



FreeExpression

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End Impunity Day-2020

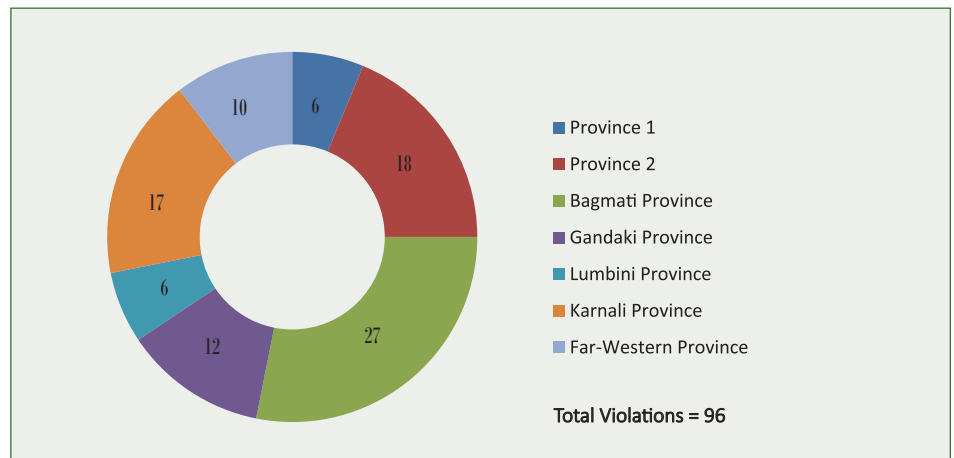
Solidarity must to end impunity for crimes against journalists

Freedom Forum organized a virtual programme on the occasion of the International Day to End Impunity for Crimes against Journalists in Kathmandu on November 27. The event gathered 33 participants ranging from the family members of the victim journalists, FoE defenders, academia, media persons and officials from human rights body and transitional justice mechanisms.

In the programme, the family members of the journalists killed during the insurgency period in Nepal appealed for cooperation from all sides-journalists, FoE defenders, transitional justice mechanism and government- for justice.

Senior journalist and FoE defender Dharmendra Jha made a presentation on the status of the journalists killed and disappeared in Nepal since 1996 till date. He shared the study report carried out by Freedom Forum that 23 journalists were killed in Nepal since 1996. The country witnessed armed insurgency from 1996 to 2006. "The perpetrators involved in crime against journalists were still walking scot free; some cases were pending in courts, some in transitional justice mechanism; and investigation is stalled for some cases," he said, adding that justice was delayed much to the worry of families of victim journalists.

Province-wise Press Freedom Violations in 2020



Jha further said although it has been long Nepal restored democracy, journalists are still facing intimidation. Although society sees crimes, the impunity relating to it is bad for good governance. "It is however positive that Nepal police arrested some murder accused in case of journalists Dekendra Thapa and Birendra Saha some months back," he mentioned.

"It is appalling that the letters by UNESCO Director-General to the government on status of justice to the slain journalists in Nepal were not responded," said Freedom Forum Executive Chief Taranath Dahal, arguing entrenched impunity is sheer challenge to freedom of expression and journalists right, rule of law, transparency and democracy. He informed that the International Day to End Impunity for Crimes

against Journalists is observed throughout the month of November across the globe.

Journalists, who are frontline human rights defenders and informing people, face more risks. It is the Day to express solidarity to the campaign for justice to the families of the journalists killed and disappeared. FF has been continuously updating the status of the journalists killed and disappeared in Nepal. It is observing the Day since the UN announced it. In the wake of Covid-19, FF is marking the event in a virtual method.

Impunity is a chronic problem in Nepal. To end the impunity, all-side stakeholders should press the Stateside continuously.

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Message from Executive Chief

Engagement for good governance



This past year, 2020 remained challenging for freedom of expression (FoE), freedom of assembly (FoA) and other civil rights in Nepal. The global menace of Covid-19 heavily affected national life where media and civil society suffered worst. FF prepared a separate report on how the Nepali media fared amid Covid-19. It showed 38 percent journalists lost job owing to financial decline in media houses. For the journalists off the field, numerous problems were left unreported, many underreported and investigative stories declined sharply.

Despite sheer need to properly address public health crisis posed by Covid-19, the government engaged in coordinated suppression of people's rights, tamed opposition and critical views, continued attacking free press and weakened democracy. It indulged in corruption, thereby entrenching bad governance. Impunity continued unabated. The media reports on financial irregularities in the purchase of medical equipment and safety materials were blots governance.

Moreover, the transitional justice mechanism- Truth and Reconciliation Commission and Commission for Inquiry on Enforced Disappeared Persons- are yet to be active to address the conflict era crimes and cater justice to the victims. The families of the journalists killed in the past are desperately waiting for justices but in vain.

The media sector did not witness any policy change and reform, but in name of advertisement law, the foreign televisions are out of access. With the provision of clean feed in place but lack of alternative measures, the Nepali audiences are deprived of renowned television of the world as BBC and CNN. It has blocked the free flow of information, which is a borderless issue. There is unprecedented control on State run media- they are misused as the tools to establish single narrative being created and spread by those in power and their acolytes. Those making critical views are assailed in social media by the 'cyber army' mobilized by the cabal. Censorship is deepening. On the other hand, efforts are on to lure independent media and journalists to frustrate atmosphere for free press and media professionalism.

Amidst this, the National Human Rights Commission made public the names of those who violated human rights over the last two decades. It is laudable that it has exposed the sorry state of human rights situation and created pressure on State agencies to be responsible. It also shows how the impunity is entrenched. However, government failed to respond to it. It just remained silent- the silence signals the government's inaction to take initiative to address impunity.

Now in 2021, Freedom Forum continues its advocacy efforts for the openness of recovery activities launched in the wake of Covid-19 in Nepal. Activism will be continued as in the past to forward the concept and culture of open government- the need further substantiated with the context of multiple governments. Public financial management is another area that warrants wider attention to improve governments in Nepal. FF whets for civic participation in the public financial management.

Internet freedom is another important area which is gaining more relevance in Nepal with the expansion of internet and growing use of smart phones. The internet-based media have tremendously contributed to citizen's right to FoE and information. Digital economy has also been thriving lately. FF is aware that the debates and developments surrounding internet governance should not breach FoE online. Similarly, the Covid-19 has forced everyone to rethink media system; equal attention is required to promote and protect public service media and encourage public interest journalism. With the spurt of internet-based media, practice of self regulation is the need of hour. In this connection, FF has recently facilitated and provided expertise for developing self regulation directive to the online television association.

Continuation of right to information to prod transparency and accountability in the public office and empower citizens is long looked after area. At such situation, FF is for the active and robust presence of civil society. Happy New Year 2021! 🌱

- Tara Nath Dahal

Online TV Regulation Directive

Recently, Nepal has witnessed the spurt of online media, thanks to the expansion of internet and growing use of smart phones. Even the legacy media have joined the bandwagon of digital sphere to augment their visibility. It is resulted after the paradigm migration of readers/viewers/listeners shifted to internet-based space. The digital/internet has been the best platform for media convergence- reading, listening, watching facility at the same platform. It is evident that it is the reason behind the increase in the number of YouTubers in Nepal.

In this regard, the YouTubers from across the country gathered and showed keen interest to work themselves as the television – the online television. Freedom Forum, as the organizing working for internet freedoms and freedom of expression online was keenly observing the development. Since the very beginning, FF was aware that any debates and discussion surrounding internet and digital spaces should not undermine freedom of expression online. Therefore, FF grew interested on the formation of Online Television Association with the gathering of the YouTubers.

Now, the Association came up with the idea that those involved in it were for the self-regulation on it and could follow the code of conduct the journalism adopted. It suggested they were aware that their works should contribute to citizen's freedom of expression online. Invoking the section 1.7 and 2.6 of the National Mass Media Policy, the Association brought the 'Online TV Self-Regulation Directive, 2077'. It has aimed at strengthening the online television journalism and making systematic and responsible the YouTubers. The directive has provisioned ownership and liability, editorial policy, declaration of conflict of interest, human resources, social inclusion, and self-regulation ombudsman. The one-member Ombudsman will have two year's term. It provides suggestion, direction and report to the Association its members. The report and suggestion will be periodic and event-based. The Ombudsman further provides suggestions to the consumers of online televisions based on need.

Regarding the conflict of interest, the directive mentioned that the operators of online television will make public their status if they are in any position of to any political party. It is similar in case of those holding any post in government or public agencies run on grant. Their other business or ownership of other media would be announced at the earliest to avoid conflict of interest. The online media will provide terms of reference with clear responsibility and payment description to journalists/employees. For the appointment of journalists and employees, social and gender inclusion policy will be adopted. They will be provided insurance facility. In case of injury or death, they would be provided monetary relief. The periodic training and orientation for career development are other provisions.

For this, Freedom Forum provided expertise and facilitation for whetting the debate and discussion for bringing the directive. As per the directive, the online television are for registering the company and running in with due ownership and liability. In addition to the journalistic code, the document has stated that an ombudsman will be formed for the monitoring of the self regulation on online media. In this regard, FF Executive Chairman Taranath Dahal observes, "At a time when the country has seen a huge number of online media, the activism of youtubers to gather for common interest for promoting freedom of expression online and online journalism is a welcome initiative in deed. It indicates remarkable earnestness to make online television professional. It is time to promote such novel initiative." 🌱

Press Freedom Violations

Province 1

Attack on investigative reporters

Jhapa-based reporter to Mountain Television Khagendra Ghimire and his cameraperson Bhaskar Shrestha were attacked by the government officials while reporting in a Land Revenue Office in Jhapa on December 1. Jhapa district lies in Province 1 of Nepal.

Talking to Freedom Forum's monitoring desk, reporter Ghimire shared, "We were recording a video of a staff (Indra Rajbanshi) receiving bribe amount Rs 10,000 from a service seeker.

Meanwhile, the staff snatched the camera. Following this, we went to the Office of the Chief Tara Dhungel to discuss the matter but Rajbanshi along with others thrashed us."

