendment to the related laws should encourage the freedom of expression practitioners to be responsible for the people disseminating factual information. The Freedom of Expression and Right to Information are very important rights and once these are suppressed, various glaring issues as responsive governance, accountability, transparency, informed citizenry and inclusive participation would be clouded.

Finally, Nepal is now heading for election to the Constituent Assembly again. A free and fair election depends on many things. Among these, media is very significant. Once the media is free and fair, it helps ensure the free and fair CA election. Periodic election is vital to democracy where free media is equally unavoidable to nurture democratic values. When media launches healthy debates on election, voter education and awareness, it encourages people/voters for active participation and make the politicians accountable to the voters and the elections inclusive and meaningful. To make the media outlets more credible and make reporting more sensible, journalists in Nepal are in need to adopt a new perspective of data journalism. Drawing evidence with data/fact is an important part to make a healthy opinion and influence public authorities for selecting better policies and their execution for the greater good of people.

*Taranath Dahal*

Taranath Dahal

## KC bags Courageous Journalism Award

Freedom Forum and IPI Nepal Chapter jointly honored Govinda KC, reporter with the Nagarik daily from Dailekh, a hilly district in the far western region of Nepal, with the 'Courageous Journalism Award' for 2013.

Acting Chief Justice Damodar Prasad Sharma conferred the award on journalist KC amidst a programme organized by FF in collaboration with IPI Nepal Chapter in the capital city on May 2, 2013 on the occasion of the World Press Freedom Day (May 3).

Also the publisher and editor of a local Teshro Ankha vernacular daily, KC was honoured with the award in recognition of his contribution to fostering press freedom and curbing impunity despite facing life threats especially in reporting about the murder of journalist Dekendra Thapa.

KC untiringly and dauntlessly reported about the murder-accused of journalist Thapa in the local and



Acting Chief Justice Damodar Prasad Sharma giving award to journalist Govinda KC

the national newspaper from his district, which in a way created pressure on the authority to initiate action against the perpetrators.

But, he along with his 22 friends were forced to leave from their work station in Dailekh after receiving continuous death threats from the leaders and cadres of then ruling Unified Communist Party of Nepal (Maoist) and its breakaway faction Community Party of Nepal-Maoist over the news reporting on the arrest of the Dekendra's murder.

On the occasion, Acting Chief Justice Sharma said free press was important not only for independent judiciary but also for the protection of human rights.

The Supreme Court is committed to making the court media friendly, he added.

Similarly, Member of the National Human Rights Commission Gauri Pradhan said Nepal witnessed disappointing time in terms of free press this year. Senior journalist Harihar Birahi said free press is not only for journalists but also for the empowerment of people and their freedom of expression, he added.

Freedom Forum Chairman Taranath Dahal said the governments in the recent years have been indifferent to the free press. Also IPI Nepal Chapter Chairperson Padma Singh Karki said the program was organized to inspire journalists to exercise freedom of expression in a free and professional manner.

Award recipient KC said the award has encouraged him to continue his fight for citizen's right and press freedom. He reminded the harrowing reality of fight for press freedom and right to information, especially after the murder of journalist Dekendra Thapa in the district. Marking the same day, Acting CJ Sharma released a book, *Sarbochha Adalatbata Bhayeka Suchana Tatha Sancharsambandhi Phaisalharu* (Supreme Court Decisions on Information and Communications) published by FF with financial assistance from IMS, Denmark.

# Press Freedom at Receiving End of Political Instability

May 3 Report 2013

Compared to the last year, this year (1 May 2012- April 30, 2013) witnessed an upsurge in press freedom violations and incidents against freedom of expression. Freedom Forum has recorded a total of 131 press freedom violations during this monitoring period. Nearly 300 journalists were affected with the incidents.

As was in the past, journalists and media outlets were at the receiving end vis-a-vis political turmoil. Significant this time was- tumultuous beginning (May 2012) and the same in the beginning of New Year (January 2013) in Nepali media. Broadly speaking, these two times- the eve of the dissolution of the Constituent Assembly (May 27, 2012) and the arrest of the murder-accused of journalist Dekendra Thapa (January 2013) were dominant in media landscape.

The ruling Unified Communist Party of Nepal (Maoist) took centre stage by suppressing citizen's right to information and freedom of expression thereby befouling free and fair atmosphere for the journalists to make news.

In different places, with the misuse of political power, media persons were badly assaulted by the Maoist party cadres leaving them seriously injured.

Whether with a lure by providing assistance to media persons and media outlets and associations loyal to the ruling parties, or trying to revise media policy or with strong objection to media reports, the government led by the UCPN-Maoist made utmost efforts to control media.

Besides political parties, security person, government officials, businessmen, ethnic community and leaders, cine artist, unknown gang were others intimidating to Nepali media with frequent attack, threat, death threats, manhandle, vandalism, newspaper burning.

