



Free Expression

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A NEWSLETTER OF FREEDOM FORUM

Media freedom yet to gain pace

This year (2015 May to 2016 April) witnessed- i) shrunk activities in media owing to the natural disaster- May 12 aftershock of 2015- especially in the hilly districts; ii) media persons faced double hostility- from the security bodies, and from agitating political parties and the cadres in the southern plains, which claimed a life of young journalist- Rohan Chaudhari- of Mahottari district, and iii) a glimmer of hope in media fraternity with the arrest of a mastermind of the murder of media entrepreneur though late- after six years of the murder.

Freedom Forum recorded a total of 59 incidents of press freedom violation in this monitoring period. However, the number of journalists affected in the incidents is over 100 across the country. There were 17 incidents of attack, while 12 threat and death threat combined, eight obstructions, seven vandalism and others.

It is quite worrying that political leaders and cadres are in the forefront to intimidate journalists. The arrest of ex-parliamentarian Sanjay Sah as the mastermind of the murder of media entrepreneur Arun Singhaniya, paints horrible picture of Nepali media as to how callous the political interests are towards free media.

The year beginning with a big aftershock (May 12, 2015) left media persons psychologically

panicked, for they had lost their relatives and properties. It obviously shrank the media activism.

The most horrible incident of the year which remained ignored, and almost unheard is the killing of a young radio journalist Rohan Chaudhari of Jaleshwornath FM. He was killed in firing.

"Rohan Chaudhari, 19, from Bajrahi village of Jaleswor municipality, Mohottari, a district in the southern plains was killed in a police firing while he was reporting live to the Jaleshwornath FM from a local Mahendra Chowk on September 9, 2015. Shot on chest by the security command while taming protest, Chaudhari died on the spot," said Station

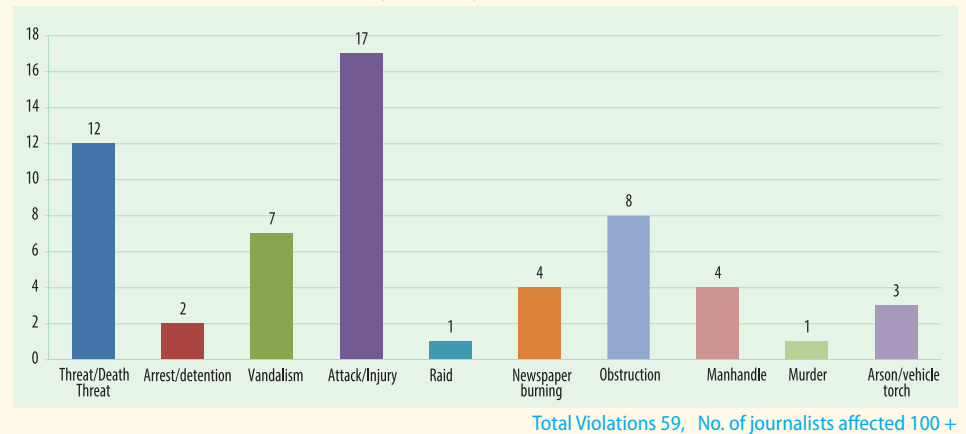
World Press Freedom Day REPORT 2016

Manager of FM, 90.4, Bijay Chaudhari, adding, "Sadly and astonishingly, the incident was ignored by many including media." Rohan had been working a RJ and reporter to the FM for 13 months.

It was the indication how Nepali media/ journalists remained at the receiving end of the political agitation especially in the southern

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Press Freedom Violations during a year (May 2015 to 2016 April)



FoE on Internet in Nepal

Freedom Forum marked the World Press Freedom Day-2016 by organizing a discussion program on "Freedom of Expression on Internet in Nepal" in Kathmandu on May 4.

The program was focused on FoE on internet to mainstreamize this issue in view of the rise of social networks and the news portals inviting multi-stakeholders' internet and concern in Nepal.

Multifarious issues relating to the FoE on internet emerged in the program attended by the journalists, FoE defenders, university teachers, technologists, media researchers, advocates and legal practitioners, among others.