Reporter Ghimire sustained injuries on his head, chest and had to undergo treatment at the local hospital. Cameraperson Shrestha, however, escaped injury from the incident.

Ghimire filed an FIR at the Area Police station, Damak. A team of journalists also pressed the

police chief, demanding the arrest of the accused, according to Ghimire.

The attack on investigative reporters will result in decreased reporting on corruption, financial irregularities, which have plagued the local levels in Nepal lately. 🌱



Reporters lured, threatened to kill news

Reporters duo Raju Poudel and Narayan Aryal were misbehaved while reporting on corruption at Bhadrapur Customs Office in Jhapa district on November 27. Jhapa Lies in the Province-1 of Nepal.

Talking to Freedom Forum, reporter to News 24 Television Poudel said that a custom officer and a businessperson invited them at a hotel. In the hotel they were offered bribe to stop their follow-up reporting on the customs office. Thereafter, the businessman tried to snatch their camera when reporters refused to receive the amount and started recording the scene. However, the reporters prevented any damage to camera. Few days earlier, the reporters had exposed a scam in customs

office in a program broadcasted through the television.

Moreover, the follow-up recordings were again broadcasted on the television following which the customs staff was suspended and the businessman fled with the fear of being arrested, informed reporter Poudel.

Any attempt to suppress free reporting is blatant violation of press freedom. While corruption and non-transparency have always been the major concern in maintaining good governance at public agencies, the fraud staffs are the major source fueling it. It is worth reminding that Transparency International recently showed Nepal as one of the most corrupt countries. 🌱

May the New Year 2021 inspire everyone to create atmosphere for unobstructed exercise of human rights including freedom of expression and information to pave way to better democracy.

Happy New Year 2021

Freedom Forum

Province 2

Information seeker attacked

A municipality chief and his employees brutally attacked a local Binod Kumar Yadav for seeking information in Bara on October 8. Bara lies in Province 2 of Nepal.

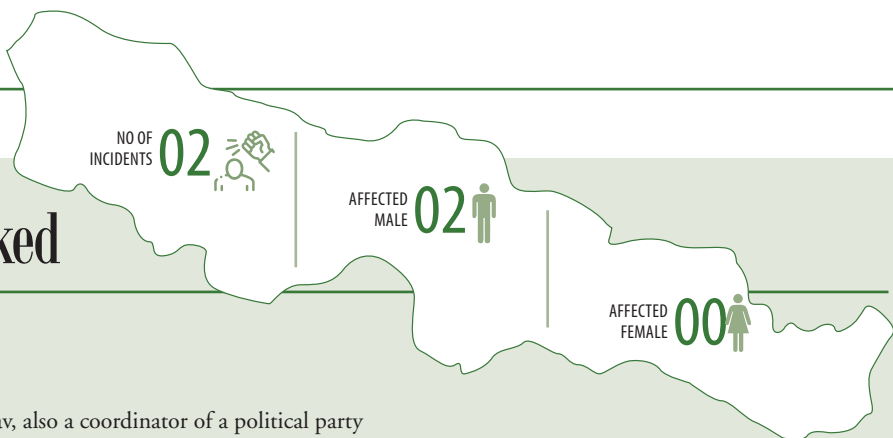
As per information provided by Freedom Forum's representative Rajan Singh, Chief Mahendra Yadav, officer Nabin Kumar Srivastav and a political cadre Ranjit Yadav attacked Binod Kumar for requesting information about the progress of a road constructed at Subarna Rural Municipality.

Yadav, also a coordinator of a political party was attacked while registering the RTI application. Talking to representative Singh, Yadav shared that he was denied information twice before and was even asked to pay Rs 10,000 to get the required information.

It is sheer violation of citizen's right to information. Irrespective of being affiliated to any political party, Yadav is a citizen and every citizen has the right to seek, receive, and impart

information at the public authorities as guaranteed by Nepal's constitution.

FF strongly urged the concerned authority to punish the attackers and facilitate the municipality authority to provide the information requested using RTI thereby, ensuring citizen's right to information. 🌱



RTI activists under control

Police arrested nine RTI activists while registering RTI applications at District Ayurvedic Health Centre Parsa on November 2. Parsa lies in Province 2 of Nepal.

As per information received at Freedom Forum, nine activists Manoj Rouniyar (Member, National Network for RTI), Udaya Kushwaha, Pravin Manipal, Pramila Giri, Dip Narayan Prasad Yadav, Salamat Hussain Mansoor, Keshar Das, Rupesh Singh and Birendra Yadav had reached the health centre to register their RTI application separately. In the meantime, police arrested them and released after a while. However, Kushwaha and Manipal were detained for four hours.

The incident was reported to have taken place with alleged involvement of the office's Chief Ramesh Mishra, Information Officer Nagendra Prasad Patel and District Police Chief.

FF's representative Rajan Singh quoted Rouniyar as saying Mishra and Patel threw their RTI applications and called the police to arrest them.

Arrested activists had filed RTI seeking information on office staff, yearly income, details on information officer and review meeting's expenditure at the office.

“Taking under control the citizens for exercising their rights is blatant violation of citizen's right to information. Every citizen has right to demand information of his/ her or public interest at the government offices using RTI. The offices are equally obliged to provide the information as per RTI Act.”

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Misbehavior

Saptari based reporter for the Kantipur national daily Abadhesh Kumar Jha was misbehaved by a police officer while reporting on October 5. Saptari district lies in Province-2 of Nepal.

FF's representative at Province-2 Rajan Singh reported that Jha was making notes about a discussion among women representatives, advocates and chief of police at the District Police Office. Women leaders had reached the office to make aware the police chief Rajendra Prasad

Dhamala and draw attention of security authority on increasing violence against women in the district in the recent days.

Police chief Dhamala warned that journalist Jha could not report in the District Police Office without police permission and ordered him (Jha) to leave the office immediately.

Police chief's order grossly violated press freedom and citizens' right to information. The journalists have every right to report on the issues of public concern. Hence, FF strongly urges the concerned authority to respect rights of journalists and press freedom.

It is appalling that violence against women as rape and murder are rising rapidly across the country of late. 🌱

Bagmati Province

Attack



Ward Chair assaults journalists

Ward Chair of Changu-narayan Municipality and his supporters manhandled reporters Roshan Gharti and Nabaraj Giri while reporting in Bhaktapur on October 2. Bhaktapur lies in Bagmati Province of Nepal.

Roshan Gharti is a correspondent to <https://www.pnpkhabar.com/> and Giri is publisher of <https://www.onlinetvnepal.com/>.

Talking to Freedom Forum, reporter Gharti said, “We had reported on alleged involvement of Ward Chair Jayant Khadka on misuse of grant for livestock provided by the municipality in the district. We reached Municipality Office on the day of incident for follow-up. But, the Ward Chair along with his supporters not only attacked us but also snatched my mobile phone while taking video. He returned the mobile back after three hours but I had to delete the recording.”

Gharti further informed that Khadka also threatened him not to publish any news about the incident or they should bear consequences.

Harassment meted out to journalist by people’s representative gives a message that journalists are threatened by the public figure as well, disrespecting the value of free press in the society. Such trend must come to an end. 🌱

Reporter’s photos deleted

Reporter to <https://narayanionline.com/> (an online news portal) Hiralal Acharya was misbehaved by a metropolitan police in Chitwan on December 27. Chitwan lies in Bagmati Province of Nepal.

Talking to Freedom Forum, reporter Acharya said, “While reporting on a program of a political party in Bharatpur Municipality, I saw metropolitan police chasing the street vendors. I could not resist and took pictures of the scene by my mobile phone. Meanwhile, officers approached me and seized my mobile phone. Although I showed my identity card and requested him to return my mobile, they shouted at me saying they have order from high levels and I cannot take the photos. As I denied their order they asked me to unlock my mobile and then deleted all the photos themselves.”

Obstruction

Reporters Chitra Mijar, Anish Tiwari and Niroj Chaulagain were misbehaved while reporting in Sindhupalchowk on October 13. Sindhupalchowk lies in Bagmati Province.

Mijar and Tiwari are affiliated to Gorkhapatra and Kantipur National dailies respectively, while Chaulagain is associated with AP1 television.

Talking to Freedom Forum, reporter Tiwari shared, “We were talking to the families who were forcefully displaced after a hydropower project started road construction without their consent. Meanwhile, a group of youths approached and

shouted at us saying - Is this what you called journalism! Don’t you have to listen to us?”

The reporters then talked to the youth and collected the voice of both sides.

“But again the youths in a group of 20-25 persons encircled us for at least two hours while we were heading towards the project site. Thereafter, we returned without reporting at the hydropower project site”, said Tiwari. The youths had also threatened the driver for carrying journalists and vandalized their vehicle.

Further, claiming that people threatened and obstructed them while doing their job, Tiwari wondered, “Don’t we even have the right to report freely?”

They have also filed a complaint at the local police station. The case is under investigation.

Freedom Forum condemned the misbehavior meted out to the reporters. Reporting on the issues of public concern is the right of journalists guaranteed by the constitution.

Threat

A. A businessman shoved and issued threat to the reporters Anish Tiwari, Aashish Tiwari and Ram Chandra Basnet while reporting news in Sindhupalchowk on December 11. Sindhupalchowk district lies in the Bagmati Province of Nepal.

As per information received at Freedom Forum, the reporters had called a private con-

struction company’s proprietor Pratap Lama on his phone seeking information on progress of the ongoing road construction in Balefi Rural Municipality.

But, instead of providing the information proprietor Lama verbally abused reporters and threatened them for reporting news.

Anish Tiwari is Sindhupalchowk based reporter to Kantipur daily, Aashish Tiwari is program manager at Megha Television and Basnet is reporter to Sarokar Television.

B. Chief Editor at <https://www.kathmandukhabar.com/> Keshav Raj Pathak was issued death threat for reporting news in Kathmandu on December 16. Kathmandu is the federal capital of Nepal.

During a conversation with Freedom Forum, editor Pathak shared that he was reporting on various issues of illegal excavation and random plotting of land in Budhanilkantha Municipality. Recently the municipality and district forest authority had restricted ongoing plotting of land in the municipality following a complaint filed by Pathak.