In addition to this, government led by the Maoist party frequently made attempts to suppress the freedom of expression sometime by appointing party favourites and sometime appointing ineligible person in different information and media related bodies.

No new policies in favour of press freedom were introduced this year. As about the **new trends** this year in Nepal media, the emergence of associations and groups advocating merely for some indigenous people or particular ethnic community was really threatening to media freedom. It was witnessed on the eve of dissolution of the CA. Next, even the cine artists

## Some Important Incidents

**A. Unprecedented Attack on Media:** In the two weeks from May 8 to 24, 2012, Nepali media faced unprecedented attacks. During the two weeks, a total of 88 press violation occurred in the country. It was because of the eve to the dissolution of the Constituent Assembly. May 20-22 were really black days in media. Journalists received flurry of threats and attacks during these days. Two journalists were severely injured during the demonstrations of different ethnic groups and associations organized in this period in the capital city.

**B. Mass Displacement of Journalists:** On January 24, 2013, as many as 22 journalists left Dailekh, a far western district, for Surkhet, reasoning they were facing constant threats to life by the Maoist party cadres after they reported on the investigation over the murderers of journalist Dekendra Thapa in the district.

**C. Disappearance, whereabouts still unknown:** Madan Poudel, a radio journalist from Kanchanjunga, a mountainous district in the northern east of Nepal has been missing since September 16, 2012 while attending a program for reporting. The whereabouts is still unknown.

**D. Maoist Party Cadres Assault Journalists before PM:** The cadres of ruling UCPN-Maoist assaulted a dozen of journalists at its program attended by party Vice-Chairman and then Prime Minister Baburam Bhattarai in Kavre, a neighbouring district of the capital city, on 28 January 2013.

**E. Impunity Watch-** Welcome deeds: The punishments meted out as per the law on the perpetrators are the welcome deed in Nepali media. During the monitoring over a year, the perpetrators involved in serious violation of press freedom-

have emerged intimidating to media. Cinema, despite being one of the medium of free expression, created hostility to another medium of expression. Mass displacement of journalists was another new trend.

Despite this, some developments on impunity in relation to journalism/press freedom as imprisonment to murderers of journalist Dekendra Thapa after long can be taken as positive indicators.

All in all, bigger political crisis put the media freedom to corner. The rising number of press

killing journalists- were brought to book and awarded imprisonment.

- i. On April 22, 2013, the District Court Morang sentenced Manoj Rai to five years in prison while Rohit Koirala to six months for assaulting Khilnath Dhakal, reporter with the Nagarik daily, from Biratnagar. The duo had mercilessly attacked Dhakal on June 5, 2011, over a news report by him.
- ii. Similarly, Jhapa District Court on February 25, 2013 delivered a verdict awarding life imprisonment with confiscation of all properties to Yuvraj Giri, the main accused behind the murder of journalist Yadav Poudel, reporter with the Rajdhani daily and the Avenues Television. Other accomplices as Phul Maya Karki (Manju) were slapped three-year imprisonment while her husband Somnath Dhakal one year and Madan Rai six months.
- iii. Finally, the district attorney of Dailekha on January 28, 2013 filed a murder case against nine district cadres and leaders of the Maoists parties (ruling UCPN-Maoist, and breakaway faction CPN-Maoist) in the district court Dailekh following the due investigation and establishing proofs on their involvement in the murder of journalist Dekendra Thapa. Those filed cases against are- Lachhiram Ghartimagar, 45, of Dwari-1, Nirak Bahadur Ghartimagar, 41, of Baluwatar-9, Bir Bahadur KC, 42, of Baluwatar-4, Hari Lal Punmagar, 49, of Dwari-3, Jay Bahadur Shahi of Raniban-1, Bam Bahadur Khadka Arun and Keshav Khadka of Chhiudipusakot-1, Bam Bahadur Khadka Mukti of Katti-1 and Baktiram Lamichhane of Dwari-1.

freedom violation (there were only 96 incidents of press freedom violation during the same monitoring period last year) is the candid evidence of this.

Analyzing these incidents and events over this monitoring period, it is fair to say the situation of press freedom was dissatisfying. So, time has come to make efforts for the protection and promotion of press freedom in order to ensure democratic values and culture in the country.

## Editor Expelled without Prior Notice

Pradeep Kaphle, news editor and program presenter at the Damauli FM of Tanahu, western hilly region of Nepal, was sacked without prior notice and his program banned in the radio on June 4, 2013.

Mr Kaphle said, "I was banned from entering the FM Office by the management on June 4, and my programs were also cancelled and banned from airing a day earlier. I was informed over phone but not with formal or written information."

The decision to sack him, he argues, came suddenly after the management meeting of June 2 attended by its patron Govind Raj Joshi. This is the second time he was harassed and humiliated by the FM station. He was



Editor Pradeep Kaphle

demoted to news reader and reporter from the News Chief on January 21, 2013 merely because he aired the views of a leader live from a program. The leader giving speech, as he said, was objected by the patron of FM, Govind Raj Joshi.

