



# Free Expression

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A NEWSLETTER OF FREEDOM FORUM

## Expanding RTI Second National Convention

Freedom Forum held a two-day National Convention on right to information (RTI) in Kathmandu on August 7 and 8. Gathering over 350 people working in diverse sectors ranging from media to RTI campaign and advocacy from across the country, the convention issued the second Kathmandu Declaration with the resolution on expanding RTI network throughout the country.

The Convention was inaugurated by Minister for Information and Communications, Dr Minendra Rijal. On the occasion, Minister Dr Rijal said government was committed to protecting citizen's right to information. Wishing all the best for the successful conduction of the convention, the Minister urged the RTI campaigners to be aware of the right to privacy while advocating for information.

The RTI campaigners from 55 districts, and legal practitioners, RTI activists, researchers, government officials, university teachers, social scientists, and development practitioners, among others reviewed the challenges and achievements of the RTI since the first convention of 2011 and suggested the government, NIC, public agencies, and civil society organizations on how they could be committed to further protecting and promoting RTI to build informed citizenry, an essential element of participatory democracy.



Minister Dr. Minendra Rijal releasing a report 'Open Aid Data and Budget Data in Nepal' during the convention.

During the extensive deliberations for two days in the convention, the participants urged the government to amend RTI Act to ensure the information easily and quickly to the citizen. During the crisis, flow of information must be ensured quickly, they stressed. Similarly, the RTI campaigners showed concern over growing security threats on them. Citing it, they demanded safety.

The government was criticized for the failure on managing crisis information as witnessed during the earthquake.

Similarly, the National Information Commission was suggested for further activism with training and awareness campaigns on importance of

RTI in the grassroots. Such campaigns in the local levels were must to empower people to ensure their rights, argued the participants. The convention had presentations of eight working papers on different themes relating to RTI.

In the first day, four working papers presented were: i) "25 Years of RTI in Nepal" by Taranath Dahal, Chairperson of FF, ii) "Role of National Information Commission to Promote RTI" by Kiran Pokharel, Commissioner at NIC, iii) "Role of Nepal Government to Promote RTI" by Shreeram Pant, former secretary at NIC, and iv) "Safety Threat on RTI Campaigner" by Dharmendra Jha, General Secretary of FF.

Similarly, on the second day, v) presentation on "RTI and Youth Students" was made by Haribinod Adhikari, Vice-Chairperson of FF, vi) "Disclosure for Open and Transparent Culture" by youth activist Anirudra Neupane, vii) "RTI in Disaster" by Dr Sudhamshu Dahal and viii) "Role of NGOs to Promote RTI" by Tanka Aryal, Executive Director at CCRI.

The RTI campaigners from different districts shared how they were hassled, disallowed and even threatened while seeking information in



Participants at the convention.

## Message from Chairperson



Citizen should have access to information on the decision making process of government, and on the performance of the state, to be able to hold governments accountable to public.

Initially, access to information was regarded as an access to document, published reports and print out. Over the last few years an open data movement has emerged seeking to move beyond the static documents, and asking for direct access to raw datasets from governments, institutions and officials in power.

Governments across the globe have been encouraged to establish open data initiatives and data portals, providing online access to data on everything from national budget to school performance, health statistics and aid spending, as the governments are such legitimate State agencies that collect and produce humongous data. As a result, governments worldwide have started to implement open data strategies and to launch open data portals to enable the release of these data in open and reusable formats.

In this connection, open health data has emerged as an idea with global reach, sparking interest right across the world. Open data is publicly released information, often from the government or other public bodies, which is made freely available to everyone to use or reuse in any way they like. While it can be read by individuals, for example in a spreadsheet, it should be made available also in a machine-readable format wherever possible.

Therefore open data can be formally defined as data which is accessible (can be downloaded from internet, and obtain easily), machine readable (.XL, .XML, .CVC i.e. opened by all the standard software and supported by all platform and in open format) and openly licensed (which grants permission to access, re-use and redistribute a work with few or no restrictions). In practice, that means data can be downloaded from internet that can be manipulated in standard software, and where the user is not prohibited any way from sharing the data further.

This will ensure that data is not only accessible, but also that it is readable, comprehensible and usable by a wide range of individuals. To achieve these goals, data should be: i) published in a standard format; ii) published without proprietary conditions; and iii) available online in a downloadable format.

On making open data potentially transformative is the fact that it facilitates third parties to use it in ways that create new analyses, visualizations, and mash ups. This kind of innovation can transform raw data into knowledge. When experts of all kinds have access to open data, it becomes a catalyst for creative problem solving and community innovation.

Today, more than forty countries have developed open data policies. These policies vary in the extent to which they meet these three conditions or match our working definition. Almost all, however, are motivated by efforts to break down existing silos and bureaucratic barriers across a wide range of information categories.

Open data has been used widely in each and every sector ranging from national budget to, school data to health statistic and many more. However, data transparency might prove to be a particularly revolutionary tool when it is applied to health information as health data might in some respects prove to be a unique category of information.

Now, once open data protocols and standards are applied to health data it takes form of open health data. Although there is not exact formal definition of open health data, it can be said as open health data inspires for innovation and entrepreneurship, augments transparency in our health care system.

Though open data concept is very new in Nepal there is growing interest from a range of actors, in how access and use of open data can be used to improve accountability and lead to more effective governance. Nepal is seeing a growing open data related initiatives and the emergence of ecosystem and actors coming together to determine how best to increase availability and accessibility of data, and how to ensure it has impact.

In view of the emerging open data movement in Nepal, health is the most important sector that cannot remain aloof. As health is directly related to human's well being, the generation of data on health and their use must be known. The citizen's access to health data not only helps to hold health related agencies accountable but also augments the health care system. So, time has come for Nepal to advocate for open health data.

**Taranath Dahal**  
Freedom Forum

## IFEX's New Council

IFEX (International Freedom of Expression Exchange) has elected new Council for the next two years from its meeting held in Port of Spain, Trinidad and Tobago from October 5-8. The Council meeting was hosted by the Association of Caribbean Media Workers (ACM). IFEX, an independent global body defending and promoting free expression all, including media workers and citizen journalists, has 104 member organisations from across the globe. Freedom Forum is one among them.

The IFEX Council acts on behalf of IFEX network members, overseeing policy and dealing with all strategic and substantial matters facing IFEX.

IFEX Council members for 2015-2017 are:

IFEX Convenor: Omar Rábago Vital – Centro Nacional de Comunicacion Social (CENCOS), Mexico

Deputy IFEX Convenor: Roula Mikhael – Maharat Foundation, Lebanon

Wesley Gibbings – Association of Caribbean MediaWorkers (ACM)

Ilona Moricz – Centre for Independent Journalism – Romania (CIJ-Romania)

Jillian York – Electronic Frontier Foundation (EFF)

Jodie Ginsberg – Index on Censorship

Erol Onderoglu – IPS Communication Foundation – Bianet, Turkey

Benita Izemengia – Journaliste en Danger (JED), Democratic Republic of Congo

Zoe Titus – Media Institute of Southern Africa (MISA), Namibia

Edetean Ojo – Media Rights Agenda (MRA), Nigeria

Owais Aslam Ali – Pakistan Press Foundation (PPF), Pakistan

Karin D. Karlekar – Pen American Centre, United States

Ed Legaspi – Southeast Asian Press Alliance (SEAPA), Thailand

The ACM was represented at the General Meeting by Gibbings and Sheila Velez, ACM Advisor.

Freedom Forum's Chairperson Taranath Dahal, as a Council member, also took part in this year's meeting held in Trinidad and Tobago. ■

## Right to know day marked

Freedom Forum marked this year's International Right to Know Day (September 28) by making social media updates and campaigning on citizen's right to information.

Through the social media especially Facebook and twitter, the FF updated the present status of the right to information in Nepal, its challenges and measures to implement it more effectively.

The tweets and Facebook status focused how RTI is helpful to debunk corruption and irregularities, and administrative malfeasance so as to build transparency and hold public agencies accountable to the public. Also shared were the success stories with the use of the RTI in the country. ■

# Media hardest hit during protests

Nepal got the much awaited new constitution on September 20. The constitution bill was passed by more than two-thirds majority in the Constituent Assembly, the supreme body of the people's representatives. From many sectors from the across the country and the foreign countries too, the constitution was/is welcomed, with the hope it has provided broader rights to Nepali citizens and will pave way for the economic development of the country.