“On the day of incident, two masked men approached me while walking along the plotting area and threatened saying- this is our plot; you have risked your life doing this so now bear consequences”, said Pathak.

He further said that he also informed local authority including Metropolitan Police Range about the incident requesting his safety. 🌱

Gandaki Province

Arrest

Associate editor at www.pokharapati.com (an online news portal) Raj Kumar Ghimire was arrested while returning home after reporting a program in Kaski district on November 23. Pokhara lies in the Gandaki Province of Nepal.

Talking to Freedom Forum, a fellow journalist in the province Rajendra Adhikari said that the police asked the journalist to show his press card, camera, and diary while returning from a program organized by a political party. On this, Ghimire showed his card which was outdated reasoning he could not renew it on time due to lockdown and the Covid-19 pandemic. Then, the police arrested him and took him to the District Police Office, Kaski.

When FF called District Police Chief Subash Hamal, he claimed that Ghimire was not a journalist, so taken under control for his alleged association with Biplab-led Maoist party. He further informed that Ghimire would be in custody for few days till the investigation was over.

Furthermore, Federation of Nepali Journalists' Kaski Chapter quoted Ghimire's family as saying he had gone to prepare a news report on the program.



Later, Ghimire shared with FF that he was released on December 11, saying he was held mistakenly.

Threat

A. A political cadre issued death threat to journalist Rajendra Neupane for reporting news in Gorkha on December 5. Gorkha lies in Gandaki Province of Nepal.

Neupane is an editor of <https://manasalu.com> online news portal.

According to Neupane, he had published news about attack on a doctor and health workers at Gorkha Hospital by members of a student wing of the political party.

Following the news update, President of the wing Ratan Pariyar called Neupane over phone

and threatened not to publish the news or face consequences.

"I will file a complaint against Pariyar at police office", he said.

B. Arjun Giri, editor at <https://www.tandavnews.com/> (an online news portal) was issued threat through a phone call on December 23 in Pokhara. Pokhara lies in the Gandaki Province of Nepal.

Talking to Freedom Forum, Giri shared that senior reporter of the online, Madhav Bhusal had reported news entitled- Leader of a hymn group Prakash's black face: sexual assault against women- on December 20. An unknown person called on Bhusal's phone and asked for the proof of the content in news.

Bhusal then forwarded the call to Giri. The caller, who introduced himself as an officer from Central Bureau of Investigation also threatened Giri saying, 'he will send his gang to attack the office for publishing the baseless news.

Giri, however, claims that he has every proof for the news and is not scared of any threats. "But, because the person says himself a police I have reported to District Police office and CIB Police Headquarter about the incident", said Giri.

Lumbini Province

Female journalist arrested

Kamala Pandey, station manager at Radio Namaste aired from Butwal and reporter at Radio Nepal (a state-owned media) was arrested while reporting a public protest from Butwal on October 4. Butwal lies in Province 5 of Nepal.

Talking to Freedom Forum, journalist Pande shared that she was arrested while reporting on vandalism.

Police arrested Pandey along with the locals even after she revealed her identity as a journalist. She was released a day later after pressure mounted from the fellow journalists and media organizations.

Journalists reporting protests and demonstration have been facing intimidation as the police persons do not segregate the mob and on-duty journalists while taming the situation.



Intimidation on female journalists not only violates press freedom but also discourages women to enter journalism. Needless to mention, women's representation in Nepali media is low.

Arrest over 'critical social media post'

The police arrested a local citizen for posting a Facebook status critical to a former minister and former police chief from Banke on December 29. Banke lies in Lumbini Province of Nepal.

The one Dilli Bahadur Chand from Banke had posted a status about Former Minister Mahesh Basnet and former police chief Sarbendra

Khanal's 'alleged involvement in kidnapping a lawmaker' about eight months ago.

After eight months, Chand was arrested and is kept in detention at Cyber Bureau Kathmandu for further investigation.

According to the police source, he was charged under cybercrime.

Freedom Forum condemns the arrest reasoning that it is the latest in the series that Electronic Transaction Act (ETA) has been misused to

silence the public voice and criticism. It is sheer violation of citizen's right to freedom of expression.

If the person had defamed them, they could follow legal recourse by going to court, rather than inciting police to arrest and torture a common person. FF strongly reminds here that there are separate provisions against defamation and public offense. Freedom of expression can not be suppressed in the name of 'cybercrime'. FF urges the concerned authority to stop further action but release Chand. 🌱

Karnali Province

Reporter Thapa attacked brutally

A correspondent at Pradesh FM Tekraj Thapa was brutally attacked in Surkhet on October 1. Surkhet lies in Karnali Province of Nepal.

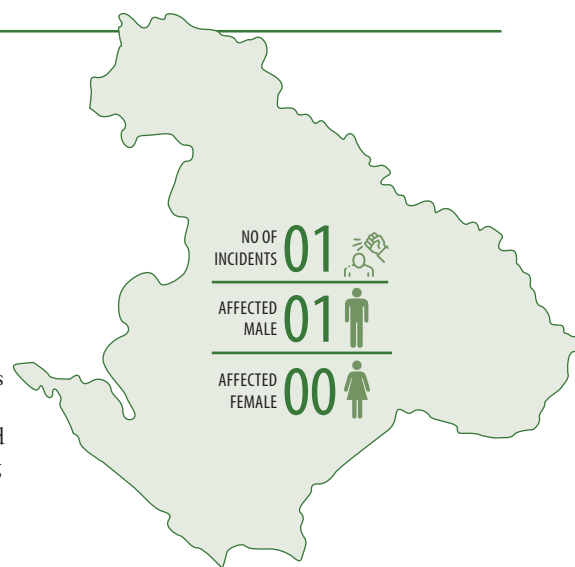
According to FF's representative Laxmi Bhandari, journalist Thapa was attacked by a gang of six persons while returning home from the office. They threw stones and bottles at Thapa, accusing him of being a police informant and conspiring against them, said Bhandari quoting Thapa.

A week ago he was together for reporting in a police campaign against drug abuse and addic-

tion in the district. Few youths were arrested after the campaign. This may be the reason for the attack, claims Thapa while talking to Bhandari.

Thapa also filed a complaint at District Police Office, demanding punishment to the attackers.

Being a journalist, Thapa has right to report on the issues of public concern. Such incidents may create fear among media persons to work freely. Hence, FF strongly urged the concerned authority to fairly investigate the case ensuring justice to the journalist, and help create atmosphere for free reporting. 🌱



Local administration seeks clarification over news

The local administration in Rukum Paschim district has sought clarification from reporter Ganesh Bishu over the news published in a national daily on December 4. Rukum Paschim lies in Karnali Province of Nepal.

Earlier, news about delayed service delivery at the District Administration office was published on November 13. The reporter had also quoted four local citizens as news source.

Reporter Bishu shared with Freedom Forum that Chief District Officer Badrinath Gaire formed a four member probe team to seek justification over the news.

A letter issued to the probe team read: On the news published about DAO's service in

the newspapers and online, please proceed an investigation upon the service delivery and ask the reporters for proof of the news.

Following this order, chief of the committee Kamal Dahal called Bishu on his phone on December 4 and asked for clarification. But Bishu said that he denied any clarification adding as a reporter it is his right to report on the public issues, and all the bytes from sources were safe with him.

The news was also published on <https://paschimnepal.com/> (an online news portal) after which editor Govinda KC was called for clarification over news contents, according to FF's representative Laxmi Bhandari.

Again, on December 21, Bishu and KC learned that the administrative authority had called the

news sources and asked if they had provided any information to the media.

Freedom Forum welcomes the initiative taken by CDO over the news. It is good that his news has created impact. Similarly, if there is any discontent the administration has with the news, it can follow the right course to show concern. However, grilling journalists in the name of investigation and forcing them to disclose news sources is against press freedom. Reporters need to protect news sources for their and sources' safety.

If the reporter is harassed in the name of probe, it is against journalistic values and a threat to investigative reporters. So, FF urges the probe team to treat journalist in a way it respects his right to free reporting. 🌱

Sudurpaschim Province

Threat

A. Reporter with Dhangadhi-based Dinesh FM Narayan Awasthi received threats of attack through telephone for reporting news in Dhangadhi on December 11. Dhangadhi is situated in Sudurpaschim Province of Nepal.

According to Freedom Forum's representative Min Bam, news about a payment released without any work progress in the infrastructure development program led by Province's Assembly Member Nepal Chaudhary was aired via FM radio on December 9.

Again on December 10, news claiming payments made on the basis of 'only paper works' in the area of parliamentarian Chaudhary was published on www.dineshkhbar.com.

Following the publication of the news, Ram Chandra Chaudhary, calling himself a member of Municipality Committee Secretariat called

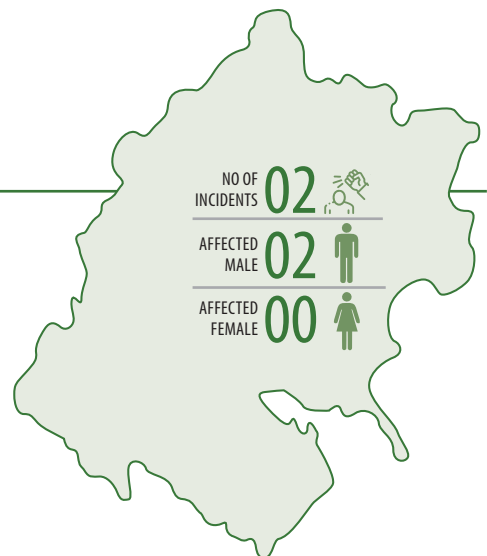
on the phone and threatened Awasthi of physical assault using abusive words, said representative Bam.

Thereafter, Awasthi called Parliamentarian Chaudhary to inform him about the threat but the Parliamentarian in turn, replied that he deserves punishment for writing fake news and that he did not report in their favor.

However, FF noted that reliable local sources were quoted in the above-mentioned news.

Reporter Awasthi informed local administration about the incident and was to file a complaint against them, informed Bam.