He was made a victim of the rivalry of political leaders in the district. Mr Kaphle further informed that he was the regular staff (News Chief, editor, reporter) since the establishment of the FM five years back. He has share in the FM too.

"I, despite being victimized by the management need respected exit- as I need an appointment letter which I've not been provided till date. Then I myself will tender resignation and leave the hostile work atmosphere."

The story shows deplorable situation of a working journalist in Nepal. The FM management never abided by the Working Journalists' Act but suppressed journalists' rights, and misused them for partisan interest.

## Political Leaders Threaten Journalist of Physical Action

On June 26, 2013, Suman Malla, reporter with the Nayapatrika daily from Mugu, was threatened of physical action over the news story he wrote about the political parties' sharing of budget in a Village Development Committee (VDC). Mugu is an upper hilly district in the distant and difficult mid-western region of Nepal.

Reporter Malla was invited by Chief District Officer Hira Lal Chaudhari at his office where the district leaders of the Nepali Congress and the CPN-UML parties grilled why he wrote the news. They threatened him of breaking hands and legs if he continued writing such.



Reporter Suman Malla

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# Scribe's arrest sparks new debate on Online Journalism

**F**irst of its kind in Nepal, journalists affiliated to the news portals were held reasoning a news story and dubbing the story falling under the cybercrime. The incident created furor in Nepali media freedom. It also opened up avenues for broad discussion and debates among stakeholders, including media policy makers, government and its agencies and free expression practitioners, about the internet freedom, international standard of free expression, current policy and media laws, code of conduct to the online news portals, cybercrime, use and misuse of social media, role of the Press Council Nepal, demand of the amendment of Electronic Transaction Act. FF maintained its stand that arrest of journalists merely because of news was against freedom of expression practice and against law.

FF believes that no citizen should be treated as a criminal while exercising any medium of freedom of expression.

On June 20, 2013, police arrested guest editor to a news portal- www.nepaliheadlines.com, Sushil Pant, and its owner Santosh Bhattarai, reasoning a news story about a girls' college the online published nearly a month back.

Police held them saying, 'there was something to inquire about a news story'. But it was known on June 23 that one more journalist was held 10 days before the pair were held from the capital city.

According to the District Police, Kathmandu, Pushkar Nath Kandel, operating a news portal-www.extrakhobar.net in Palpa, a hilly district in the western region of Nepal was arrested over the same news story he copied from the www.nepaliheadlines.com.

After learning the arrest, Freedom Forum continuously monitored the situation considering the right to freedom of expression. During the monitoring, FF met the detained journalists, inquired about their condition, asked the concerned police officials about the arrest, asked district attorney about the case and maintained its stand for the journalists' right.

Asked why the journalists were arrested, the District Police, Kathmandu, said, "After Campus Chief of the Kanya Multiple Campus, Dillibazaar, of the capital city lodged a complaint that the news carried in the nepaliheadlines.com would badly tarnish the image of the campus and character of the girl



Editor Sushil Pant

## Why did police arrest you?

The police arrested us over a news story published in the Nepaliheadlines news portal. Initially, we were called to the Hanumandhoka Police Office, saying the police want to know something about copy right issue. When we reached there we knew we were getting arrested over the news. I defended that no journalist could be held over the news, but the police detained us.

## What actually was the news your online portal carried?

A news was about the Kanya Campus of Kathmandu which was published month back. It was said we were arrested over the same news story. This is much about it because Press Council Nepal is handling the news issue.

## How do you find the online media in Nepal? What are its challenges in your views?

students, we arrested the journalists."

But, FF was against the sudden arrest of journalists merely because of news writing. And, it was not the police person to handle the content issues if anything was wrong. Highhandedness of the police was evident to arrest journalists because there is already a separate agency, Press Council Nepal, a regulatory body to monitor the media content.

Arresting journalists on criminal case merely over news writing is against the international practice of freedom of expression. It is not the police but the Press Council Nepal to monitor whether the news content destabilizes social harmony.

Therefore, FF continuously demanded the immediate release of journalists.

The journalists were released later on 24 June, 2013. Here is what editor Pant said in the interview.

The online media is thriving in Nepal due to the advancement of information and technology. The culture of reading news in internet has attracted the journalists towards online media. Nepali online media have been very good source of information to the Nepalis living abroad. But state has not recognized. So, it is deterring. The state has not treated online journalism the way it does to the mainstream journalism. It is very difficult to have the online media registered, classified, and monitored. Even the online media is facing the problem that the information officers deny information to them.

## Freedom of expression, which is beauty of democracy, is constitutionally guaranteed in Nepal. Do you find it respected? What is the difference between State's policy and practice of such rights?

The constitution has guaranteed freedom of press and of expression in preamble but it is contrary in practice. How can we say freedom of expression is guaranteed in Nepal when the journalists are detained and borne with mental torture over the news? Journalists are arrested with false accusation. The government policy though sounds well, the officers

who execute the policy are of old mindset regarding the freedom of expression. It reminds us of party-less Panchayat system.