However, some political parties and groups have been continuing agitations in the southern plains (Tarai/Madhes). The agitations in many places have turned violent with damages and arsons. With such, the media persons faced/are facing tough times to report freely. The journalists are therefore suppressed by both agitators and security persons. Free flow of information was obstructed and citizen's right to information grossly violated. During the agitation of various political parties in the month leading to the promulgation of the constitution and aftermath, the agitating activists not only issued death threats but also hurled bombs at journalist's and dictated them not to prioritize other parties' news.

## Agitators threaten of action on reporters

The protestors in the southern plains were targeting journalists reasoning they did not prioritize the Tarai/Madhes agitation issues.

In Birgunj, a city in Parsa district, reporter for the Himalayan Times daily, Ram Sarraf; reporter for Nepal One Television, Naresh Sarraf; reporter with local Birgunj Sandesh, Nehal Khan; reporter with Birgunj Samarcharpatra, Amit Sah; reporter with Parsa Post, Sujit Bhujel; reporter with News 24, Ifran Ali; reporter with Bhojपुरी Times daily were threatened of attack by the agitators on September 21.

"Situation here has been very tough for free reporting," said Ritesh Tripathi, reporter for the Nagarik daily from Birgunj, adding, "Both agitating sides and security forces are hostile to media persons. The agitators are repeatedly warning journalists of action reasoning they were not giving priority to Tarai/Madhes issues, according to him. ■

## Party cadre issues death threat, offender arrested

Kamal Panthi, reporter for the Kantipur daily from Bardiya, a district in the mid-western plains of Nepal, was threatened over facebook by a cadre of agitating Tharuhat party over a news story on the agitation of the Tharuhat party on 2 October.

Reporter Panthi said Tharuhat cadre Mukesh Chaudhari wrote on facebook, "This Kamal Panthi nonentity should be burnt to death taking him to a square."

It was a facebook comment on the post of the news reporter Panthi published in the Kantipur daily. The facebook comment went viral panicking all journalists in the district and environs.

Later, reporter Panthi lodged a complaint at the District Police Office, seeking his security and action against the threat issuer. The police immediately caught the cadres.

"As different political parties and communal groups are waging agitation, the facebook threat of life tortured me for three days. Still, we journalists are working by putting life in risk," he added.

The Tharuhat cadres later excused and the district coordinator of agitating party, Govinda Tharu, also admitted it as a grave mistake. The coordinator and the agitating people promised before the district police and journalists that they won't repeat such. ■

## Manhandle

In Bara, a district in the central southern plains, reporter for Ujyalo 90 Network, Jay Narayan Yadav; reporter for the Gorkhapatra daily, Shiva Shankar Mishra; reporter for Avenues TV, Bhaiya Ram Sah were manhandled by the protestors while they were making news on the arson and vandalism in the district on September 21. They even damaged Mishra's camera.

In Morang, another district in the southern plains of the country, police persons, on September 21, manhandled Abadhes Kumar Jha, reporter for the Kantipur daily, photojournalist Shyam Sundar Sutihar, and Pratik Shrestha, reporter for the Avenues TV, while taming the demonstrators. The Kantipur daily wrote that the security persons even deleted the photos taken by Sutihar. They had asked the journalists not to take photograph. ■

## Newspaper burning

On August 26, the protestors in Birgunj city torched the Nagarik daily reasoning it published a news story disfavoring Madhes issues. Birgunj is a city in the southern plains of the country.

Although some leaders of the agitating political parties said they respect press freedom, their cadres have not followed suit. Media persons are making stories with difficulty while newspapers are burnt, and press vehicles vandalized in different parts. ■

## Misuse of Media

### FM radios glorify Madhes agitation

In the third week of September, some local FM radios were found to have airing the content by glorifying the Madhesh agitation thereby jeopardizing the communal harmony.

Editor of a local Kripa daily, Kamal Kumar Upadhyay, informed that complaints were lodged at the district security office against some FM radios for they were airing the contents which would instigate protest. "Protest program in this place, gather to chase away those against Madhes," such were the calls made by some radios, thereby inciting one against another.

The journalists in the southern plains were bound to face mounting pressure before and around the date the constitution was promulgation- September 20. Pressure on journalists to write or to reject any news was a big threat to them. It obviously blocked people's freedom of expression and grossly violated the press freedom. The political parties and leaders spearheading the agitations were in need of making their cadres aware on press freedom and respect freedom of expression.

The misuse of media is quite harmful to democratic values. We need to be aware of media's misuse which creates anarchy rather than peace where people can exercise their rights freely. ■

## Death threat

On September 3, journalist with a local Pratibodh FM, Pujan Bishwokarma, was issued death threat by the agitating political groups, reasoning that his media did not cover the news of the demonstration the groups made in the city. ■

## Bomb hurled at reporter's home

With the mounting violent demonstrations in the southern plains of the country in the weeks leading to the promulgation of the new constitution (September 20), the protestors hurled a petrol bomb at the home of Ram Sarraf, reporter to the Himalayan Times daily in Birgunj, a city in central region, on evening of September 13. However, no big damage was occurred. The bomb was hurled at journalist's home reasoning, as the protestors said; he did not prioritize the agitation.

The incident was not only a sheer violation of journalists' right to free reporting, it was a threat to life. If there was anything toughest, it was the free reporting, argued the journalists from the southern plains. ■

## Attack

Krishna Humagain, editor at Arjundhara daily of Jhapa, a district in the east of the southern plains of Nepal, was attacked by protestors injuring him seriously in the afternoon today (September 1).

During the strike various agitating political parties and sections organized, the strike enforcers attacked editor and his spouse and vandalized his motorcycle.

"Despite parading the press card and informing he was a journalist, the protestors shouted, 'attack him, attack! He is the one to write news' and kicked him, vandalized motorcycle," informed Humagain's spouse over the telephone.

On September 3, the activists of the agitating Tharuhat Joint Struggle Committee, reached the office of Mission Today daily and assaulted its chief editor and publisher Binod Poudel in Banke, a district in the mid-west of Nepal.

On 7 September, security persons attacked Bikram Rauniyar, reporter for the Mountain TV, while he was reporting on agitation in the neighbouring Dhanusha district.

According to Suresh Ghimire, reporter with the Itahari FM in Sunsari, the protestors attacked Nawin Karna of Makalu TV, Khilanath Dhakal of Setopati news portal and Jitendra Thakur of the Gorkhapatra daily in Biratnagar, a city in the eastern southern plains of the country on September 9.

The agitators also burnt a motorcycle used by reporter Karna. ■

## Arson on FM station

A FM station was set on fire at Tikapur of Kailali, a district in the southern plains of the far-west of Nepal, on August 25.

A local Phulbari FM run by Resham Chaudhari was set on fire by the locals, especially those grown irate after the Tikapur carnage, where a two and half year old child including seven police persons were also killed by the agitators.

The irate locals, especially the relatives of slain toddler, Takendra Saud, committed arson on the FM Station, as a vengeance of the scourge.

The Tikapur scourge was resulted after the indigenous Tharu people's agitation (agitation made demanding a separate Tharu autonomous province while federalizing the country) turned violent killing even a senior security official. The child belonged to the family of slain police person Netra Bahadur Saud.

As the FM station belonged to the indigenous Tharu person, the arson seems revengeful, it was learnt. ■

## Press vehicles vandalized

As the country was making last ditch efforts to promulgate new constitution, the grudges were rife in different parts. The stirs in the southern plains not only paralyzed normal life but also put the media at the receiving end.

The cadres of the Tharuhat vandalized a vehicle belonging to the Annapurna Post daily and also burnt the newspapers at Duhabi bazaar of Sunsari district on August 23. With this, the people in Biratnagar, the biggest city after the capital, could not read the newspaper. The daily said the protestors forcefully took the driver out of the vehicle (Ko 1 Ja 1735) and vandalized it, took out papers and burnt on the street. The police nearby was mute spectator, said the daily.

Moreover, the protestors in the eastern city of Biratnagar on August 31 vandalized a press

vehicle belonging to a local Makalu TV, reasoning it was strike and the media could not operate the vehicle.

A reporter was heading for Road Shes for news in a van (Ba 10 Cha 3937). But a group of protestors all of a sudden pelted stones on it smashing the windows.

In another incident, a motorcycle (Ko 13 Pa 973) used by a journalist with the Himalaya Times, Nirmal Dhungana, was also vandalized some days back in the same city.