B. Reporter to www.nepalive.com and Janata television Lalit Bohora was issued death threat for reporting news critical to blood bank's authority in Dadeldhura on November 1. Dadeldhura lies in Sudurpaschim Province of Nepal.



Talking to Freedom Forum, reporter Bohora shared that he had reported a news on massive corruption in the blood bank on the day of incident. Following the publication of news, chief of Blood Transfusion Center Santosh Bahadur Aire called Bohora on his mobile and threatened him of death for publishing the news.

However, Aire has apologized for his behaviour with the journalist and has committed not to repeat such mistake in future. He was arrested following a Bohora's complaint filed at the local police station. 🌿

Police arrest another murderer of journalist Thapa

The Nepal Police arrested another murder convict of journalist Dekendra Thapa- Hari Lal Pun from his residence in Dailekh district on December 15. Dailekh lies in Karnali Province of Nepal.

Following the District Court Dailekh's verdict on December 7, 2014 to arrest nine perpetrators involved in the murder, five including Pun were arrested. But, Pun had fled before completing the remaining four months jail term, according to the police sources.

Journalist Thapa was abducted and subsequently killed by then CPN-Maoist cadres on August 10, 2004. He was abducted from Chhanna Bazar of Bhawani VDC on June 4, 2004.



Lately, among other four fugitives Bam Bahadur Khadka was also taken into custody last March.

Though late, it is laudable that the state is showing concern over long entrenched impunity for crimes against journalists in Nepal. It is worth mentioning that three murder convicts of journalist Birendra Sah and Dekendra Thapa have been arrested in the year 2020.

FF further urges the concerned authority to pay a heed to other pending cases and cater justice to the victims' families. 🌿



Slain journalist Thapa

Fellowship helps report corruption at local level

The federalism devising three layers of governments in Nepal is often touted as the system to improve public service delivery with the guarantee of good governance. However, the financial irregularities and corruption are rife in all three layers of government. It is substantiated by the media reporting on a daily basis. Even the periodic reports produced by the supreme auditing agency, Office of Auditor General (OAG), have made it clear that the irregularities are rampant.

In this regard, Freedom Forum awarded fellowship to seven journalists as part of audit accountability initiative to raise the issues of Users' Groups at sub-national level with focus on audit reports of the OAG, Nepal.

The fellowship program was further aimed at improving communication on audit recommendations, catalyzing relationships

among various oversight actors including civil society groups, media, and legislators. With the investigative reporting, journalists have the capacity to build proper communication and information on how the activities at different levels miss the objective, thereby deviating from due process of good governance. The issues as activities of the users' groups, transparency, and corruption within the groups, elite capture, nexus of government employee and users' group etc are pressing matters, which need to be brought to limelight for wider discussion and debate.

The journalists representing print and online media sought such maladies and pointed out the lack of public participation in decision making group. The news brought forth with the fellowship showed corruption at local levels particularly in the name of road developments. Two articles on users' group and local representative's capture of users' group were published by the journalists along with other investigative stories in the subject.

A total of 12 stories including two articles were published in various platforms. For example, five stories were written by Bhagwan Khanal and published in the Karobar daily which is a prominent financial daily in Nepal. Similarly, dainiki.com; shani-yakhabar.com; nepalwatch.com; onlin-eradionepal.gov.np; sarangkotnews.com; Bimarsha weekly are other media covering the stories and the OAG reports.

FF had made an open call on Facebook and Twitter for the journalists to participate in the fellowship program. The selection of these participants were done by Audit Accountability Team based on journalists' experience and passion, fellowship work history and the subject they selected for reporting. Mr. Taranath Dahal mentored for the fellowship program to support and guide selected participants. The fellowship was awarded by freedom forum with support from International Budget Partnership as part of ongoing Audit Accountability Initiative.

Continued from Page 1

As Nepal had festivals during November 2 this year, Freedom Forum is organizing the program today (Nov 27).

On the occasion, daughter of slain journalist D Kaundinya, Trishna Acharya, said, "We had said in the last program too government needs to come up with concrete plan to address impunity on the crimes against journalists. The delayed justice has further victimized the victims. The State has failed to be guardian of the conflict victim families. Even the social security of victim journalists' families should be considered now. We must not be politically categorized. It further victimizes us."

"It has been more than 10 years we have been prodding the government agencies including judiciary that we've not got justice. We're quite de-motivated," said Manisha Dhital, daughter of slain journalist Devi Prasad Dhital.

On the occasion, Member of the Truth and Reconciliation Commission, Ms Bishnu Pokhrel, shared that TRC was currently working on the complaints and their nature. "Any complaint filed by the families of the victim journalists which fall under its jurisdiction, is investigated and recommendation made to the government,"

she made commitment, seeking assistance from all sides to ensure justice to the victims.

Preliminary and detailed investigations are conducted on the complaints. The investigations are done as per the mandate. There are a total of 3,787 complaints at TRC, according to her. "The Covid-19 also affected our works in the later days. However, the process of investigation is on," Sharma said, underscoring, "It is not that the new term of TRC does not work as that of first term. We're committed to delivering justice as per the Act and mandate."

Director at the National Human Rights Commission, Yagya Prasad Adhikari, said the government must not show apathy to bring to book the violators of human rights. The NHRC made public the names of human rights violators over different times and made recommendation to the government. It was done in its 20 years of investigation. However, it is worrying that only 10.5 percent of recommendations are implemented.

Although the Foreign Ministers make commitment in Geneva that Nepal government respects human rights, it is in practice, weak at home. So the victims of armed conflicts are still waiting for justice. "I think the transitional justice mechanism must be more active and

strong to help end impunity," he said, adding that NHRC has been recommending the government for protection of human rights.

He expressed worry over failure of the first term of the transitional justice mechanism.

On the occasion, Vice-President of the Federation of Nepalis Journalists, Bipul Pokhrel, said it was quite worrying that impunity related to crimes against journalists was a permanent issue. "FNJ has been continuously urging the government and other stakeholders to ensure justice to the victim journalists," he reminded.

Freedom Forum Chairman Haribinod Adhikari also expressed sadness over the failure of previous term of the transitional justice mechanism. The victim families were not ensured justice. He hoped such programme would create atmosphere to exert pressure on the concerned sides to address impunity.

Although Freedom Forum had informed about the program and invited the representatives from government like Ministry of Communications and Information Technology, Home Ministry, Office of the Prime Minister and Council of Ministers, Nepal Police, the officials failed to attend the program.

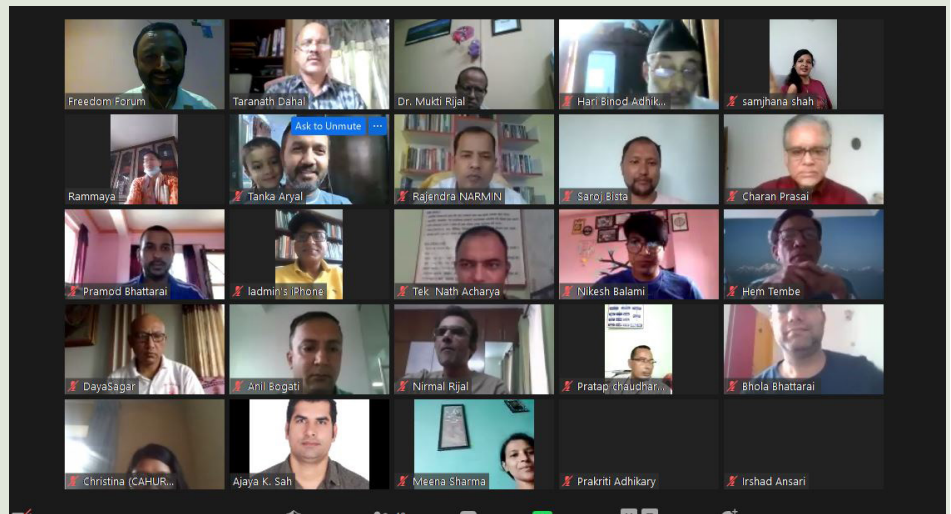
Citizen engagement stressed for effective local governance

Freedom Forum organized a virtual discussion on 'Citizen Engagement at Local Governance' as part of the thematic discussion series of Open Government Partnership on October 5. The discussion dwelt on existing citizen engagement mechanism and practices at the local level mainly in law-making, planning, and budgeting process. The participants included CSOs working with local governments, local level representatives, and experts. They stressed the need of reforms and willingness to get engaged from the citizen for the improvement at local government.

On the occasion, governance expert Dr. Mukti Rijal presented a working paper on 'Citizen Engagement for Local Government' and brought to light the trust deficit among the local government and CSOs, opposition and citizen. He argued all institutional and individual are highly politicized, which could create problems to the representative and the local level government. The oversight mechanism, he said, is imperative at local level. His focus was review in institutional ecology and need of holistic discourse.

Team leader at CECI Hem Tembe viewed that collaboration between government and citizen in the process of policy making was essential. He expressed worry that participation was basically taken as tokenism. The participation should be defined through planning, advocacy and lobbying with government as well as among the stakeholders. There is important role of citizens to bring reform in public body and local government which, he argued, would result in betterment of the individual, society and nation. Not mere participation but meaningful engagement is need of hour, according to him.

Executive Director at Young Innovation Bibhusan Bista viewed one-size-fits-all may



not be a solution to the problems of heterogeneous community.

Anirudra Neupane from Committed Nepal pointed out the need of capacity building of people so that they would have meaningful engagement at local levels. He suggested CSO and the media to play the role of opposition.

Policy Advisor at FF Krishna Sapkota stressed the citizen engagement of underrepresented communities needs to be the matter of discussion. Those who have less say should be put at the center, he added.

In view of Dayasagar Shrestha and Charan Prasai, inclusive and participatory engagement among citizens and government could better governance. Prasai however stated that the citizens and government are somehow confused in their role and they think election is the only way of collaboration, which, he said, is wrong. Prasai accused the government is guided more with vested interests than the engagement with the public.

Krishna Pathak from USAID informed the MOFAGA has developed a civic engagement framework where civic engagement principles, anticipated results and methods are well

articulated. This may help us take civic engagement on a larger scale.