## Finally, as you are a free expression practitioner, what's your suggestion (to media person, State, security) to improve free expression practice in Nepal?

In my view, most of the Nepalis have very narrowed understanding of the freedom of expression. Many think that freedom of expression is the right to write in newspaper. The online media, with the development of IT, has been a mainstream media. Many big newspapers have launched online edition. But, the freedom of expression thought has not got rid of 1991 time.

Undoubtedly, the media can't brush aside the social responsibility, which, however, doesn't mean that it can't write the negative aspects of the changed society. The State never protects press freedom because the press is always its opposition. But, suppressing FoE in the democratic republic is a despotic thought. None can suppress any journalist merely for writing.

## Political Leaders Threaten...

The incident was quite abhorrent that the political parties wallowed in misuse of budget and corruption threatened journalist in the presence of CDO, who instead of taking action on the political parties involved in the financial irregularities, encouraged them to grill the journalists, torch bearers to expose social and financial malpractices

It is the latest case of the political parties threatening journalist to hide their embezzlement. Such incidents are responsible for growing self-censorship among journalists which is harmful to professional journalism.

Meanwhile, a political leader issued death threat to a journalist in Itahari, a city in the southern plain of eastern region in Nepal, on May 25, 2013.

Reporter with the Annapurna Post daily from Itahari, Somnath Bastola, was issued death threat by Hem Karna Poudel, a leader of Nepali Congress party in Sunsari district, over a news report on crime.

Reporter Bastola said that district leader of the Nepali Congress, Mr Poudel, threatened him of life reasoning he (Bastola) wrote false news about Surya Rai, another cadre of the party involved in crime. Poudel argued that Rai was clean.

He added that Rai was in police's most wanted list which he made the story about.

It clearly shows how hostile the political leaders are against free reporting. Also, it is the protection of criminal by the political leaders which jeopardizes security to every people.

# 85 Activists Produced, 54 IOs Trained

**F**reedom Forum, working actively in the sector of democracy, right to information (RTI), and freedom of expression since its inception, has produced as many as 85 RTI strategic activists and trained 45 information officers (IOs) as part of its continuous mission for promoting the practical use of RTI in different spheres of development.

With the broader aim of augmenting democratic practice through the use of RTI by making the public agencies transparent and accountable to the people, and prodding both supply and demand sides of information, the FF has continuously taken the RTI as the best tool to promote good governance.

Lately, under the strategic campaign on practical use of RTI launched for a year, 85 strategic activists have been produced with training by the FF. The activists come from different parts of the country, representing the municipalities and districts vulnerable to governance, and prone to corruption.

Following the training, the RTI strategic activists produced by the FF has spread RTI regime in Tarai, southern plain of country, and in the mid-western hill with the intensified campaigns.

In this connection, Dhanusha Chapter coordinator of the FF, Dhruva Jha (second lot trainee), and Ganesh Baniya (first lot trainee) has come up with really commendable jobs in the districts they are working as active strategic RTI activists.

According to the reports, Dhanusha district, having 64 public agencies (government offices) but the information officers at only four agencies have now increased to 32 public agencies due to effect/impact of information seeking campaign launched by FF's Dhanusha chapter for the last six months.

Most of the districts in the southern plain of Nepal are vulnerable in terms of governance. It is commonplace if there are news stories about corruption rife in the government offices in Tarai.

Considering this, FF had established its branch office at Dhanusha, a city in the southern plain of country, where chapter coordinator Dhruva Jha launched the information seeking campaign.

Chapter coordinator and RTI campaigner Dhruva Jha said, "It was very difficult to make public agencies aware about RTI Act. There were only four agencies having information officers in the beginning. Irregularities and corruption was rife. But, the information seeking campaign with the RTI use has changed the mindset of government officers. No public agency now rejects registration of information seeking application."

As Mr Jha said, the vibrant RTI campaign launched by the active youths in Dhanusha district has brought change. With the use of RTI law, not only citizen's right to information is promoted and respected but also the public agencies have tried to maintain transparency and accountability.

Similar story of improvement in government offices is from Jajarkot, a remote upper hilly district in the mid-western region of Nepal. It is not only geographically difficult but the people here are suffering from myriad of problems, as they are deprived of various government services. Smooth and prompt delivery of government service to the people here is a dream.

Amidst this situation, facing challenges, the strategic RTI activist produced by FF, Ganesh Baniya, has helped bring forth change in governance with the untiring information seeking campaign launched for the last 7 months.

## Stories from the ground

"All 35 public agencies (government offices) in the district have now assigned Information Officers after I sought information with them, using the RTI," said Baniya with the Freedom Forum.

Indeed, the RTI is now a buzz at every program organized in both districts. The district officers do not reject to give information when requested, said both Jha and Baniya univocally.