In Banke district, the protestors assembled in a number of 40 vandalized a press vehicle (Na 2 Cha 1317) belonging to the Nagarik daily. The vehicle was ferrying the daily early morning of the last week of August.

Moreover, the vehicle (Ba 5 Cha 4778) used by journalist and chairperson of Reporters' Club, Rishi Dhamala, was vandalized by the protestors in the capital city, Kathmandu.

In the same week, the Office of the Annapurna Post daily was vandalized in the capital city. Deputy Editor at the daily, Chudamani Bhattarai, informed that window glasses were smashed with the stones pelted on the office building. ■

## Agitating parties dictate media

The agitating political parties in the southern plains of Nepal came up with the intimidation on media, dictating them not to disseminate news of other political parties.

Paralysing normal life with continuous strikes, the agitating political parties on 27 October, asked local journalists in Bara district not to give space to the news, and the best wishes message of other parties on the festival occasions.

According to editor of a local Kripa daily, Kamal Adhikari Upadhyay, the agitating political parties affiliated to the Madhesi Front organized a press conference and asked all media in the district not to disseminate the news, and best wishes

## Former lawmaker threatens of setting three journalists on fire

On 14 September, former lawmaker Baban Singh publicly threatened three journalists of Rautahat district reasoning they brought the news against protests in the southern plains.

In a live radio interview with a local Kohinoor FM in Rautahat, former lawmaker Singh threatened Gautam Shrestha of Avenues TV, Madam Thakur of the Nagarik daily and Shiva Puri of the Kantipur daily of killing by setting on fire or shooting.

Rautahat is one of the districts in the southern plains where the protestors were escalating the agitations over the proposal six provinces by the draft constitution.

A reporter added, "It is quite scary to go for field reporting, for we can be attacked at any time by the protestors. The protestors are accusing media of writing news in a way it would suppress their agitations."

Although peaceful protest is rights, making agitation violent and panicking journalists and common citizens is never a good practice. Through dialogue, problems can be solved and society made peaceful where citizens' rights are protected. ■

message of the political parties except them. They reasoned that other parties' news and message of best wishes would weaken their protest.

It is a gross violation of press freedom as the political parties have made attempts to suppress media with their guided content. It has scared the journalists. ■

### Difficulty in circulation of newspapers

Meanwhile, due to the prolonged agitation along the southern plains of the country, the circulation of newspapers was badly hampered.

The obstruction in the supply of essentials including the petroleum products to Nepal from India border by the agitation parties have made the media face tough time to reach its newspapers to its readers, complained journalist Dipak Ghimire from Lumbini, a city in the southern plains of the western part of Nepal. ■

### Newspapers cutting pages

Moreover, the newspapers in the capital city have cut their pages owing to the possible shortage of printing paper and ink for the blockade is prolonged in the country's border to India. The blockade is created as the agitation of regional political parties in southern plains of Nepal is continuous. ■

### India's blockade on Nepal blocks free flow of information

The cable operators in Nepal banned the Indian TV channels in response to the undeclared blockade of essential goods including cooking gas and petroleum products to Nepal in the first last week of September.

To this, the Ministry of Information and Communications directed the cable operators to lift the ban, and sought justification.

The cable operators were however afraid of the Communist Party of Nepal (Maoist) led by Biplab, as the latter have pressed them not to operate the channels citing the blockade.

With the ban of the TV channels, free flow of information was blocked and freedom of expression violated.

As free expression is the borderless issue/ rights of people, Freedom Forum urged/ urges India to lift the blockade on Nepal and respect people's right to freedom of expression. Once the blockade is lifted, normalcy would return and media will be operated freely and in a fearless atmosphere. ■

The agitating political parties were constantly urged not to interference with the free media. The suppression on media is against democratic norms- against people's right to freedom of expression, press freedom, and of information. They were urged to respect other's rights while struggling for their own rights. Curtailment of media freedom can not be imagined in any democracy. ■

### Newspapers closed over threat

In the first week of September, five daily newspapers, some weeklies and two FMs in the city were closed their media reasoning mounting threats on journalists in the city where the demonstrations irate over proposed draft of the constitution with six provinces are gripping normal life. They had to close the media for at least two weeks. ■

### News portal blocked

First of its kind in Nepal, a news portal named www.hulakinews.com operated from Kathmandu was blocked (partially) for three days since August 19 over the news published on the portal. The story was written jointly by editor BP Sah and Sanjib Vikram Sah on the death of a local in a police firing during demonstration at Bhardaha of Saptari, a district in the southern plain of Nepal.

Editor Saha said, "Deputy Superintendent of Police from Saptari called me over phone on Wednesday morning and asked to delete the story reasoning such story will foment discord among different communities in the southern plains. The news portal was blocked in the evening though I had published his dissent on the story there."

During the conversation, editor Sah requested DSP to send his criticism on the story, the DSP sent and it was published too. But the website was blocked in the evening.

Moreover, local stringer Sanjib was called in the district police and grilled time and again. "I was also issued threat of arrest warrant indirectly," BP added. ■

### Publications of newspapers stop lacking printing materials

Meanwhile, in the first week of October, reports had come from different parts of the country that various media houses had stopped publishing newspapers for lack of the printing materials as paper and ink. There was a huge scarcity of such materials after India's blockade to Nepal.

In a city in the eastern plains of the country, Biratnagar, the local Udghosh daily, Ujjyalo daily, New Shristi daily, the Darshan daily were not on stand for some days, as there was not printing materials, said a senior journalist Bijay Mishra. Similarly, the national daily Nagarik has also stopped its 'purveli' (eastern) edition for the same reason. ■

### Circulation of newspaper obstructed

The vehicles carrying the Nagarik and Kantipur

### Reporter injured in police firing

I Singh Rokaya, a reporter with the Bulbule FM of Surkhet, a district in the mid-western region of Nepal, was injured in police firing in a demonstration on August 10.

According to fellow reporter with the Bulbule FM, Tekendra Bishwokarma, reporter Rokaya was deputed to report people's protest in the market place of Surkhet. He received gunshot during police firing to control the hysteric demonstration. Injured in leg, Rokaya was referred to neighbouring Nepalgunj city for treatment, he added.

People were demonstrating in the market place, blaming the political parties that they divided the existing region for the proposed six provinces in the federal setup of the country. ■

dailies were blocked from entering the Birgunj city by the agitators on September 21, a day after the constitution was promulgated. ■

### Newspaper burning

On the last week of August, the strike triggered with unreceptive response of some sections of political parties and communities to the proposed six provinces for federalizing the country.

The protestors mobilized by the Joint Tharuhat Madhes Struggle Committee in Banke, a city in the southern plains of mid-west, burnt national dailies- Kantipur, Nagarik and Annapurna Post- reasoning they did not prioritize the news of their protests.

The district leader of Tarai Madhes Loktantrik Party, Lalit Rauniyar, was reported to have provoked the cadres to burn newspapers, saying these were conspiring against their agitation.

Similarly, in Birgunj, the copies of the Himalayan Times, the Annapurna Post and the Arthik Abhayan dailies were burnt by the agitators on September 21. ■

### Editor's home raided

The security persons conducted a raid at the residence of Gopal Budhathoki, editor of the Sanghu weekly, in the capital city on 17 August.

It was learnt that the raid was conducted searching Mr Budhathoki over the news he published in the weekly. The police action is condemnable as it grossly violates press freedom.

The police persons breached journalists' right to free reporting. There is already a separate body, Press Council Nepal, to monitor the content in the newspapers. Anyone discontent with the news can adopt legal recourse rather than targeting journalist. So, it was the highhandedness of the security to harass editor, and therefore a reflection of suppression on free media. ■

# Media houses prodded to devise protocol for journalists safety

After Biratnagar and Hetauda, Freedom Forum organized a Dialogue among Media Owners and Professional Associations on Developing Protocol for Journalists' Safety in the capital city on August 18.

The aim of the dialogue was to share the suggestions, recommendations and commitments from the media owners and professional associations from Biratnagar and Hetauda, and seek additional responses and recommendation from the similar persons (media owners and associations).

In the dialogue, Freedom Forum Chairperson, Taranath Dahal, and Vice-Chairperson of Federation of Nepali Journalists, Anita Bindu, made presentations on the findings (suggestions, recommendations and commitment) from the Biratnagar and Hetauda dialogues.