Chief Executive at FF Taranath Dahal underscored that the local governance should be transparent where partnership should be made to identify gaps, draft and laws and regulation. The political atmosphere has forced us to collaborate with stakeholders together and work in the concerned issues, he said, adding that the policy of local governance has somehow overlapped the space of CSO.

Sajana Maharjan from The Asia Foundation expressed that as per OGP there should be collaboration between government and citizens on identifying and solving problem on policy- planning-development and sharing contribution and benefits.

The virtual meeting was moderated by Sanjeeb Ghimire. Out of 66 participants, there were 20 females in the event.

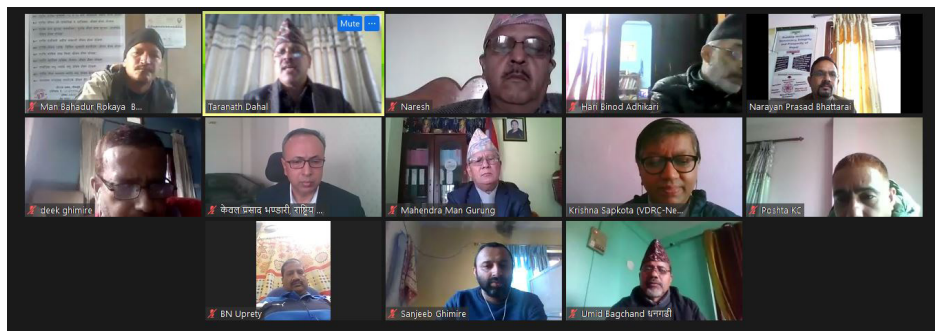
On the occasion, FF Chairperson Haribinod Adhikari thanked all participants for intensifying debate on citizens' engagement in local governance. 🌱

'Forward process to join OGP'

Freedom Forum organized a virtual dialogue on 'Nepal's' Participation in Open Government Partnership (OGP), Status and Readiness' on November 30. The main objective of the event was to discuss the status of readiness and reflection on OGP from both CSOs and government side.

This discussion was the part of OGP initiative led by FF. Series of thematic discussions were held surrounding OGP themes and the nationwide stakeholders mapping of working CSOs in different OGP themes was also completed. The representatives of CSOs from across the country, government officials (NPC and NIC), OGP and governance experts and practitioners were major participants in the event. Thematic reflections and status along with readiness were expressed by CSOs on different thematic areas. The CSOs felt the need of effective monitoring of right to information in order to ensure the environment and practices of open government partnership. The RTI activists are under immense pressure while requesting information from public agency. Similarly, citizen engagement should work as a bridge for different parameters of OGP. Through mapping, it could be made the agenda and work development forwarded in reference to OGP.

Understanding on OGP with reference to gender is major concern in Nepal. The linkage of gender and OGP can be shown in different countries with research but in our context there is absence in data and information. Sustainable Development Goal 16 and OGP could have a link. Establishment of relations between OGP and SDG could be a useful technique to accelerate the practices of open government to bring together the priorities for governments and citizens at different levels, the discussion stressed.



Open Parliament is another major component of OGP. In all three tiers of government, the citizen engagement and collaboration in line with parliament and in law making process plays vital role. Environment has been made to move forward, now government (legislative body) should be responsible in this regards.

In case of Fiscal Transparency, localizing fiscal openness is must to facilitate citizen engagement in fiscal policy formulation and execution at three tiers of governments in the new political and administrative setups of federal Nepal.

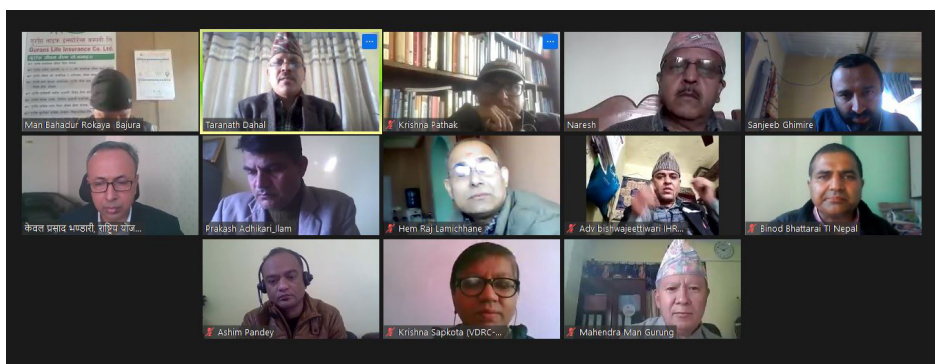
In the global context, Open Data and its management has become a key issue. The use of technology and the data produced from the technology should be accessible and transparent so that the public have the reach and access of those information. As per the open data principles, data should be open, standardized and used in multi-dimensional roles. Standardized data is the need in Nepal. Similarly, case of data management, the government has developed mechanism but the sharing device is not there. The role of private sector is more critical and therefore the collaboration between government and private sectors would be effective for open data management.

In regards to preparedness of OGP Action Plan, the mapping FF has done so far is the best practices in this process. Being a part of this OGP movement, CSO felt that although Nepal was eligible to become a member, they were not chosen due to different reasons. Now, Nepal is in the phase of federalism where CSOs need to focus more on reaching to sub-national level. On behalf of focal organization, Secretary at National Planning Commission, Kewal Bhandari, highlighted the benefit of joining OGP and the trust it creates among citizen and government as partners.

Similarly, Chief Information Commissioner at National Information Commission, Mahendra Man Gurung, also advocated for pushing the process for Nepal to join OGP as the country has met all requirements for some years. Both speakers showed their commitment to forward the agenda at government level to push the OGP joining process from their respective institutions. For this, they also hinted at making a stakeholder committee along with government representation for better performance to push this agenda into reality.

On the occasion, former chief secretary of Nepal government, Somlal Subedi, shared that political transition is the major reason that Nepal was not able to join OGP. According to him, political decentralization, and grassroots level pressure support OGP. We should learn from a quote: More accountability less corruption and less accountability more corruption, Subedi added.

The virtual meeting was moderated by Sanjeeb Ghimire and Taranath Dahal. It was held as part of the program 'Civil Society Mutual Accountability Project (CS: MAP)' with the support of FHI 360 which had attendance of 70 participants. Out of 70 participants, there were 12 females in the event. 🌱



Digital media to promote civic space

Increasing penetration of the internet and proliferation of mobile devices have been transforming the media industry into digitalization. According to NTA, mobile phone penetration in Nepal has exceeded 100% while internet penetration crossed 70 % of population. With this, the traditional media are joined the bandwagon of digital world.

Lately, Covid-19 crisis pushed further the legacy media to adopt technological sphere, the digital sphere, for their visibility and sustainability. In this context, Freedom Forum organized a dialogue on “Digitalization of Media and Civic Space in Nepal” on October 16. The main objective of this event was to discuss the shift of the traditional media to digital media and its impact on the future media landscape, public opinion, civic space and fundamental freedoms. The participants ranged from media professionals, CSOs working for media and information, academia and the researchers.

CEO at Sharecast Initiative, Madhu Acharya, shared the survey data about media, media consumer, trends of using media content and audience trust in Nepal. The increasing growth and advancement of information technology have changed the media consumption pattern of the audience. A recent survey showed that the biggest number of audiences relied on internet-based platforms along with social media for local, national and international news. However, the level of trust of the audience on internet-based media is very low compared to traditional media. According to him, the data of internet users and media outlets are easily obtained nowadays. It will be helpful to forecast future media landscape and digital civic space. Flooded online news portals are just begun as digital walls rather than a comprehensive news platform.

Editor at Barhakhari.com, Prateek Pradhan, opined that digitalization allows interactive news on digital space which however was developing at a slow pace in Nepal. Covid-19 has contributed to



decline of print media but not helped online, he argued, adding that the advertisements have shifted not to online news portals but to social media and Google.

According to him, civic space seemingly expanded with digitalization and with the advent of social media. Every individual is empowered with use of smart phone and internet. The anarchy of information, misinformation/disinformation, and loss of credibility are the major reflection of in the technological development.

Senior journalist Dhurba Adhikari viewed digitalization of media outlets obviously helps to empower citizen. However, digital literacy and skills are imperative for one's meaningful access to the internet based media, which, he said, would influence digital public space. Digital platforms could be used to create civic space for the voiceless.

Former editor at Himalayan Television Binod Dhunge said that digitalization of media is the need of the time and Covid- 19 intensified it. Future of traditional media is in crisis because of rapid growth of internet based media, he said, adding that it is hard to distinguish mainstream and other media. Credibility of online media platform is in question.

Editor of the Sikshyak magazine and senior journalist Rajendra Dahal stressed that the problem lies in journalism practice not in the

media outlets and its form. He wondered how the contents in digital media could be regulated.

Former president of Online Journalist Association Prabesh Subedi said the revenue model is the major drivers of digital news industry that can be sustained with different modality –aggregated subscription based, separate subscription based etc. He gave the examples of the Guardian, New-York Times and others. Subscription users are increasing day by day which can generate required revenue for online platform. This model may also fit Nepali context in future.

Editor at Nepal Samacharpatra daily Kapil Kafle wishes he was in the generation where he too could increase followers in mainstream media which is now declining. Public space is expanding via social media and internet platform.

A journalist participating from Britain, Bhagirath Yogi, viewed Covid-19 forcefully pushed the traditional media towards digital platforms. However, there is no convincing model of revenue generation to sustain digital media yet. In the present crisis, only government media and PSB are continuing their fullest presence. So, we must focus on Public Service Broadcasting adopting digital mode for assuring better civic space.

Human rights activist Charan Prasai expressed his worries about ongoing information and media anarchy in digital platform along with flood of misinformation that could be translated into the control-oriented media governance.

President of ACORAB Subash Khatiwada opined that the changing media means, modality and news variation is the reflection of time. Mere huge number of media

consumption does not guaranty the trust. In such a crisis, community media has bigger role.

Media researcher Harshaman Maharjan said digitalization of media and other social media platform widen the scope of readers to put forth their concern.