With the growing penetration of internet across the country, freedom of expression (FoE) has got open and uncontrolled regime inviting interest and concern from multi-stakeholders. At a time when the internet has tremendously benefited the citizens, it has also become a matter of big concern of the State, the participants said.

Presenting a paper on "Freedom of Expression on Internet in Nepal," the advocate and Chairman of Internet Society Nepal Chapter, Baburam Aryal, argued that major legal hurdle in practicing FoE on internet is Section 47 of Electronic Transaction Act 2008. "This section has criminalized FoE on internet.

As a result, various journalists and citizens have been targetted by the security agency, and cases were filed," he added.

According to him, the present constitution was regressive in terms of FoE on internet, as it intentionally wiped out the mention of FoE on 'online'. He categorically said the interim constitution had however included the term 'online' at least to recognize the internet as a platform for FoE practice.

The FoE practice on print media and on the internet is taken differently in Nepal which in a way has been a casue to harass the citizens

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Message from Chairperson



The government unveiled the national budget for the fiscal year 2016-17 in the statutory date of May 28. This is the first budget after the promulgation of the new constitution – which is believed to be an outcome of the most participatory and representative body, the Constituent Assembly in the constitutional history of Nepal.

Timely unveiling of budget undoubtedly is a part of the implementation of the new constitution, which would significantly help institutionalize budgetary system of the country and increase capital spending capacity of the government. Albeit it seems a tiny, the constitutional provision could have greater impact on the life of the nation and people as well with rise in capital spending of budget.

Yet, the constitutional provision on budget presentation alone is not adequate to leverage public financial management sector of the country. To reckon with, Nepal does not produce an important budget document Citizen Budget – a simplified version of the Executive Budget Proposal or Enacted Budget – to inform citizens of the state of public financial management throughout the entire budget cycle. The budget is a technical document and it is state's responsibility to demystify dense and technical presentation of budget and present them in a citizenry way with the use of charts, graphs and other tools. So, it requires that the State bring Citizen Budget with non-technical presentation of executive budget or enacted budget to allow public to comprehend the budget that affects their lives in many ways. Though the time for introducing Citizen Budget of executive budget has been over with the budget unveiling, the opportunity is still there to come up with a simplified version of the enacted budget as it is still under discussion in the parliament.

Another important document missing in Nepal's budgetary system is Pre-Budget Statement that presents the executive's economic and fiscal policy plans and priorities for the forthcoming budget year and encourages public debate on the budget in advance of the presentation of the more detailed budget proposal in the parliament.

The pre-budget, according to international best practice, should be made public at least a month before the executive presents the detailed budget in the parliament. It is to create opportunities for public including citizens and their organizations to put their deliberations on fiscal and budget policy.

People's access to timely and credible information about government programs, mainly about how the public revenues are raised and spent through budget, is important to secure citizen participation and their ownership in the budget process of the country. Without these two important documents in place and varieties of ways established for ensuring public participation in budgetary process, citizens would not be in a position to hold the governments to account and influence public engagement in the matters of budget.

Though there is a 14-step planning process to ensure local level needs in the national budget, it does not allow direct public participation in government fiscal policy and budget-making in the true sense. Nepal's Open Budget Index-2015 score on public participation on budgetary affairs is 19 out of 100 which is lower than the global average of 25. It shows that the government provides limited opportunities for public to engage in the budget process.

In order to improve people's participation in budget, the government needs to set up credible and effective mechanisms (public hearings, surveys and focused group discussion) for capturing a range of public perceptions on budget matters, hold legislative hearings on the budget of specific ministries and agencies and set up a specialized budget research office at the legislature to foster public discussions on the budget, among others. So, Freedom Forum calls for the authorities concerned not to make further delay in introducing a citizen budget and pre-budget statement as part of Nepal's budget system.

Taranath Dahal
Freedom Forum

Open Singha Durbar



Open budget, open parliament, open government, open data, open Nepal, and now the Open Singha Durbar. The Open Singha Durbar, a campaign initiated and encouraged by Freedom Forum is gaining significant pace day by day in Nepal. Singha Durbar is the place of central administration of Nepal, where common people's access is too difficult.