Some of the key points Mr Dahal made on the presentations were:

## To be done by media owners/media houses

1. Monitor safety issues and have a safety policy that is written, available to staff and the wider public and fully operated.
2. Provide appointment letter and identity card to journalists before providing employment
3. Prepare and implement employees service regulation
4. Report to the Office the Press Registrar on its human resources (journalists, workers, labourers) regularly
5. Extend safety policy to columnists and stringers, their assistants, local employees and support personnel, and family of the journalists
6. Provide ToR to journalists, including columnists and stringers, with respect to safety and personal risk.
7. Ensure that workplace are safe and secure to protect journalists from intruders,

8. Provide hostile environment and risk awareness training before journalists are sent on dangerous assignments.
9. Provide adequate back-up to journalists on dangerous assignments.
10. Ensure that stress counselling is available.
11. Set up provident fund, welfare fund and emergency fund
12. Ensure women and disabled-friendly workplace;
13. Establish hygienic place for foods (canteen)
14. Establish safe home for the journalists facing risk and manage alternative media for work
15. Set up child care centre

## To be done by professional organizations

1. Monitor safety issues and advocate to employers and the authorities to have effective policies about these.
2. Highlight the importance of media professionalism.
3. Provide information resources and promote good practices.
4. Provide practical advice and access to specialist resources to reporters working on dangerous assignments.
5. Make support available to citizen journalists.

6. Establish programs for women journalists that take account of specific risks they will face on dangerous assignments.

Similarly, FNJ Vice-Chair Bindu stressed the points on how the women journalists could be provide safe atmosphere in the reporting and in media house.

A special safety arrangement was needed for the women journalists in view of her biological sensitivity.

According to her, the media owners must be provided the following by the media houses:

1. Appointment letter
2. Timely payment
3. Maternity leave
4. Insurance
5. Minimum remuneration
6. Identity card, Press accreditation card, FNJ memberships card
7. Child care centre

The program attended by more than 30 persons was univocal on the need of the safety protocol.

To mention some key points, Chairperson of the Women Rehabilitation Centre, Dr Renu Rajbhandari, said the entire patriarchal perspective to women needs change to ensure safe atmosphere for the women journalists.

General Manager of the National News



Dialogue in Kathmandu.

Agency (RSS), Nirmala Acharya, said as her was the government media, it had comparatively favourable atmosphere for women journalists. However, she regretted that there no adequate participation of women in the policy level (Board) of the RSS. According to her, she was planning to provide further incentives to the temporary journalists as equal to the permanent one.

IMS consultant Binod Bhattarai said the protocol could focus more on individual level rather than the broader one

Similarly, INSEC representative said the media house needs social media policy so that they could somehow protect their journalists and employees.

Pankaj Das, Chairman of the Madhesi Journalists' Association, said his Association has urged the political parties in Madhes not to use cadres in press freedom violations.

Chief Editor of the Himalaya Times, Govind Luitel, said the program was very fruitful to learn on making the media house safe for journalist. He made commitment that he would take some initiative to this end in his media house.

The dialogue was organized under the "Increasing Safety of the Journalists" UNESCO project.

Earlier, on August 3, the dialogue was organized in Hetauda, a city in the southern plains of the central region of Nepal.

Presentations similar to that of the Biratnagar dialogue were made in Hetauda too. ■



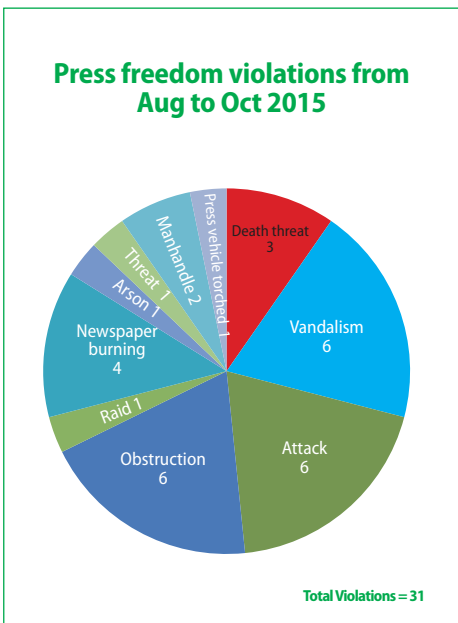
Participants at a dialogue in Hetauda.

## FF in International Forum

- Freedom Forum Chairperson Mr Taranath Dahal participated in the IFEX Council meeting held in Port of Spain, Trinidad and Tobago from October 5 to 8.
- He also participated in the Third Global OGP (Open Government Partnership) Summit held from October 27 to 29 in Mexico. The OGP is a unique coalition of governments and civil society organizations (CSOs) dedicated to making governments more open, accountable and responsive to citizens. Chief Secretary of Nepal Government Dr Som Lal Subedi also attended the Summit.
- Executive Director Mr Krishna Sapkota participated in the Asia Development Bank

(ADB) Open Government Partnership (OGP) Asia-Pacific Regional Meeting with CSO in Manila, The Philippines, in preparation for third OGP Global Mexico Summit in 7-8 September 2015. Likewise, Mr Sapkota also attended Open Budget Survey 2015 Researchers Training organized by International Budget Partnership (IBP) in Washington DC in 21-23 August 2015

- Media Monitoring Officer Mr Narayan Ghimire attended the UPR Pre-session held from October 6 to 9 in Geneva. The UPR Info organises on a regular basis the UPR Pre-session meetings, which aim at strengthening collaboration between different actors engaged with the UPR process.



## Chairperson Dahal felicitated

Freedom Forum is pleased to inform that Chairperson Taranath Dahal was honoured by the National Information Commission on the occasion of the Right to Know Day on September 28, 2015 in recognition to his contribution to the protection and promotion of citizen's right to information in the country.

At the programme organized by the Commission, Minister for Information

and Communication Dr Minendra Rijal offered Chairman Dahal a shawl and a felicitation letter.

The letter reads, "You, Mr Taranath Dahal, Chairperson of the Freedom Forum, are conferred on this felicitation letter in recognition to the leading role your organization played for the promotion of 'citizen's right to information' which is a tool to transparency, good governance

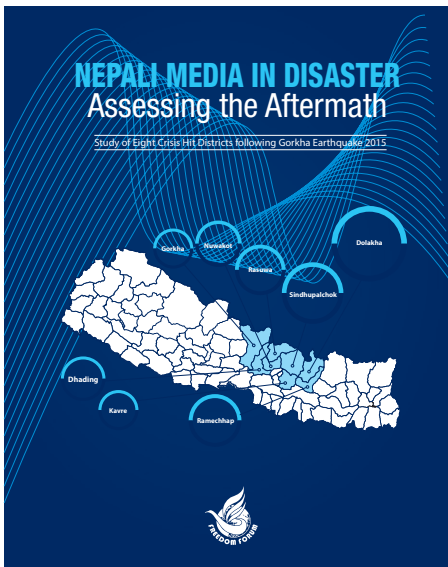
and accountability, the fundamentals of the sustainable democracy. ■



## A. Nepali Media in Disaster: Assessing the Aftermath

The Gorkha Earthquake was a devastation manifold in a sense that it had equally affected all walks of life including media and journalism sector. Even after four months the aftershocks were continuous. There was still a problem to come back to normalcy in the day-to-day operation of media. In this context, Freedom Forum in collaboration with The Asia Foundation conducted an assessment of disaster-triggered damages on media sector in eight of the government-declared 14 crisis-hit districts including Dhading, Gorkha, Kavrepalanchowk, Nuwakot, Ramechhap, Rasuwa, Sindhuli and Sindhupalchowk.

Among the six different sectors of media – newspapers and printing press; television stations and cable service providers; news agency and online media; media associations; media development institutions and NGOs; and journalists and media worker – that were assessed for the damage due to the earthquake, the study found that total damages caused to the entire media sector in the eight crisis hit districts amount to NPR 477 million. The worst-hit among the media and journalism sector is the journalists themselves who had suffered big loss in terms of both huge financial loss accounting in equipment's and properties and a constraining psychological situation. Journalists and media workers suffered the most loss amounting to nearly 90 per cent of the total loss. A total of 455 journalists and media workers became directly affected from the earthquake. Among them most of the affected are from Sindhupalchowk district (89 in number) followed by Ramechhap (68) and almost equal numbers of them were affected in Kavre, Dhading and Dolakha districts (60 each).