Concluding the event, General Secretary at FF Dharmendra Jha believed that this discussion was timely. Digital media has great scope with

certain limitation and challenges, he said, adding that data manipulation in various contents of online media platforms declines credibility in the news media.

The discussion, moderated by Taranath Dahal and Sanjeeb Ghimire, was attended by 45 participants. Out of 45 participants, there were 5 females in the event. 🌱

Concern on regressive media law, policy

Freedom Forum organized a dialogue on “Media Law and Policy in Nepal: Present Status, Challenges and Way Forward” on November 13. It was held virtually.

Reflecting on the recent trends of the government formulating regressive laws that suppress citizen's right to free expression and information, Sanjeeb Ghimire, called upon the participants to suggest the way forward to overcome the challenges posed by the policies governing media.

Executive Chief at FF Taranath Dahal also shed light on the suppressive provisions in different laws and policies relating to media in Nepal. He described how the laws governing Privacy, Civil Code, Advertisement, etc directly and indirectly curtailed free press and freedom of expression. He stressed that majority of the provisions led the government approach towards control and self-regulation in the name of law. Information Technology bill was also to control the online and offline freedom of expression.

He also shared information on different media polices formulated by the province governments which he said were problematic and against constitutional provisions.

On the occasion, senior journalist Dhruvahari Adhikari stressed the terms 'self-regulation' and 'censorship' which are debatable and reason of concern mainly while drafting and reviewing different media-related policies. He also called upon the media stakeholders to raise their voice.

Editor at www.ekagaj.com Hari Bahadur Thapa suggested the need to educate people's

representatives to draft the citizen centered laws ensuring wider participation of concerned stakeholders for better policy-making process and its implementation.

Joint Secretary at Ministry of Communications and Information technology Mahendra Saankhi agreed on the need to amend the tabled media related bills and expressed his commitment to secure press freedom and freedom of expression as guaranteed by the constitution.

"We at the ministry have been prodding to adopt participatory approach for policy formulation. However, continuous lobby and advocacy from the civil society sector is equally important", he marked.

Legal and Policy Advisor at FHI360 Tanka Aryal claimed that the main problem underlying such policies is the government's ignorance on international obligations relating to democratic values.

Senior journalist and General Secretary at FF Dharmendra Jha stressed the need for accountable and citizen friendly policies based on the practices of constitutional standards and good governance.

Advocate Santosh Sigdel argued that as the hierarchy of law has not been followed, most of the media related policies have been brought on the false ground. Every citizen has the right to invalidate the laws which are against constitution. He suggested the civil society and media to analyze the theoretical and practical effects of such laws on media.

FF lauds Home Ministry order to ensure citizen's RTI

The Ministry of Home Affairs issued a letter on December 4, requesting Chief Administrative Officers in all districts to facilitate registration of Right to Information applications at the public offices without any restriction.

At a time when several incidents of violations have been recorded while filing RTI applications at the local authorities, the order is expected to encourage the activists to seek information at local levels and secure their fundamental rights. Nepal's constitution has guaranteed the citizen's right to seek information from public offices. 🌱

Concluding the event, FF Chairperson Hari Binod Adhikari said, "All we need to do is to make aware the government and related lawmakers in order to make the media policies FoE friendly in future. Civic awareness and continuous advocacy is necessary to address the pressing issues in the policies.

Despite adversity posed by Covid-19, FF has been conducting the advocacy works by engaging the concerned stakeholders in the pressing law and policy issues. 🌱

Listen to Podcast!

Freedom Forum has been continuously producing podcasts on various themes. Through the podcasts, FF has been able to make citizens aware on the current affairs concerned with right to information, freedom of expression, democracy and good governance.

According to <https://podstatus.com/>'s recent review (a website which monitors reviews and rankings of the podcasts all across the globe) Freedom Chautari Podcast has secured fifth position in the category Government (Nepal) and 120th Position in the category of all podcasts (Nepal).

In the recent three months (Oct-Dec 2020) too, eight episodes of podcasts were produced.

A podcast prepared on the challenges of Right to Information in Nepal gained popularity among RTI practitioners. It was prepared to mark September 28, International Right to Know Day by holding dialogue among the RTI experts, constitution experts, RTI activists and information commissioners from National Information Commission.

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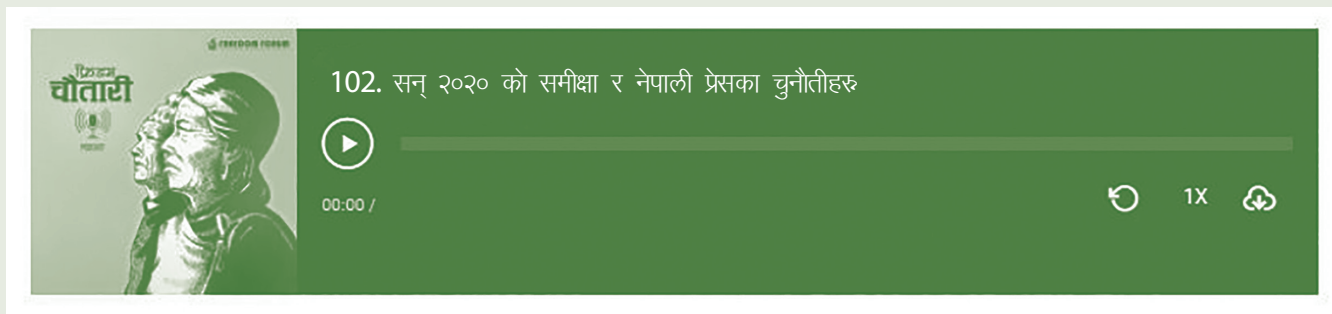
Next episode is about digitalization of Nepali media and its impact on civic space. The episode deals with how Nepali media has shifted from traditional to digital platform and how it has impacted on civil rights. The podcast also covers media in Covid-19 crisis.

Similarly, another podcast is on present status of media law and policies in Nepal and the way forward. It also includes the voice of a repre-

sentative from the Ministry of Communication and Information Technology.

Two other podcasts were prepared highlighting the long entrenched impunity for crimes against journalists in Nepal. They were made on the occasion of the International Day to End Impunity for Crimes against Journalists 2020. 🌱

Freedom Forum Podcast- Freedom Chautari



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

UPR report submitted on FoE

Freedom Forum's advocacy of freedom of expression has not only limited within the country boundary but also reached the international human rights platforms like UN that help create moral pressure on the State to respect, protect and promote FoE and civic space in Nepal.

This is the third time FF submitted Universal Periodic Review (UPR) report on freedom of expression, and first UPR on civil space. Under the FoE, the themes were FoE, access to information and safety to journalists. The UPR report was submitted jointly by FF and Netherlands-based organization Free Press Unlimited (FPU) in the thirty-seventh Session of the Working Group on the UPR.

Reminding the new constitution and new form of governance as the substantive improvements in the modern history of Nepal; and UDHR Article 19 and ICCPR Article 19, the UPR report showed concern over deteriorating enabling environment for media; and alarming situation concerning the working environment and safety of journalists. The failure of the State to make amendments in the constitution to comply with international standards of Freedom of Expression and Access to Information; continued efforts by government and political actors on different levels of government to suppress citizens and journalists through misuse of the Electronic Transaction Act; shrinking online space for Freedom of Expression and Access to Information were grave concern that showed deteriorating enabling environment for media. Similarly, Increase in harassment by government and political actors at different levels of government of journalists and other people exercising their right to freedom of expression, including artists; failure by the government to guarantee the effectiveness of the transitional justice mechanisms, being the Truth and Reconciliation Commission (TRC) and the Commission of Investigation

on Enforced Disappeared Persons (CIEDP) and a lacking government response to end impunity relating to crimes against journalists; failure of the government to acknowledge the right to access to information and journalists' safety in sustainable development goal SDG 16.10; increase in (self) censorship and online harassment of journalists indicated alarming situation concerning the working environment and safety of journalists.

Some of the recommendations the joint UPR submission made are:

- Ensure legal reform with amendments in the Constitution of Nepal and other laws in line with international principles of Freedom of Expression in accordance with international human rights law and standards, by redefining or deleting lengthy, vague and unnecessary provisos in the Constitution, specifically Articles 17 Clause (1 and 4); Article 19 (proviso); Article 27; RTI Act: Section 3; Mass Communication Policy: Section 3.7.2; Criminal Code: Section 305-307, Section 121; Civil Code: Section 21 (d); IT Bill: Section 86, 88; Media Council Bill: Section 5 and 7; Nepal Special Service Bill: Section 10 (1,2,3 and 5); Advertisement Act: Section 5 (1), Section 8 and 15
- Clearly define the provisions within the Electronic Transaction Act or its replacement IT Bill in accordance with international human rights law and standards
- Establish a separate multi-stakeholder digital authority that undertakes interdisciplinary research and study according to criteria agreed through public consultation on broader issues of internet freedoms including Freedom of Expression online and that furnishes suggestions to the government and the public on themes such as misinformation and fake news with the aim to increase media literacy.
- Intensify the process to implement the directive brought at the National Human Rights Commission (NHRC) in order

for the protection of human rights of the journalists and rights defenders. The mechanism on safety of Freedom of Expression defenders, including journalists, should ensure representation of Freedom of Expression experts, security personnel, concerned Ministry representatives and NHRC officials.