Needless to say, most of the Tarai districts have the failure records in development performance, which is triggered by the misuse of finance and budget in the local bodies.

The information seeking process launched by the strategic activists produced by FF has gained pace in making the neglected agencies accountable to public. The campaign has also debunked the financial misuse and made aware the public about the mis/use of the tax they pay.

Moreover, following the training, 45 Information Officers at different government agencies, and ministries, including the Office of the Prime Minister and Council of Ministers, environment for better practice of RTI has been boosted in the government offices. The secretaries, department chiefs and offices heads after the training have assimilated the need of the practical use of RTI so that they could be transparent and accountable to the people. Their commitment to promote and protect RTI for the sake of good governance was strong point to make the supply side of information dedicated to the transparency and accountability, the essentials to democratic value. Recently, news has come that every Village Development Committee Secretary is assigned to work as information officer in the VDC they work. It is one of the impacts of the training, a welcome deed in deed.

## 54 IOs of Government Agencies in the Central Level Trained



Information officers attending RTI training

A total of 54 information officers at central level of government agencies were provided training on RTI, focusing how they could help create atmosphere for better practice of the RTI with clear understanding of the subject matter. The 3-day training was conducted in two lots- first from April 3 to April 5, 2013 while the second from 7 to 9, 2013.

Both trainings were held in the capital city. Senior journalists, media practitioners, and RTI experts imparted the training. The training was organized in collaboration with Society of Information Officers Nepal (SION). RTI trainers, including Taranath Dahal, Dharmendra Jha, Kashiraj Dahal, Dr Ram Krishna Timilsina, Binaya Kasajoo, Sabita Baral and Shree Ram Panta led different sessions at the event. The IOs were from the public agencies representing administration, security, monitoring body, corruption watchdog, election, banking, women's rights, labour and immigration. The officers from the level of Section Office (gazetted third class officer) to Joint Secretary (gazetted first class) participated in the training. They were from different ministries, the Office of the Prime Minister and Council of Minister (OPMCPM), Police Head Quarter, National Vigilance Centre, Commission for Investigation of Abuse of Authority (CIAA), Public Service Commission, Nepal Telecom, Election Commission, National Women's Commission, Immigration Department, and National Planning Commission.

## 46 youths trained on RTI focusing Municipal Governance

With the completion of three 5-day trainings on practical use of RTI focusing municipal governance on June 12, 2013, FF has produced a total of 46 RTI campaigners, aiming at improving the implementation status of RTI in the local level (municipality, village development committee, district) thereby augmenting the RTI regime across the country.

During the trainings, the participants were imparted both theoretical and practical knowledge and skills about the RTI. Identification of information, its importance, and information seeking procedure were some important parts of the training.

In the practical session of training, the trainers were sent to various public agencies (government offices) in the Kathmandu Valley to file information applications. Similarly, they were taken to the National Information Commission to garner knowledge how it was functioning in the RTI sector and how it could help the RTI campaigners across the country.



Youths from different municipalities attending RTI training

## Govt. Suppresses Peaceful Campaign

On April 9, 2013, police arrested 12 human rights activists who were campaigning under the 'Occupy Baluwater' campaign for over 100 days, demanding the end of violence against women and justice, establishment of rule of law, and against the impunity, from Baluwater area, the place of the Prime Minister's residence.

The arrested ones were Sudha Maharjan, Sushila Maharjan, Ishan Adhikari, Jagannath Lamichhane, Bidushi Dhungel, Prajwal Shrestha, Mukesh Shrestha, Nirprakash Giri, Kunjan Kafle, Mahis Maharjan, Bikram Shrestha and Ujwal Thapa .

The arrest of the campaigners is a blatant violation of their freedom of expression and of peaceful protest, which is guaranteed by the law. Although the arrested ones were released after some hours, such suppression is against the human rights.

April 9 was the 103rd day of the peaceful protest of the rights campaigners. The Occupy Baluwater campaign was launched by the rights defenders against the backdrop of the rising number of violence against women (VAW) to mount pressure on the concerned authority to cater justice to victims of VAW, and punish the perpetrators rigorously.

## Immigrant's FOE rights violated

Nepali Ambassador to Qatar, Maya Kumari Sharma, wrote to the Qatar government to deport a Nepali citizen Dipendra Bhetwal to Nepal, with a 'false accusation' that he was writing against Nepal government.

According to the Kantipur daily published from Kathmandu, Bhetwal had been writing in the Qatar edition of the daily about ignorance of Nepal's Embassy in Qatar towards the problems of Nepali workers in Qatar.

The right to freedom of expression is frontier-less issue which everyone needs to respect. And, Sharma, as a Nepali citizen, needs to abide by Nepal's laws which have fully guaranteed one to freedom of expression.

## Judicial Council Denies Information

Chairman of the Judicial Council denied information regarding the Council's decision on appointment of appellate and district judges.