However, all other sectors of media covered during the assessment study suffered a heavy loss. As per the enumeration of loss in terms of monetary value Dolakha district suffered the maximum loss in the media sector amounting to nearly NPR 120 million. Sindhupalchowk followed next with a loss amounting to nearly NPR 70 million. Despite being an epicentre of April 25th earthquake Gorkha district suffered comparatively lowest loss among the eight crises hit districts.

There has not been a single media institution in the districts that remained aloof from the multiple effects caused by the earthquake and those which have managed to limp back to business are forced to depend on donated tents and locally-made makeshift shelters. The teeth of the journalism have also been badly affected as the individual intellectual properties of journalists as well as the institutional archives of the media organizations are buried under the rubbles. It has not only put journalists and media workers at risk of physical and professional safety but also restricted their effective watchdog role to reveal the truth and keep the society informed.

Besides media and media workers the organizations and associations pitching for the rights and professional development of media passed through a tough time when their day to day operations disrupted, physical properties damaged and the psychological fear of further devastation eroded their confidence level.

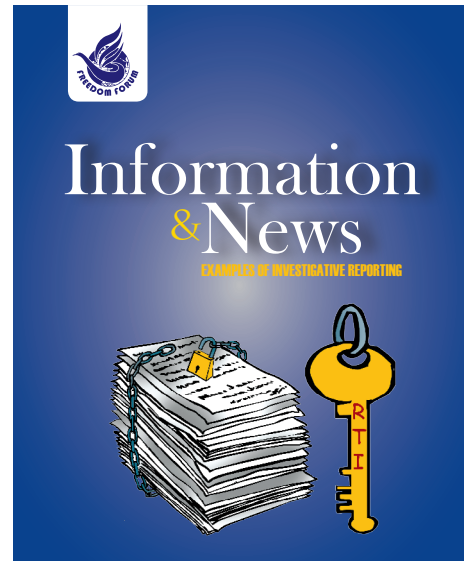
Apart from deficit resources the journalists also assessed the situation's adversities due to in-adequate knowledge and training as how to work in the disaster. The journalists themselves suggested having a series of crisis reporting training and workshops as survival skills to remain in the profession.

The book can be downloaded from <http://freedomforum.org.np/content/publications/books/>

## B. Information and News: Examples of Investigative Reporting

It has been almost eight years Nepal have RTI Act, but stakeholders' role is slow off the mark in terms of implementing the RTI effectively. Media persons are those to relay the information to the public by seeking the information of public concern from different agencies. When the news is spread on rumor, hearsay or on personal interest and intention, the facts and reality are distorted and weakened. So, the media persons need to be provided easy access to the source of information. If the reporters are not accessed to the source of information, they fail to

maintain the professional standard. In view of this very aspect, the RTI law was devised to establish reporters' easy access to information sources. However, the media have not carried the news using the RTI to the extent they are expected to. The reporters should have used the RTI to seek more information and dig the hidden matter, but it has not been so due to



meager practice of RTI.

In this background, Freedom Forum had conducted a three-day investigative training for the reporters from the capital city and mofussil under the SANCHAR (Support for Accountable National Institutions for Citizen's Access to RTI) project. The orientation had aimed at encouraging reporters to apply RTI for reaching the valid sources of information and searching the authentic facts, so that they could engage in the investigative journalism. Similarly, the journalists from different districts were requested to provide the investigative news and feature articles they prepared by using the RTI and disseminated in the media.

These books- one English and another Nepali- are therefore a compilation of the news stories and features written by the RTI-trained reporters who applied the RTI and made the stories investigative. The stories here are the ones selected out of more than 150 stories.

FF hopes this publication will help encourage the trend of writing investigative news stories with the use of RTI and contribute to the practice of fact-based journalism. Similarly, this compilation of the news stories is expected to be a very resourceful material for the media students, journalists, and those willing to whet knowledge on RTI.

The books are available at <http://freedomforum.org.np/content/publications/books/> ■



**TRANSPARENCY  
(OPEN BUDGET INDEX)**

**24**

OUT OF 100

The Government of Nepal provides the public with **minimal** budget information.

**PUBLIC PARTICIPATION**

**19**

OUT OF 100

The Government of Nepal is **weak** in providing the public with opportunities to engage in the budget process.

**BUDGET OVERSIGHT**

**18**

OUT OF 100

**BY LEGISLATURE**  
Budget oversight by the legislature in Nepal is **weak**.

**75**

OUT OF 100

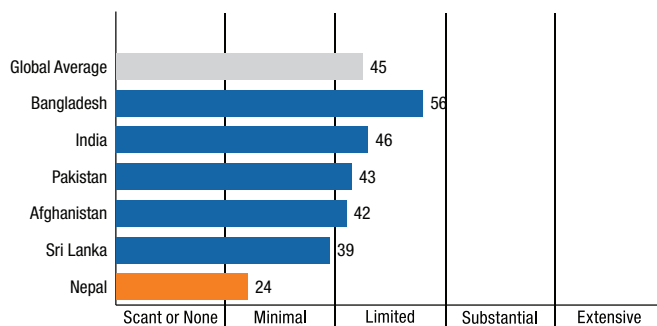
**BY AUDIT**  
Budget oversight by the supreme audit institution in Nepal is **adequate**.

**TRANSPARENCY (OPEN BUDGET INDEX)**

Drawing on internationally accepted criteria developed by multilateral organizations, the Open Budget Survey uses 109 indicators to measure budget transparency. These indicators are used to assess whether the central government makes eight key budget documents available to the public in a timely manner and whether the data contained in these documents are comprehensive and useful.

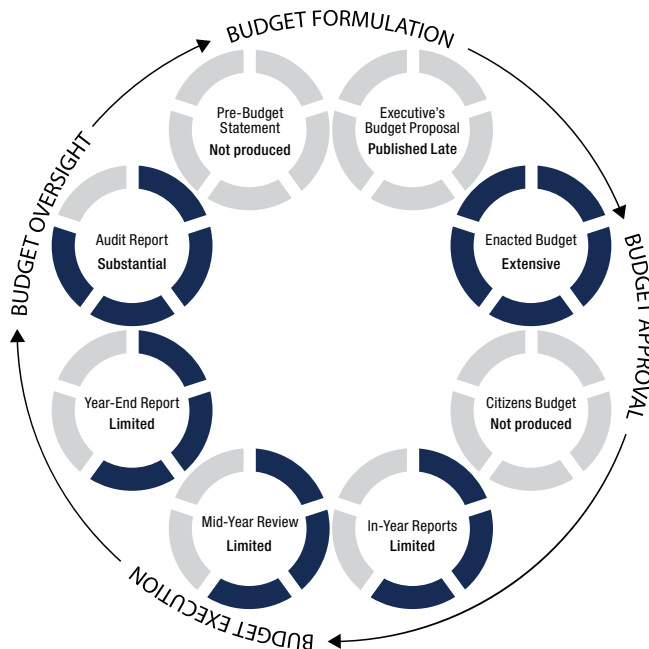
Each country is given a score out of 100 which determines its ranking on the Open Budget Index – the world’s only independent and comparative measure of budget transparency.

**Regional Comparison**



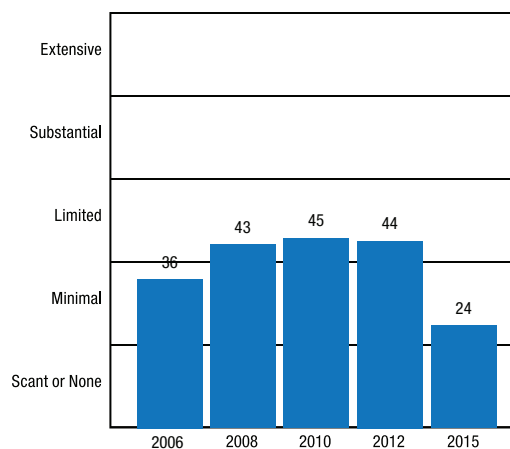
Nepal's score of 24 out of 100 is substantially lower than the global average score of 45.