- Actively enhance and build capacity of the transitional justice mechanisms (TRC and CIEDP) with sufficient human and financial resources and legal and political support
- Amending the legal framework of the TRC and CIEDP to make it consistent with international human rights law and Supreme Court of Nepal rulings
- Set a baseline, indicators and targets by developing a monitoring mechanism to monitor government actions contributing to SDG indicators 16.10.1 and 16.10.2 and set up a multistakeholder body assigned to critically assess government actions towards this end.
- Ensure stakeholder participation in media policy development and law making that contribute to SDG goal 16.10.
- Amend RTI Act to ensure Right to Information to all people by broadening its scope beyond citizens
- Devise institutional and legal mechanism at provincial and local governments to implement right to information
- Ensure information sharing/disclosure in open data format
- The government of Nepal should transform the government owned media to a public service media, while ensuring editorial independence.
- Adopt comprehensive national legislation in order to ensure media pluralism and protect independent media
- Investigate and stop state-sponsored trolling and cyber-bullying against journalists and dissenting voices 🌱

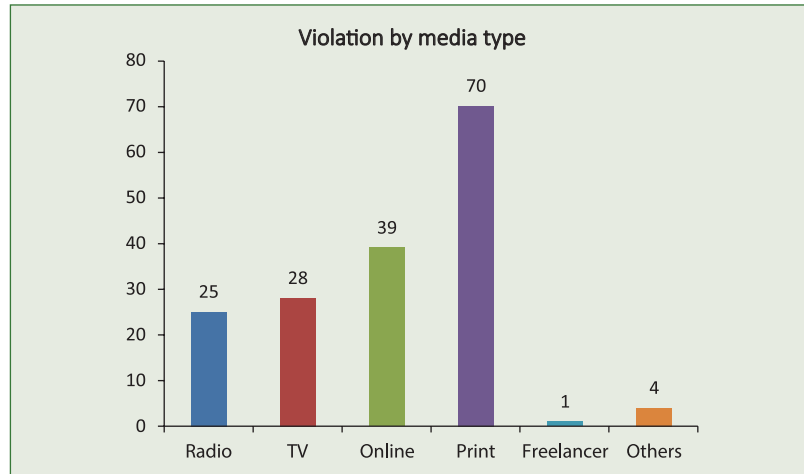
Media in 2020

Nepal awaits improvement in press freedom atmosphere

Freedom Forum recorded a total of 96 press freedom violations during the year, 2020. Although the violations' number declined slightly compared to the previous year (111 in 2019), the country still awaits improvement in press freedom atmosphere. In the 96 incidents of press freedom violations, 166 journalists including 16 females were directly affected. Of the total incidents recorded in 2020, more than 50% took place during the lockdown imposed in response to Covid-19 pandemic.

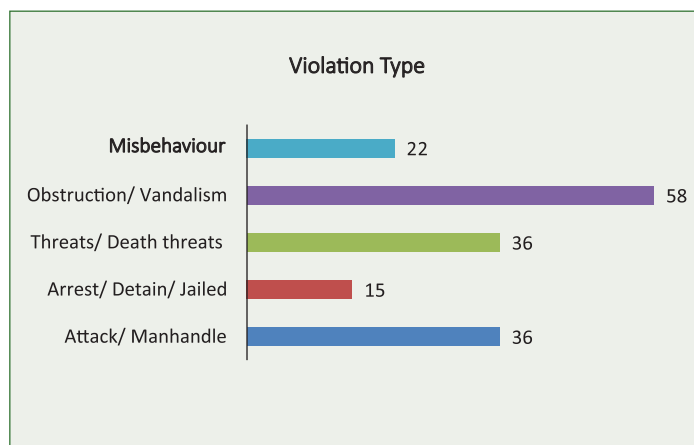
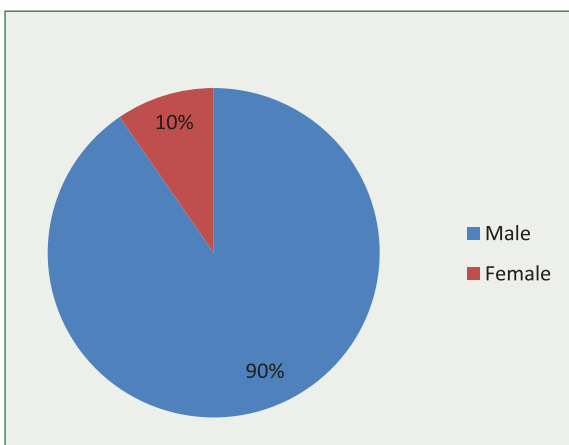
Silencing of journalists with arrest and detention is most worrying trend of the year. Similarly, intimidation and harassment of journalists for reporting news, government's attempt to silence media, suppression of citizen's right to freedom of expression on social media were equally noticeable. This year too, the highest numbers of violations were from the Bagmati Province (27) with affected number 34 followed by 18 violations in Province-2 affecting 65 media persons. Province-1 and Lumbini Province witnessed the lowest number of violation. Among 167 affected, maximum (58) were obstructed from doing reporting followed by 36 each being attacked/ manhandled and threatened while reporting. The data further showed during the year, most of the journalists facing violations were from print media (70) followed by online media (39).

This past year remained bleak in terms of journalists' financial security. Entire Nepali media



industry suffered chain effects of Covid-19 crisis. After the government enforced nationwide lockdown to contain the spread of deadly coronavirus on March 24, the lockdown had direct bearing on the media sector. The nationwide lockdown brought economic activities to a grinding halt, which resulted in decline of some 80% advertisement to media. It then badly impacted media houses and journalists. A special report FF prepared stated: radio and television programs went 'off-air' and, as if they had no other option, the media owners took a recourse to retrenchment: many journalists and media workers were asked to stay on unpaid leave, denied regular salaries and payment, delayed payment, finally leading to joblessness and resignations. Journalists started facing hard times for lack of their modest, yet regular

“Of the total incidents recorded in 2020, more than 50% took place during the lockdown imposed in response to Covid-19 pandemic.”



incomes. Even Nepal's blue-chip media houses – all based in the federal capital of Kathmandu – were suddenly struggling for survival and existence, and then the obvious happened: FM radios and televisions cut down on their news bulletins and program productions while the print reduced number of pages. According to the report, nearly 38% active journalists lost jobs across the country owing to Covid-19.

Although the number of press freedom violation is declined slightly, the atmosphere for press freedom and citizens' right to free expression and information did not improve. It is worrying indeed. Continued violations of press freedom with threats and attack on media and journalists will eventually jeopardize Nepal's democracy, observes FF.



FF signs global anti-corruption campaign

Freedom Forum in December signed a global anti-corruption campaign initiated by Transparency International. The global campaign is a call for ending the abuse of anonymous companies.

On International Anti-Corruption Day 2020, a group comprised of leading economists, trade unions and civil society organisations tackling issues from human rights, to poverty, to business integrity, have come together to call for an end to the abuse of anonymous companies.

The Transparency International had launched the campaign to collect signatures from across the diversity of sectors for the statement calling for UNGASS 2021 to commit countries to public, central registers of beneficial ownership. More than 200 signatories including FF already joined the appeal, including several NGOs, academics and businesses, according to Transparency International. The following appeal is taken from <https://www.transparency.org/en/ungass-2021-commit-to-transparency-in-company-ownership-for-the-common-good>.

THE APPEAL

The UN General Assembly's decision to hold a Special Session against Corruption in 2021 created a historic opportunity for the international community to address the global crisis of corruption.

The undersigned groups and individuals are united in the conviction that it is of the utmost

urgency for the UNGASS 2021 to put an end to the abuse of anonymous companies and other legal vehicles that facilitate cross-border corruption and other crimes. We are calling on the UNGASS 2021 to commit to making centralised, public beneficial ownership registers a global standard.

Companies that exist only on paper, exploiting our legal systems and concealing their ultimate ownership, are tools for the diversion of critical resources needed to advance sustainable development and collective security.

For decades, as scandal after scandal has demonstrated, anonymous shell companies have been used to divert public funds, channel bribes and conceal ill-gotten gains, as part of corruption and money laundering schemes stretching across borders.

Beneficial ownership information – information on the natural persons who ultimately own, control or benefit from a legal vehicle – enables cross-border enforcement and the tracing of ill-gotten assets for confiscation and return. In public contracting processes, it helps in the detection of conflicts of interest and corruption. It also makes it easier for businesses to carry out due diligence, helps them know who their partners and customers are and meet reporting obligations.

A central, public register of companies and their ultimate beneficial owners – in addition

to information on legal ownership and directors – is the most effective and practical way to record such information and facilitate timely access for all stakeholders.

We have come together to address government leaders currently preparing for UNGASS 2021 with one voice and one clear message: The “concise and action-oriented political declaration” to be adopted by the General Assembly should commit all countries to establish central, public registers of beneficial ownership as the new global standard. This should be supplemented with efforts to verify the collected information in order to ensure the accuracy and reliability of beneficial ownership data.

Transparency in company ownership is more than a technical solution to a problem. It is a matter of social justice.

Corruption devastates the lives of billions of people around the world, while its deadliness has become all the more evident during the COVID-19 pandemic and the climate crisis. With only ten years left to achieve the 2030 Agenda targets, we need decisive reforms to ensure that the resources needed to pay for critical public services such as schools and hospitals are not simply misappropriated and hidden away in tax havens or property markets abroad. Centralised, public registers of beneficial ownership as a global standard is precisely that kind of change. The time for action is now.

Civic space 'obstructed' in Nepal

Around 90% of countries in Asia restricting civic freedoms; Concerns about attacks on press and vilification of human rights defenders

People Power Under Attack 2020, an annual report from the CIVICUS Monitor, a global research collaboration that rates and tracks respect for fundamental freedoms in 196 countries, shows that basic freedoms are backsliding across the globe: 87 per cent of the world's population now live in closed, repressed or obstructed countries. This trend is reflected in Asia, where civic rights are declining.

In Nepal, where civic space is rated 'obstructed' the CIVICUS Monitor has documented ongoing threats and attacks against journalists in Nepal for their reporting, including on the COVID-19 pandemic. Online defamation laws, such as the Electronic Transactions Act (ETA), were used in 2020 to silence criticism of authorities and to prosecute online journalists.

Over the year there have been further attempts by the authorities to impose new restrictions on the internet and the media. Civil society pushed back on a Media Council bill that gave sweeping powers to the self-regulatory body overseeing the press. A new Public Service

Broadcasting bill has raised serious concerns among journalists and lawmakers about the potential for government control over a new public media body. An Information Technology bill (IT bill) designed to replace the Electronic Transactions Act (ETA) is inconsistent with international law and standards and risks creating a chilling effect giving rise to self-censorship.