Advocate Binod Karki had sought the information about the marks he and others obtained in the examination for the judges. But Council Chairman Damodar Prasad Sharma who is also the Acting Chief Justice said that it was not mandatory to give the information. "There is no provision in the Interim Constitution of giving marks to the candidates during the interview," he added.

Mr Karki was one of the contenders but was not selected.

The Acting Chief Justice's views violated the RTI Act, as it is against Section 3 of the Act which mentions- (1) Every citizen shall, subject to this Act have the right

to information. (2) Every citizen shall have access to the information held in the public bodies.

Similarly, the Interim Constitution of Nepal 2007 in its Article 27 states- Every citizen shall have the right to demand or receive information on any matter of his or her interest or of public interest.

Freedom Forum batted for advocate Karki's right to get information.

Meanwhile, news reports had come that Judicial Council's decision on the judge appointment was politically influenced; and of late the some newly appointed judges have shown affiliation to the political party thereby reasoning the political influence.

It has also questioned the sanctity of the decision. It shows the lack of transparency in legal sector which is harmful to democratic culture.

## RTI Program on Radio and TV !!

### Suchanako Hak

Debate and Discussion on Right to Information

Watch  
Himalayan Television  
Every Tuesday  
At 9:00 PM



Tune  
Radio Nepal  
Every Monday  
After 9 PM News.

## FF In IFEX...

in the turbulent moment of political history in Nepal, has been continuously working for the free expression, media freedom to enhance informed citizenry, good governance and transparency for the sake of improved democratic culture.

The IFEX says, "Its network reflects that diversity. Our newest members span the globe, representing countries in Central Asia, Central and Southern Europe, the Middle East, Africa, and North and South America. Some focus their efforts on defending media freedom, while others address broader free expression issues including academic and artistic freedom. The new members have all expressed their keen commitment to engage with, learn from and contribute to the network, and we look forward to working with them as

we all, individually and collectively, continue to take on the many challenges to our shared, fundamental right to free expression."

It is worth noting that FF had been the IFEX members last year.

The IFEX general meeting and strategy conference is held every two year and is the largest global gathering of free expression advocates.

The meeting and conference was co-hosted by IFEX member-Canadian Center for Human Rights. The General Meeting brought together over 200 individuals, representing 96 free expression organizations from 67 different countries. During the Meeting, there were plenty of variety in types of sessions and a wealth of opportunities for one-on-one meetings and networking.

The IFEX said, "Our awareness of the challenges the people of Cambodia and other Southeast Asian countries are facing, and our respect for the courage and tenacity with which they are meeting these challenges, has grown even stronger."

The opening session featured stories from free expression activists and experts from Burma, Cambodia, Indonesia, Malaysia, the Philippines and Thailand.

## Open Nepal...

were mulled during the hackathon. There was ideation on the applications relating to Nepali context as election, budget, school finder, foreign aid and others.

Similarly, on June 3-4, a data literacy bootcamp was organized. The bootcamp was focused on distillation of data, its analysis, extraction and sifting. On the occasion, World Bank trainer Craig Hammer said how information could be made accessible to every people was the goal of the bootcamp. Making data/information consumable was important need, he added.

Similarly, the government officials made presentations on the efforts being made to make the information on aid transparent and accessible. The transparency of aid-related data, they argued, would point the effectiveness of government and development assistance.

The week began on June 2 with Media Gatekeepers Roundtable event where representatives from many of Nepal's major media houses were present for presentations and discussion on open data and data journalism which was facilitated by the World Bank Institute and the Open Aid Partnership. The event brought together an audience of senior level media stakeholders – owners, senior editors, leaders of media-related CSOs. On the occasion, Taranath Dahal, Chairperson of Freedom Forum spoke on how the media could use open data to strengthen its role as watchdog. Craig Hammer, Program Leader, Global Media Development at the World Bank Institute spoke of global trends in open data and data journalism, and made the case for the media to play a leading role in accessing, interpreting and communicating data to a popular audience.



Participants at the 17th IFEX General Meeting and Strategy Conference Participants at the 17th IFEX General Meeting and Strategy Conference

(Photo: IFEX)