**Usefulness of Budget Information Throughout the Budget Cycle**



Note: The following categories are used to report the usefulness of each document: **Not produced, Published Late, Internal Use, Scant, Minimal, Limited, Substantial, or Extensive.**

**Change in Transparency Over Time**



# TRANSPARENCY (OPEN BUDGET INDEX)

## The Availability of Budget Documents Over Time

| Document                    | 2006 | 2008 | 2010 | 2012 | 2015 |
|-----------------------------|------|------|------|------|------|
| Pre-Budget Statement        | ●    | ●    | ●    | ●    | ●    |
| Executive's Budget Proposal | ●    | ●    | ●    | ●    | ●    |
| Enacted Budget              | ●    | ●    | ●    | ●    | ●    |
| Citizens Budget             | ●    | ●    | ●    | ●    | ●    |
| In-Year Reports             | ●    | ●    | ●    | ●    | ●    |
| Mid-Year Review             | ●    | ●    | ●    | ●    | ●    |
| Year-End Report             | ●    | ●    | ●    | ●    | ●    |
| Audit Report                | ●    | ●    | ●    | ●    | ●    |

● Not produced/published late ● Produced for internal use ● Published

Nepal's score of 24 on the 2015 Open Budget Index is substantially lower than its score in 2012. However, the regression in transparency observed in Nepal

appears to be temporary in nature. The decline in Nepal's OBI score was largely due to its failure to make the fiscal year 2013-2014 Executive's Budget Proposal publicly available. However, since the end of the Open Budget Survey research period on 30 June 2014, Nepal has returned to its previous practice of publishing the Executive's Budget Proposal in a timely manner.

Since 2012, the Government of Nepal has increased the availability of budget information by:

- Improving the comprehensiveness of the Enacted Budget.

However, the Government of Nepal has decreased the availability of budget information by:

- Failing to make the Executive's Budget Proposal publicly available.

Moreover, the Government of Nepal has failed to make progress in the following ways:

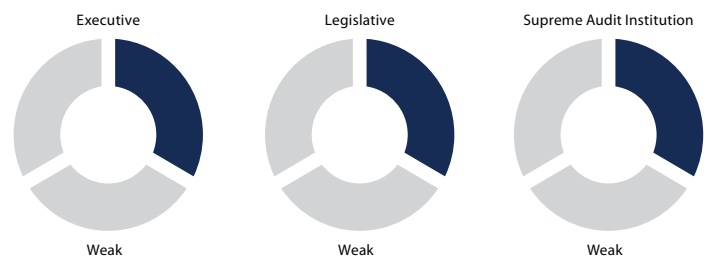
- Not producing a Pre-Budget Statement and a Citizens Budget.

## PUBLIC PARTICIPATION

Evidence suggests that transparency alone is insufficient for improving governance, and that public participation in budgeting can maximize the positive outcomes associated with greater budget transparency.

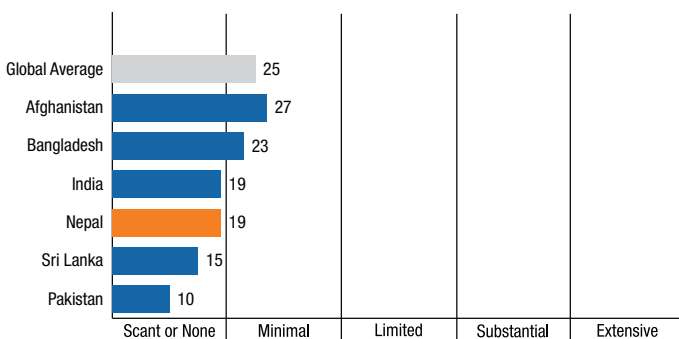
To measure public participation, the Open Budget Survey assesses the degree to which the government provides opportunities for the public to engage in budget processes. Such opportunities should be provided throughout the budget cycle by the executive, the legislature, and the supreme audit institution.

### Elements of Public Participation



Nepal's score of 19 out of 100 indicates that the provision of opportunities for the public to engage in the budget process is **weak**. This is lower than the global average score of 25.

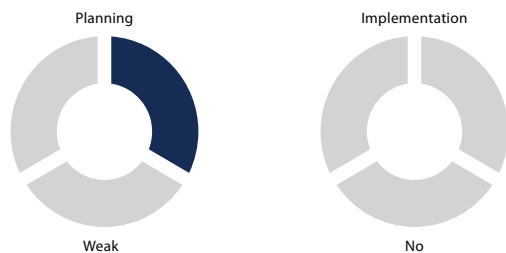
### Regional Comparison



## BUDGET OVERSIGHT

The Open Budget Survey examines the extent to which legislatures and supreme audit institutions are able to provide effective oversight of the budget. These institutions play a critical role – often enshrined in national constitutions – in planning budgets and overseeing their implementation.

### Oversight by the Legislature



The legislature provides **weak** oversight during the planning stage of the budget cycle and **no** oversight during the implementation stage of the budget cycle. The legislature does not have a specialized budget research office, and the executive does not receive prior approval by the legislature before implementing a supplemental budget. Moreover, in both law and practice, the legislature is not consulted prior to the virement of funds in the Enacted

Budget, spending any unanticipated revenue, and spending contingency funds that were not identified in the Enacted Budget.

### Oversight by the Supreme Audit Institution



The supreme audit institution provides **adequate** budget oversight. Under the law, it has full discretion to undertake audits as it sees fit. Moreover, the head of the supreme audit institution cannot be removed without legislative or judicial approval, which bolsters its independence. Finally, the supreme audit institution is provided with sufficient resources to fulfill its mandate but has a weak quality assurance system in place.

## RECOMMENDATIONS

### Improving Transparency

Nepal should prioritize the following actions to improve budget transparency:

- Publish consistently the Executive's Budget Proposal in a timely manner.
- Produce and publish a Pre-Budget Statement and a Citizens Budget.
- Increase the comprehensiveness of the Year-End Report by presenting more details on planned versus actual debt and interest, as well as on the planned versus actual macroeconomic forecast.

### Improving Participation

Nepal should prioritize the following actions to improve budget participation:

- Establish credible and effective mechanisms (i.e., public hearings, surveys, focus groups) for capturing a range of public perspectives on budget matters.
- Hold legislative hearings on the budgets of specific ministries, departments, and agencies at which testimony from the public is heard.
- Establish formal mechanisms for the public to assist the supreme audit institution to formulate its audit program.

### Improving Oversight

Nepal should prioritize the following actions to strengthen budget oversight:

- Establish a specialized budget research office for the legislature to enable more robust discussions on the budget.
- Ensure the executive receives prior approval by the legislature before implementing a supplemental budget.
- In both law and practice, ensure the legislature is consulted prior to the virement of funds in the Enacted Budget, the spending of any unanticipated revenue, and the spending of contingency funds that were not identified in the Enacted Budget.

## METHODOLOGY

The Open Budget Survey uses internationally accepted criteria developed by multilateral organizations such as the International Monetary Fund (IMF), the Organisation for Economic Co-operation and Development (OECD), and the International Organisation of Supreme Audit Institutions (INTOSAI). It is a fact-based research instrument that assesses what occurs in practice through readily observable phenomena. The entire research process took approximately 18 months between March 2014 and September 2015 and involved about 300 experts in 102 countries. The Survey was revised somewhat from the 2012 version to reflect emerging developments in accepted good practice and to strengthen individual questions. A full discussion of these changes can be found in a technical note on the comparability of the Open Budget Index over time (see below).

Survey responses are typically supported by citations and comments. This may include a reference to a public document, an official statement by the government, or comments from a face-to-face interview with a government official or other knowledgeable party.

The Survey is compiled from a questionnaire completed for each country by independent budget experts who are not associated with the national government. Each country's questionnaire is then independently reviewed by an anonymous expert who also has no association to government. In addition, IBP invites national governments to comment on the draft results from the Survey and considers these comments before finalizing the Survey results.

Despite repeated efforts, IBP was unable to get comments on the draft Open Budget Questionnaire results from the Government of Nepal.

Research to complete this country's Open Budget Survey was undertaken by:

Tara Nath Dahal, Krishna Sapkota and Anirudra Neupane  
Freedom Forum  
PO Box 24292, Thapathali  
Kathmandu, Nepal  
[info@freedomforum.org.np](mailto:info@freedomforum.org.np)

### Further Information

Visit [www.openbudgetsurvey.org](http://www.openbudgetsurvey.org) for more information, including:

- The Open Budget Survey 2015: Global Report
- Individual datasets for each of the 102 countries surveyed.
- A technical note on the comparability of the Open Budget Index over time.

*From Page 1..*

the public offices, full of irregularities. Laxman Sharraf, a youth from Parsa, a district from southern plains, shared that he was detained by police for over 24 hours merely because he sought information in the District Agricultural Office. Mr Sharraf also shared plight that the police persons involved in his arrest and detention were not taken action till date.

Attending the Convention, Chairman of the Development Committee of the Parliament, Rabindra Adhikari, also expressed commitment to citizen's right to information, a fundamental right.