Protesters have also been detained and protesters met with excessive force. In January 2020, more than a dozen activists including members and staff of Amnesty International Nepal were detained after they protested against the nomination of Agni Sapkota as speaker of the federal parliament. In June 2020, protests expressing discontent with the coronavirus (COVID-19) response were met with excessive force and arrests. Human rights groups in Nepal remain concerned about proposed legislation to regulate social organisations that could constraint civil society and has called on the government to protect the right to freedom of association. 🌱

Basic freedoms are backsliding across the globe: 87 per cent of the world's population now live in closed, repressed or obstructed countries. This trend is reflected in Asia, where civic rights are declining.

FF signs statement against HoR dissolution

Freedom Forum also signed the joint statement dozens of Nepali civil society organizations made, deploring the dissolution of the House of Representatives on December 20 by the President upon the recommendation of the Prime Minister in Nepal. In the statement, the CSOs have concluded that this particular move is a misfortune with a serious impact on values and norms of democracy and contrary to the interest and aspiration of Nepali. "It is an unexpected shock and surprise to the ordinary citizens whilst the nation is already affected by health, financial and social crisis," the statement added.

JOINT STATEMENT

DEC 29, 2020

Being an indispensable partner of democratic movement and a pillar of democratic system, civil society and civil society organizations of Nepal have been closely

observing the actions of the government, political parties and other concerned actors.

Nepalese civil society organizations are deeply concerned about the recent dissolution of the House of Representatives and announcement of the date for the midterm elections in May 2021 by the President Ms. Bidhya Devi Bhandari upon the recommendation by the Prime Minister Mr. K.P. Sharma Oli.

It is our conclusion that this particular move is indeed a misfortune with a serious impact on values and norms of democracy as well as is entirely in contrary to the interest and aspiration of Nepalese peoples. It is an unexpected shock and surprise to the ordinary citizens whilst the nation is already affected by health, financial and social crisis.

Victimizing the parliament and pushing the country towards instability because of intra-party feud for the sake of power rivalry within the ruling party cannot be justified under any pretext.

We speculate that the ongoing action of the political parties after the dissolution of the parliament is gradually moving towards erosion of the historical achievements gained by Nepalese peoples through a long struggle.

We aren't prepared to simply accept any acts and interventions in opposition to the values and norms of democracy and its mounted principles.

Therefore, we appeal to all the political parties to pursue meaningful dialogues with standing on the foundation of the constitution and democracy and to come out with concrete political solutions. We also appeal to the government and the concerned authorities to swiftly act towards avoidance of possible criminal and violent activities, and to safeguard fundamental rights of the citizens. 🌱

Self disclosure update

Type and Nature of Organization	NGO working for Democracy, Right to Information, Freedom of Expression, Fiscal Transparency and Open Data, Media Policy and Law, Internet Freedom		
Legal Status	Registered at District Administration Office Kathmandu. DAO Registration Number: 127/062/63, SWC Affiliation Number: 18518		
Location	Adarsa Marga, Prasuti Griha Road, Thapathali, Kathmandu		
Staffs and Roles	Taranath Dahal: Executive Chief, coordinates overall organizational and administrative affairs		
	Aruna Adhikari: Finance and Administration Officer, looks after accounting and administrative affairs and performs responsibilities as the Information Officer.		
	Nanu Maiya Khadka: Gender Monitoring Officer, responsible for monitoring media content on gender perspectives		
	Manju Ojha: Front Desk Assistant, Ganga Kumari Gurung: Office Assistant		
Projects	Krishna Sapkota- SUSASAN (CONSULTANT), Narayan Ghimire- LEGAL DEFENCE FUND (CONSULTANT), Pramod Bhattarai- SUSASAN, Sanjeeb Ghimire- EEMIR, Bhawana Poddar- EEMIR, Bobbish Dhakal- EEMIR, Aditya Dahal- EEMIR, Subash Dahal - DAA		
Ongoing Project Information	Project Name	Supporting Agency	Date of Signing the Contract
	Enable Environment for Media Law Reforms and Improved RTI Practice (EEMIR) (CS-MAP)	FHI 360	30th Dec 2016
	Contributing to create atmosphere for Free Expression and reduction of impunity on crimes against journalists	IFEX	October 27, 2020
	Review of Statistics Bill	The Asia Foundation (TAF)	November 4, 2020
	Sustainable use of Technology for Public Sector Accountability in Nepal (SUSASAN)	CECI	17th April 2017
	Legal Defense Fund	FPU	27th May 2020
	Driving Audit Accountability : Audit Reports for Colective Action to Strengthen Government Responsiveness (DAA)	IBP	30th September 2019
Services Offered/ Activities Carried Out	Research, capacity development and policy advocacy including media monitoring, trainings on RTI and journalism, meetings, workshops, seminars and other campaigns to promote issues of democracy, RTI, FoE, fiscal transparency, human rights, local governance. It also provides legal aid to journalists, media and information seekers.		
Responsible Authority	Chairperson: Hari Binod Adhikari, Executive Chief: Tara Nath Dahal		
Decision Making Process	General Assembly: Making policies, rules and regulations of organization Executive committee: Formulation of action plans as per constitution of organization, rules and regulation Management team: Running projects and daily operational affairs and reporting timely to the Executive Committee.		
Past and Current Activities	Please follow the link: http://freedomforum.org.np/content/category/activities/		
Information Officer	Aruna Adhikari		
Financial Information	Freedom Forum received grants amounting RS. 4,791,910.60 (October to December 2020)		
Official Website	www.freedomforum.org.np		
Publications of Freedom Forum	Freedom Forum has over 50 Publications (printed) Please Follow the Link: http://freedomforum.org.np/content/publications/		
Annual Report	http://freedomforum.org.np/content/publications/reports/annual-reports/		
Mechanism for Information Dissemination	Websites- http://www.freedomforum.org.np/ ; www.nepalpressfreedom.org , and Newsletter-Free Expression		

2020 World Press Freedom Index

Entering a decisive decade for journalism, Exacerbated by coronavirus

The 2020 World Press Freedom Index, compiled by Reporters Without Borders (RSF), shows that the coming decade will be decisive for the future of journalism, with the Covid-19 pandemic highlighting and amplifying the many crises that threaten the right to freely reported, independent, diverse and reliable information.

This 2020 edition of the Index, which evaluates the situation for journalists each year in 180 countries and territories, suggests that the next ten years will be pivotal for press freedom because of converging crises affecting the future of journalism: a geopolitical crisis (due to the aggressiveness of authoritarian regimes); a technological crisis (due to a lack of democratic guarantees); a democratic crisis (due to polarisation and repressive policies); a crisis of trust (due to suspicion and even hatred of the media); and an economic crisis (impoverishing quality journalism).

These five areas of crisis – the effects of which the Index’s methodology allows us to evaluate - are now compounded by a global public health crisis.

“We are entering a decisive decade for journalism linked to crises that affect its future,” RSF secretary-general Christophe Deloire said. “The coronavirus pandemic illustrates the negative factors threatening the right to reliable information, and is itself an exacerbating factor. What will freedom of information, pluralism and reliability look like in 2030? The answer to that question is being determined today.”

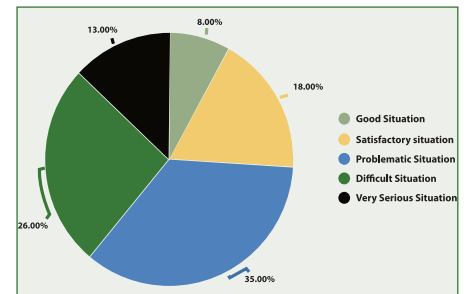
There is a clear correlation between suppression of media freedom in response to the coronavirus

pandemic, and a country’s ranking in the Index. Both China (177th) and Iran (down 3 at 173rd) censored their major coronavirus outbreaks extensively. In Iraq (down 6 at 162nd), the authorities stripped Reuters of its licence for three months after it published a story questioning official coronavirus figures. Even in Europe, Prime Minister Viktor Orbán of Hungary (down 2 at 89th), had a “coronavirus” law passed with penalties of up to five years in prison for false information, a completely disproportionate and coercive measure.

“The public health crisis provides authoritarian governments with an opportunity to implement the notorious “shock doctrine” – to take advantage of the fact that politics are on hold, the public is stunned and protests are out of the question, in order to impose measures that would be impossible in normal times,” Deloire added. “For this decisive decade to not be a disastrous one, people of goodwill, whoever they are, must campaign for journalists to be able to fulfil their role as society’s trusted third parties, which means they must have the capacity to do so.”

The main findings of the 2020 Index

Norway tops the Index for the fourth year in a row in 2020, while Finland is again the runner-up. Denmark (up 2 at 3rd) is next as both Sweden (down 1 at 4th) and the Netherlands (down 1 at 5th) have fallen as a result of increases in cyber-harassment. The other end of the Index has seen little change. North Korea (down 1 at 180th) has taken the last position from Turkmenistan, while Eritrea (178th) continues to be Africa’s worst-ranked country.



Malaysia (101st) and the Maldives (79th) registered the biggest rises in the 2020 Index – 22nd and 19th, respectively – thanks to the beneficial effects of changes of government through the polls. The third biggest leap was by Sudan (159th), which rose 16 places after Omar al-Bashir’s removal. The list of biggest declines in the 2020 Index is topped by Haiti, where journalists have often been targeted during violent nationwide protests for the past two years. After falling 21 places, it is now ranked 83rd. The other two biggest falls were in Africa – by Comoros (down 19 at 75th) and Benin (down 17 at 113th), both of which have seen a surge in press freedom violations.

RSF’s “global indicator” – its measure of the level of media freedom worldwide – improved very slightly in the 2020 Index, by 0.9%. However, it has deteriorated by 12% since this measure was created in 2013. The proportion of countries that are coloured white on the press freedom map, meaning the press freedom situation is “good,” is unchanged at 8%, but the percentage of countries coloured black, meaning the situation is “very bad,” has increased by two points to 13%.

(Source: <https://rsf.org/en/2020-world-press-freedom-index-entering-decisive-decade-journalism-exacerbated-coronavirus>)

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

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