# 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		
Staffs and Roles	<b>Krishna Sapkota:</b> Executive Director, Management head of the organization, coordinates overall organizational and project Affairs (Development and Implementation)		
	<b>Anirudra Neupane:</b> Program Manager, Manages program affairs and Performs responsibilities as the Information Officer.		
	<b>Narayan Ghimire:</b> Media Monitoring Officer		
	<b>Dipesh Ghimire:</b> Program Officer		
	<b>Aruna Adhikari:</b> Finance Officer		
	<b>Dan Bahadur Karki:</b> Program Assistant		
	<b>Manju Ojha:</b> Media Monitoring Assistant		
	<b>Trishna Dhakal:</b> Admin Assistant / Receptionist		
	<b>Basanti Thapa:</b> Office Assistant		
	<b>Project Staffs:</b> Freedom Forum Hires Short Term Project Staffs based on Need of projects		
Ongoing Project Information	<b>Project Name</b>	<b>Supporting Agency</b>	<b>Date of Signing the Contract</b>
	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
	RTI: Diagnostic Study	The Asia Foundation	27 February 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
	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	
Services Offered/ Activities Carried Out	Research, Media Monitoring, Advocacy, Trainings, Meetings, Workshops, Seminars and other Campaigns to promote issues of Democracy, Right to Information, Freedom of Expression, Human Rights and Governance and Legal Support to Journalists.		
Responsible Authority	Chairperson: Taranath Dahal, Executive Director: Krishna Sapkota		
Decision Making Process	General Assembly : Making policies, rules and regulations of organization Executive Committee: Formulation and Action Plans as per constitution of organization, rules and regulation Management Team: Running projects and daily operational affairs and reporting timely to the Executive Committee.		
Past and Current Activities	Please follow the link: <a href="http://freedomforum.org.np/content/activities/completed-activities.html">http://freedomforum.org.np/content/activities/completed-activities.html</a> <a href="http://freedomforum.org.np/content/activities/current-activities.html">http://freedomforum.org.np/content/activities/current-activities.html</a>		
Name of Information officer and Executive Director	<b>Krishna Sapkota :</b> Executive Director <b>Anirudra Neupane:</b> Information Officer		
Financial Information	Freedom Forum received Cash and Kind Grants Amounting NPR 11,873,055.15. Follow the link for detailed information: <a href="http://freedomforum.org.np/content/publications/reports/financial-reports.html">http://freedomforum.org.np/content/publications/reports/financial-reports.html</a>		
Official Website	<a href="http://www.freedomforum.org.np">www.freedomforum.org.np</a>		
Publications of Freedom Forum	Freedom Forum has about 50 Publications (Printed) Please Follow the Link: <a href="http://freedomforum.org.np/content/publications.html">http://freedomforum.org.np/content/publications.html</a>		
Activities Carried Out Last Year	The Annual report of F/Y 2011/12 depicts the information in this regard. Please, follow the link below: <a href="http://freedomforum.org.np/content/publications/reports/annual-reports.html">http://freedomforum.org.np/content/publications/reports/annual-reports.html</a>		
Mechanism for Information Dissemination	Websites: <a href="http://www.freedomforum.org.np">www.freedomforum.org.np</a> ; <a href="http://www.nepalpressfreedom.org">www.nepalpressfreedom.org</a> , <a href="http://www.nepalelectionchannel.org">www.nepalelectionchannel.org</a> Newsletter: Free Expression, Radio/TV Programs, Social media (Facebook, Twitter)		

## FF in Forums

- FF Chairperson and General Secretary of International Press Institute (IPI) Nepal Chapter, Taranath Dahal, participated in the IPI Annual World Congress held in Oman, Jordan, from May 19 to 21, 2013.
- FF Chairman Mr Dahal also participated in the IFEX General Meeting and Strategic Conference held in Phnom Penh, Cambodia from 17 to 20 June, 2013.
- Executive Director Krishna Sapkota and Program Manager Anirudra Neupane attended a program Pro-

poor Budget Analysis, Information and Aid Advocacy in Nepal held in Godavari, Lalitpur from May 13-16. On the same occasion, chairperson Mr. Dahal delivered a presentation on 'Open Access to Budget Data.' The program was organized by World Bank Institute.

- Mr Sapkota made a presentation on budget transparency at national level based on FF's works on Open Budget Survey (OBS) at a South Asian Governance Learning program organized by Care International in Kathmandu from June 10-13, 2013.
- Executive Director Mr. Sapkota delivered a

presentation on FF's works on governance focusing on RTI and budget transparency at a program in Kathmandu on June 9, 2013. The program was coordinated by Good Governance Foundation where a Pakistan Social Accountability Network had attended the program to learn about key actors of social accountability in Nepal.

- Program Officer Dipesh Ghimire and Finance Officer Aruna Adhikari attended Capacity Building Training for Strategic Partners held in Dhulikhel, Kavre from June 25-29, 2013.

# Journalists in Exile 2013

Somalis, Syrians flee violence; Iran crackdown deepens: CPJ

**New York, June 19, 2013:** A report CPJ released its annual survey of journalists in exile to mark World Refugee Day, June 20 counts only journalists who fled due to work-related persecution, who remained in exile for at least three months, and whose current whereabouts and activities are known to CPJ. The survey is based solely on cases CPJ has supported, from which it derives global trends. CPJ's survey does not include the many journalists and media workers who leave their countries for professional opportunities, or to flee general violence, or those who were targeted for activities other than journalism, such as political activism.