In this light, Freedom Forum had prodded the concerned agencies demanding easy access of common people to Singha Durbar, which resides numerous ministries, including the Office of the Prime Minister and Council of Minister, National Planning Commission, secretariats, and decisions of various kinds are made, but without citizens' access.

Encouraged by the Freedom Forum's initiative, an application bearing signatures of 342 youths was registered at the National Information Commission (NIC) on May 5, demanding easy access of the general public to Singha Durbar. Youths from the districts in the Kathmandu Valley to the outside as Lalitpur, Sindhupalchok, Chitwan, Nawalparasi, Sindhuli, Dolakha, Nuwakot, Rasuwa, Terhathum, have expedited the leadership of the Swabhiman Manch Nepal and collected the signatures for that purpose.



The application calls on the NIC to make the government that it issued instructions for providing easy access to the general public to Singha Durbar.

It is stated in the application that the general public are compelled to take recourse to such means as pleading with the civil servants working within the Singha Durbar based offices or politicians and sometimes brokers or go-betweens for getting permit chits to enter the central government secretariat complex. The application also states that because the general people do not have easy access to Singha Durbar, they are deprived of their right to take information from the government offices.

The applicants have contended that even the earthquake survivors are facing difficulties as the office of the National Reconstruction Authority that is responsible for their rehabilitation is also located inside the Singha Durbar.

To this, Chairperson of Freedom Forum, Taranath Dahal, observed, "The Open Singha Durbar campaign is now voluntary, clean, awareness-raising and participatory campaign luring youths from diverse sectors that obviously exerts pressure on the government and other agencies to be accountable to the public by adhering to the RTI."

The joint application has demanded that the NIC issue instruction to the bodies concerned to make provisions for providing unrestricted access to the general public to the public bodies

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Press Freedom Violations

ATTACKS

A. Police attacked Kabin Adhikari, a photojournalist with an online news portal-onlinekhabar.com inside Singha Durbar, the central administrative complex of the country, on April 10.

Adhikari was attacked by police persons while he was photographing the arrest of protesters. There was a sit-in being staged by the government employees which he was photographing.

According to the onlinekhabar.com, journalist Adhikari was kicked, and attacked with fist and sticks. Injured Adhikari had to get to the hospital for treatment. He however escaped the major injury.

The incident shows how hostile the security persons are, and how hostile the place of central administration of the country is towards free reporting. Singha Durbar is the place where government's decisions are made, where the Office of the Prime Minister and other ministers reside. If such place is not safe for journalists, where can they be safe? Which is the safe place? Attack on such premises is condemnable.

B. Narma Dev Yadav, reporter with the Green Madhesh daily, published from Saptari, a district in the southern plain, was attacked by an unknown gang in the night of April 23.

Attacked with motorcycle helmets by some four to five unknown persons, reporter Yadav got injuries on head. He had to get admitted to the Neuro Hospital of Biratnagar, as he was still feeling pain on his chest and stomach.

Talking to Freedom Forum from the hospital bed, journalist Yadav said, "I was returning home after the office, but some unknown persons gathered at local Rajbiraj road all of a sudden attacked me without any reason."

Asked whether the attack was related to his reporting, he said he was not aware of it.

C. An unknown gang attacked Hiralal Bishwokarma, Chief Reporter with the Himalaya Times national daily, published from the capital city, on the night of January 25.

He was attacked while he returning home after office at a local Mid Baneshwor of the capital city, about 9:30pm.

According to Editor at the daily, Govinda Luitel, Chief Reporter Bishwokarma was attacked from behind by some five/six persons in a group; they also looted his purse, and important documents from him.

Admitted in a nearby hospital after the injury with attack, he had to take medicine, and was prescribed to take rest for some days. He got injuries on face.

Asked whether the attack was related to the news reporting, Editor Luitel said it however not clear yet.