Meanwhile, Chief Commissioner at NIC, Krishna Hari Baskota, committed during the closing of the convention that the NIC had taken the suggestions of the RTI campaigners positively and would expand its activities to all districts across the country.

Chairman of the organizing body, Freedom Forum, Taranath Dahal, observed that the huge and enthusiastic participation of the RTI campaigners, activists, researchers, government officials numbering over 350 was the realization

of a need to expand RTI regime for good governance in the country.

"The convention was fruitful to make the government, parliamentarians aware on value of RTI; prod NIC for more activism, and encourage campaigners to continue the movement, so

that the fundamental rights of people would be guaranteed and transparency and accountability built in public offices," he added.

Please see the Kathmandu Declaration on Page No 13-14. ■



A participant putting a query to the panelist.

# Second National Convention on RTI

## Kathmandu, 7-8 Aug 2015

We, the participants of the Second National Convention on Right to Information (RTI), held in Kathmandu on 7-8 Aug 2015, which was attended by RTI activists from 55 districts across the nation as well as civil society members, political party representatives, journalists, legal practitioners, and government officials, including the Chief Information Commissioner and Commissioners, hereby adopt the following resolutions as the Second Kathmandu Declaration on the promotion and practice of Right to Information:

Acknowledging Right to Information as the internationally accepted right of everyone to access information held by public bodies at all levels—local, national as well as international, in principle; and acknowledging the spirit of the nations commitment for ensuring public access to information, as outlined in the Preamble of the Right to Information Act 2007, and also recalling the fact that the nations Constitutions since 1990 have upheld Right to Information as one of the fundamental rights of the people;

After an intensive deliberations for two days on various aspects of the use and exercise of Right to Information, and also based on the sharing of experiences among ourselves, in relation to the situation of RTI practice in the Capital as well as its neighboring and the far flung districts;

Reassured by the success stories of a number of people in this regard, and also by the optimism expressed by RTI activists in acknowledging the scope of RTI as effective tool to empower people and promote social accountability and culture of openness through information, despite lapses and lacunas;

And also reviewing the progress and challenges in the aftermath of the First National Convention held in Kathmandu in March 2011;

We have come to a conclusion that the following points deserve serious consideration for the effective practice of Right to Information in Nepal:

**1. Application:** Application process

ought to be simplified. Citizenship certificate should not be made mandatory in asking for information, as not all citizens have received official citizenship papers. Also, dissemination purpose should also be accepted as a valid reason for information requests. (NIC precedence in this regard has to be widely circulated.)

**2. Online application should be allowed.** Public bodies must be urged to design and post RTI application slog on their website. Institutional requests should also be allowed for RTI.

**3. "Oath of Office and Secrecy" has to be replaced or redefined in a way that does not clash with the spirit of Right to Information.**

**4. RTI Act s overriding clause 37 should be clearly amended to avoid confusion and it should categorically override all other laws regarding information, wherever it appears to contradict with other acts/ rules; and laws such as National**

## DECLARATION

Secrecy Act, Data Protection Act and Individual Privacy Act should be made non-contradictory with RTI Act.

**5. Regarding constitutional provision on RTI, a phrase „impart has to be added after „right to seek and receive and „citizen has to be replaced with „people in the clause as per the international standard. Thus, the clause recommended is „Every people shall have the right to seek, receive and impart information on any matters of concern of his/her or of public concern'.**

**6. As the nation prepares to embark on federal structure, provincial Information Commissions must be brought under the umbrella of Federal NIC, to prevent conflict.**

**7. National Information Commission:** National Information Commission must be empowered with sufficient resource bases, and power to take or recommend

actions against those violating its ruling. It must also be empowered to question officials over information issues, based on media or any other reports. Pressure should be mounted to make it a fully empowered Constitutional Body in the new Constitution.

**8. Law must be amended to expedite information access.** Requests for specifically pointed out and available documents should be made instantly available or at least no later than three days!

**9. Many public bodies are not ready even today to provide information.** Invoking Clause 32 is recommended whenever appropriate.

**10. Stronger punitive measures should be taken against officials providing wrong information, as it can cause much harm to the concerned.**

**11. Media:** Media community should promote the use of RTI as it helps journalists produce and disseminate fact-based, and data-supported authentic information, and thus promote credible journalism.

**12. There is slackness in proactive judicial measures/interpretation in upholding the spirit of Right to Information.** Hence, judicial sectors are urged to address the issue progressively, acknowledging the prevailing international norms and practice.

**13. Transition from feudal to democratic setup is felt to be partly responsible for slackness in optimum exercise of RTI/ Fol.** Therefore appropriate orientation packages are necessary for stakeholders in both demand and the supply side of the Information, that is, from people to the officials as well as the institutions at both governmental and non-governmental levels. Orientation is felt strongly needed both at educated and illiterate levels (from general public to the higher level government officials).

**14. All public agencies—public or private—should be brought under the purview of RTI laws.** The I/NGOs, Civil

Society Organizations, Donor Agencies, Political Parties and Private Sectors among other public agencies should fully adhere to the RTI provisions in practice as set out in the Act and ensure their transparent operation and management. The agencies including NGOs, political parties as well as private sector are also urged to promote suo motu disclosure and RTI in general.

15. Data leads to Information and Information leads to Knowledge, thereby empowering the one who holds knowledge. Hence data infrastructure has to be upgraded, improving the record management system. Information and Communication Technology (ICT) has to be optimally used for ensuring efficient record and flow of information in particular and overall process of the RTI.
  16. Right to Privacy and Right to Information should be taken side by side, not conflicting with each other, through proper record management.
  17. Government should opt for being the part of global initiatives for promoting transparency and openness such as Open Government Partnership (OGP), Open Government Data (OGD), and Global Partnership for Social Accountability (GPSA).
  18. Government must promote proactive disclosure among its bodies. Classification of information should not go beyond the five categories of information outlined in the law, and it must be done immediately in a scientific manner.
  19. The RTI coordination and monitoring units of the government needs to be boosted up in terms of their authority and resource-base.
  20. Safety of RTI activists has come as a new challenge. Government, judiciary both should be serious about the safety of the RTI activists. A comprehensive security policy should be formulated for information seekers. A quick coordination mechanism is essential for tackling the issue of security in course of exchange of information. (In this respect we appreciate the courage of all RTI activists who have worked amid threats and challenges and express full solidarity with them!).
- Role of security bodies is very important. Law is silent about safety of RTI activists, so it must be revised/amended. RTI activist security helpline is necessary. An appropriate safety response mechanism has to be developed to address the growing threats to information seekers.
- Federation of RTI activists, networks, and NGOs suggested; coordinated efforts/campaign at institutional levels should be encouraged. NHRC and NIC must work in coordination in safeguarding security of RTI activists.
21. The RTI movement of Nepal has to be developed in a way to make the country's democratic governance transparent, accountable and people-centered for public good.
  22. Public information center has to be created to facilitate various information.
  23. Regional-level convention is also necessary to ensure wider public participation.
  24. A comprehensive research is essential to know the objective level of public awareness and use of RTI as well as the impact and associated challenges of eight years of RTI practice in the country.
  25. Reward package has to be set-up to encourage RTI friendly activities.
  26. RTI curriculum has to be developed in higher education. Research institutions have to be developed to undertake study on Right to Information on different fronts.
  27. Proactive Disclosure: As openness is way to transparency and good governance, proactive disclosure is an indication of a culture towards it. Hence, public bodies must work to ensure that they disclose their information through various means, even without citizens asking for them. For this, budget should be allotted for improving the record management system, and both NIC and Nodal Agency at PMO should monitor the status of Proactive Disclosure.
  28. **Crisis mitigation:** Correct flow of information holds greater importance in times of natural calamities. The governments as well as other responsible bodies are urged to disseminate both pre-calamity and post-calamity information fairly and truthfully, so that crisis could be mitigated more effectively. A separate agency for strategic inclusive of crisis information centre should be established in line with RTI Act to ensure timely information in crisis in a proactive manner.
  29. National Information Commission (NIC) is urged to host periodical problem redressing camps. Answer sheets of examination papers must reach parents hands.
  30. NIC must work proactively to expedite information dissemination based on the cc of applications. Otherwise, cc wouldn't have any meaning except for its listing.
  31. Tangible incentives are necessary to Information Officers to boost their performance.
  32. Mention of Information officer must be made mandatory when renewing NGOs/institutions.
  33. Code of conduct for RTI activists is necessary.
  34. A central web portal should be developed to voluntarily share experiences, learning and challenges facing RTI campaigners and activists across the country.
  35. Periodical action plan and long-term national strategic plans ought to be devised in order to promote RTI practice. The national plan has to be developed on the involvement of broad-based stakeholders.
  36. The Postal Service Department, Regional Postal Service Directorate and District Postal Offices should be made more resourceful from human, technical and economic perspective and proactive in discharging the government-designated responsibilities. A monitoring body comprising District Administration Office, civil society organizations and postal office has to be put in place in every district to leverage the monitoring functions. Capacity building measures have to be taken to strengthen technical skills and knowledge of concerned human resources to perform the responsibilities.
  37. At least one civil society organization working on RTI has to be promoted in each district and strengthened with resources and capacity. The government has to collaborate and cooperate for generating resources to enable such organizations to effectively work on the RTI. ■