Journalists who CPJ assisted cited fear of violence as the top reason for deciding to leave. The most deadly country for journalists currently is Syria, where at least 28 were killed for their work in 2012, according to CPJ research. CPJ supported five journalists who fled in the past 12 months and a total of 18 over time. CPJ estimates that a higher number have left, but the nature of the conflict and the refugee crisis makes confirming the precise number difficult. CPJ's work with Syrian exiles is ongoing.

Violence is also acute in conflict-ridden Somalia, forcing out 70 journalists since 2008, according to CPJ research. Somalia has also ranked in the top 10 deadliest countries for journalists every year in that period. In 2012, a record 12 journalists were murdered in Somalia, even though government forces largely ousted Al-Shabaab militants from the capital, Mogadishu, in 2011. The recent killings have raised concern that reporters are being targeted by a widening field of politically motivated antagonists.

Those who fled Somalia, Mexico, and Sri Lanka told CPJ that they made the decision to leave because they could not rely on local authorities to provide them with security and protection. The three countries all rank on CPJ's Impunity Index, which spotlights places where journalists are slain and their killers go free. Countries with high impunity rates often see an increase in violence because perpetrators feel emboldened by the slim chances of being caught. The result is self-censorship and exile. "Mexico is

becoming a silent tomb where journalists are mute and authorities are deaf," Basurto said.

The second most common reason journalists gave for fleeing their homes is the threat of imprisonment. Iran is the second worst jailer of journalists worldwide, according to CPJ data. Since Tehran cracked down on journalists following the contested 2009 presidential elections, using a policy of arrests, appalling prison conditions, furloughs, and

re-arrests, CPJ has documented a series of journalists fleeing to neighboring countries. The nine journalists who CPJ assisted in exile

in the past 12 months is double the number we helped the previous year, reflecting the government's increased effort to stifle the media ahead of the presidential elections earlier this month.

Many journalists fearing imprisonment also fled Eritrea and Ethiopia—Africa's top jailers of journalists in 2012. Of the 30 journalists who CPJ assisted

in exile from Eritrea since 2008, most

spent time in the country's infamous prisons before escaping the country. One print reporter, who asked not to be identified for his safety, fled Eritrea for Sudan in August 2008 after nearly six years in a government detention center. He was arrested in 2002 and was never officially charged with a crime, though he said he was repeatedly interrogated, forced into labor, and tortured with restraints and suspension of his body for extended periods of time. Prior to his arrest, he had worked in the official media, and had also been a contributor to one of a handful of independent newspapers in the country. Eritrean authorities shut down all independent media outlets in a widespread government crackdown on dissent beginning in September 2001. Many journalists have languished in prison since, without charge or trial.

Journalists in the East Africa nations of Somalia, Eritrea, Ethiopia, and Rwanda fled in high numbers over the past 12 months, as they have in prior years. Since May 31, 2012, CPJ supported 18 exiles from East Africa, making the East Africa region responsible for

the highest number of exiled journalists for the sixth consecutive year—as long as CPJ has been collecting this data. The majority have relocated to the capitals of Kenya and Uganda, where they live under very difficult conditions.

Somalis living in Nairobi told CPJ they face continuous threats from multiple actors. Several said they have been physically abused, extorted, or illegally detained by Kenyan security forces, who discriminate against refugees in the capital city. In December 2012, the Kenyan Department of Refugee Affairs issued a statement blaming Somali refugees for contributing to Kenya's insecurity problems, and ordering all in Nairobi to relocate to refugee camps, where journalists have told CPJ there is acute violence.

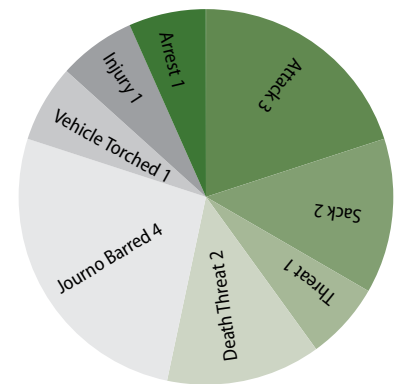
Iranian journalists in exile have similar concerns. Of those who fled Iran in the past couple of years, at least three are living in Malaysia, where there is a growing population of exiled Iranians because visas are relatively easy to obtain at entry points. Iranians in Malaysia told CPJ that they live in fear due to threats of violence and legal action from individuals who they believe work for the Iranian government.

Other Iranians fled to Turkey, where entry visas are not required but where there is no government support or protection. Turkey does not offer permanent asylum to non-Europeans; Iranian refugees are not allowed to settle there permanently or to work.

(Excerpts from: <http://cpj.org/reports/2013/06/journalists-in-exile-2013.php>)

**Fifty-five journalists fled their homes in the past year with help from the Committee to Protect Journalists. The most common reason to go into exile was the threat of violence, such as in Somalia and Syria, two of the most deadly countries in the world for the profession. Others fled the threat of prison, especially in Iran, where the government deepened its crackdown ahead of elections.**

## Press Freedom Violation during three months (April to June) 2013



*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 and electoral reform based on its on-hand experience and learning.*

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