Journalist Rai detained, ETA hostile to FoE on internet

Journalist Manoj Kumar Rai, editor of the Gaunle monthly, has been kept in detention for ten days in Kathmandu for sharing on Facebook the investigative articles and booklet he wrote on a religious guru. The monthly is published from Kathmandu. Rai hails from Solukhumbu, a mountainous district in the eastern region of Nepal.

Senior Superintendent of Police Bikram Thapa confirmed that Rai was arrested from Kathmandu and investigation was underway under the Electronic Transaction Act-2008 because the news and the book he wrote on religious guru was shared in social network as Facebook.

Similarly, Sub-Inspector of Police at Metropolitan Police Premise, Teku, Ram Krishna Pathak, said a complaint was filed against journalist Rai by various persons, including Henkhama Hankhim and Prem Kumar Rai, arguing that 'he wrote the book blemishing the religious guru.

On May 18, Freedom Forum's Media Monitoring team visited the detained journalist Rai, reaching at Metropolitan Police Range, Teku. During the conversation, he said, "I had to release my booklet in a small gathering of friends after I got huge

pressure to postpone the scheduled book release program at Nepal Academy. I released it on May 8, 2016. Immediately after that I was called by the Kathmandu police and kept

in detention, saying a complaint was lodged against me."

"I'm not discouraged at all. I am learning how

"I'm not discouraged at all. I am learning how the laws are obstruction to citizens' right to free expression," he said from behind the bar

the laws are obstruction to citizens' right to free expression," he said from behind the bar, adding that his detention period was expiring on Wednesday (May 18), and was hopeful of positive decision from the court.

In the booklet, he said, as he had argued that the person Bhakta Bahadur Rai from Udayapur district was conducting phony activities in the name of religious guru. His book entitled 'fraud Ommand (God Angel);

Journalist Rai's detention under the Electronic Transaction Act was the latest series how ETA was criminalizing FoE on internet. Invocation of ETA to arrest journalist grossly violates press freedom. 📌

Police arrest freelance journalist for taking photos

Freelance journalist and litterateur Sesh Narayan Jha was arrested by the police for taking a photograph of a symbolic protest from the main gate of Singh Durbar, the central administrative office of the country, on May 23.

He was detained at Singhadurbar Police Circle, confirmed the police. However, detailed information why the police detained him was awaited.

If Jha's arrest came merely for taking photos of the protest, it is the gross violation of press freedom. A journalist taken under control from the very central administrative office shows how hostile the State is against journalists who must be provided the atmosphere conducive for free reporting.

The police therefore needs to come up with the clear reason why he was held, and in case it was a breach of the press freedom, journalist Jha must be released immediately without any condition respecting press freedom. 📌

Anti-graft body arrests senior journalist Dixit

The anti-graft body, Commission for Investigation of Abuse of Authority (CIAA), arrested senior journalist Kanak Mani Dixit from the capital city on April 22.

The CIAA arrested noted journalist and Chairman of Himal Media, Dixit, citing the reason that he did not cooperate with the CIAA investigation on his properties allegedly amassed by the illegal means.

The CIAA however made it clear that Dixit was not arrested on behalf of a journalist and media owner but as the Chairperson of the Sajha Yatayat.

Dixit is also the Chairperson of the Sajha Yatayat.

However, noted journalist, coming out of police van said, "The CIAA action on me is biased and I am picked from the very place then king had arrested me during royal coup."

Later journalist Dixit was freed after the Supreme Court order. 📌

Suspended lawmaker Sah mastermind of the murder of media entrepreneur Singhaniya

Nepal police, after six years of the murder of media entrepreneur Arun Singhaniya from Janakpur, a city in the southern plains of Nepal, proved that suspended member of the parliament (MP), Sanjay Sah, was the mastermind.

Held on another crime- bomb blast in Janakpur city, the police investigation revealed that he was the mastermind behind the murder of media entrepreneur Singhaniya.

Singhaniya was the chairperson of Radio Today Communications group. The police investigation further disclosed that four other persons – Chandra Dip Yadav, Yongendra Sahani, Om Prakash Yadav and Mukesh Chaudhary- were also involved in the murder. Singhaniya was shot dead at local Shiva Chowk of Janakpur city on March 1, 2010.