## Self Disclosure Updates

|   |   |                          |                                     |
|---|---|--------------------------|-------------------------------------|
| <b>Organization's Name</b>                      | NGO working for Democracy, Right to Information, Freedom of Expression, Fiscal Transparency and Open Data   |                          |                                     |
| <b>Legal Status</b>                             | Registered at District Administration Office Kathmandu. DAO Registration Number: 127/062/63, SWC Affiliation Number: 18518  |                          |                                     |
| <b>Location</b>                                 | Adarsa Marga, Prasuti Griha Road, Thapathali, Kathmandu   |                          |                                     |
| <b>Staffs and Roles</b>                         | <p><b>Krishna Sapkota:</b> Executive Director, coordinates overall organizational and project Affairs (Development and Implementation)</p> <p><b>Narayan Ghimire:</b> Media Monitoring Officer, who coordinates media focused initiatives</p> <p><b>Aruna Adhikari:</b> Finance Officer, looks after accounting and administrative affairs and performs responsibilities as the Information Officer.</p> <p><b>Nodnath Trital :</b> Program Officer, coordinates a project on Right to Information and RTI Campaign</p> <p><b>Kumar Chaulagain:</b> Program Assistant</p> <p><b>Manju Ojha:</b> Media Monitoring Assistant</p> <p><b>Trishna Dhakal:</b> Admin Assistant / Receptionist</p> <p><b>Basanti Thapa:</b> Office Assistant</p> <p><b>Project Staffs:</b> Freedom Forum hires short term project staffs based on project need</p> |                          |                                     |
| <b>Ongoing Project Information</b>              | <b>Project Name</b>   | <b>Supporting Agency</b> | <b>Date of Signing the Contract</b> |
|   | Open Budget Survey 2014   | IBP                      | 5 April 2014                        |
|   | Developing Case Study on Data Use by Parliamentarians and Journalists   | Development Initiative   | January 2015                        |
| <b>Services Offered/ Activities Carried Out</b> | Research, capacity development and policy advocacy including media monitoring, trainings on RTI and journalism, meetings, workshops, seminars and other campaigns to promote issues of democracy, RTI, FoE, fiscal transparency, human rights, local governance. It also provides legal aids to journalists, media and Information Seekers  |                          |                                     |
| <b>Responsible Authority</b>                    | <b>Chairperson:</b> Taranath Dahal, <b>Executive Director:</b> Krishna Sapkota  |                          |                                     |
| <b>Decision Making Process</b>                  | <p><b>General Assembly :</b> Making policies, rules and regulations of organization</p> <p><b>Executive committee:</b> Formulation of action plans as per constitution of organization, rules and regulation</p> <p><b>Management team:</b> Running projects and daily operational affairs and reporting timely to the Executive Committee.</p>   |                          |                                     |
| <b>Activities</b>                               | Please follow the link: <a href="http://freedomforum.org.np/content/category/activities/">http://freedomforum.org.np/content/category/activities/</a>   |                          |                                     |
| <b>Information Officer</b>                      | <b>Aruna Adhikari</b>   |                          |                                     |
| <b>Financial Info.</b>                          | Freedom Forum received grants amounting NPR 1775000 from different donors from 2015 August to October 2015  |                          |                                     |
| <b>Official Website</b>                         | <a href="http://www.freedomforum.org.np">www.freedomforum.org.np</a>  |                          |                                     |
| <b>Publications of Freedom Forum</b>            | 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>   |                          |                                     |
| <b>Annual Report</b>                            | <a href="http://freedomforum.org.np/content/publications/reports/annual-reports/">http://freedomforum.org.np/content/publications/reports/annual-reports/</a>   |                          |                                     |
| <b>Mechanism for Information Dissemination</b>  | 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><br>Newsletter: Free Expression   |                          |                                     |

# Internet gateway plan threatens online freedoms in Thailand

Bangkok, September 29, 2015--An initiative in Thailand to create a single government-controlled gateway for international Internet traffic represents a clear danger to online freedoms, the Committee to Protect Journalists said in a statement today. CPJ calls on Prime Minister Prayuth Chan-ocha to drop the proposed plan and stop harassing journalists and social media users.

According to news reports, the Ministry of Information and Communications Technology was ordered at a September 1 Cabinet meeting to establish a firewall to filter all Internet traffic entering and leaving Thailand. The written order, signed by Prayuth, said the gateway would "serve as a tool to control access to inappropriate sites and the influx of information from abroad," the reports said. Prayuth's order called on authorities to "expedite" the gateway's establishment.

State enterprises and private companies currently operate nine gateways to the Internet in Thailand, news reports said. Information and Communications Technology Minister Uttama Savanayana denied the single gateway initiative was designed to censor the Internet, but rather aimed to lower costs for online businesses, reports said. Uttama said the gateway project was still in the proposal phase and that if implemented would not violate users' personal data or access to information, the reports said.

**The ruling junta, the National Council for Peace and Order, has sought to bolster online surveillance since seizing power in a May 2014 coup, CPJ research shows.**

"Thailand needs fewer, not more, controls on the Internet," said Shawn Crispin, CPJ's senior Southeast Asia representative. "Prayuth should scrap the one gateway plan and any other designs to block, censor, or surveil the Internet and Internet-based social media applications. Any new laws or plans to govern Thailand's Internet should be left for a new, elected administration, not his self-appointed military junta."

The ruling junta, the National Council for Peace and Order, has sought to bolster online surveillance since seizing power in a May 2014 coup, CPJ research shows. Days after the coup, the NCPO made the creation of a single Internet gateway an "urgent priority" to be jointly managed by the army, police, National Broadcasting and Telecommunications Commission, and National Intelligence Agency, according to reports. The gateway as proposed then would administer the Internet, govern websites and tackle provocative content, the reports said.

A Cyber Security Bill approved by Prayuth's Cabinet in January aimed to establish a committee charged with detecting and countering online threats to national security, stability, the military and economy, news reports said. Under Section 35 of the bill, the committee would be authorized to access information on personal computers, cell phones and other electronic devices without a court order, news reports said. The bill is pending approval in the National Legislative Assembly.

Prayuth's military government has cracked down hard on online dissent, particularly for postings deemed as offensive to the Thai monarchy, a criminal offense punishable by 15 years in prison under the country's draconian lèse-majesté law. In the harshest sentence under the law in Thailand's modern history, a military court in August sentenced Pongsak Sriboonpeng, a tour guide, to 30 years in prison for six Facebook postings ruled

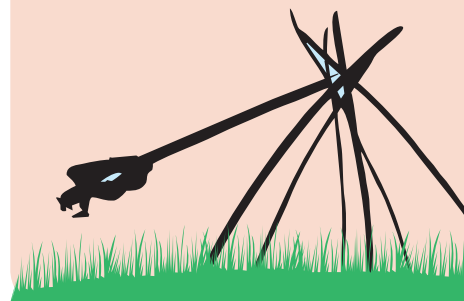
as critical of the crown, according to news reports.

Newspaper reporter Pravit Rojanaphruk was held in military detention for three days this month over a tweet authorities saw as critical of Prayuth and the coup. Military authorities also erroneously accused him of sending tweets critical of a personnel rotation at the National Security Council which the reporter neither sent nor retweeted, Pravit told CPJ. Pravit was freed without charge but was required as a condition of his release to sign a form pledging not to become involved in any anti-junta activities or risk seizure of his personal assets, he told CPJ. ■

(Source: <https://cpj.org/2015/09/internet-gateway-plan-threatens-online-freedoms-in.php>)

## Festivals Greetings!

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



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

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