The police paraded them organizing a press meet on April 6. As per the investigation, Sah paid the goons to finish off media entrepreneur Singhaniya after the Janakpur Today disseminated the story on a burglary.

Shooter also held

Later, on May 15, police arrested a man involved in the murder of media entrepreneur from Janakpur, Arun Singhniya, and presented before the Dhanusha District Court on May 15.

The accomplice named Manak Lama was from Biratnagar on May 13. After investigation, he was found to be the shooter.

On March 30, the District Police Office, Dhanusha, had filed a case against 11 along with the master mind Saha.

Though late, the police action against the murderers of media entrepreneur has given a positive message that impunity on the crime relating to media was being checked gradually.

Sanjay Sah was the Member of Parliament from Sadhbavana Party. After the investigation of parliamentary committee, he was suspended from the MP post.

Freedom Forum welcomes the arrest, thorough investigation and prosecution of Sah, for this, despite long time, has helped check impunity relating to media freedom.

The arrest, in-depth probe and subsequent prosecution of Sah is in indeed a good step to curb impunity. Security investigation must be appreciated. It has also helped provide relief to the victims' family and entire media fraternity. However, it is quite appalling that the political party murderer Sah belonged to has not spoken any word on it. It has questioned the credibility of political parties, and showed how hostile the political parties are to media. 🐦

Attack on community radio

A community radio, Narayani FM, at Birgunj, a city in the southern plains of Nepal was attacked by an unknown gang in the night of February 20.

According to reporter for the Nagarik daily, Ritesh Tripathi, a guard in duty, Brij Mohan Yadav, was also thrashed by the assailants. He received severe injury on head.

Moreover, they smashed the window glasses and left the FM in the night.

Reporter Tripathi said the reason behind the attack was not ascertained till date of monitoring. 🐦

Information Officer attacked

Information Officer of District Development Committee, Salyan, Purna Bahadur Oli was attacked by Lok Bahadur Dangi, a local political leader belonging to the Communist Party of Nepal (UML), at the office of the Local Development Officer on March 20, reasoning his NGO was not selected for a program.

Talking to Freedom Forum's RTI desk, Information Officer Oli said, "Dangi, all of a sudden, attacked me at the DDC Office when I was briefing Local Development Officer about the selection of the NGOs for the program in the district."

He added that political leader Dangi spoke foul on him. After Oli filed a case of public office

against Dangi, the latter is in detention.

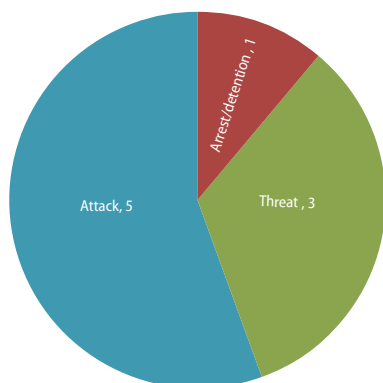
Freedom Forum, an organization working for the right to information, and advocating for the strengthening of both demand and supply sides of information to boost transparency, vehemently condemns the attack on information officer. It has discouraged the concerned

Information officer and his office indicating hostility in delivering service. The information officers at the public agencies must be protected, promoted and strengthened so that they can contribute better to build good governance being accountable to the public.

Therefore, the local authority is strongly demanded to take stringent punitive measures to curb such incidents in the days ahead. 🐦

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Press freedom violations from Jan to May 2016



Threat of Attack

Moreover, on March 27, reporter for the Purnank weekly, Janak Rishi Rai, was threatened of attack by a person nicknamed God Angel over a news story relating to his citizenship certificate.

"God Angel threatened me over phone- why I wrote the story about his citizenship certificate, and he would send goons to attack me," said journalist Rai while talking to Freedom Forum.

He added that God Angel's citizenship certificate was printed with some additional information which was not in others. 🐦

Government policy document attempts to curtail FoE, discourages media pluralism

The government brought the policy and programmes for the coming fiscal year 2016/017 on May 8. President Bidya Devi Bhandari presented the policy document before the Legislature-Parliament.

Here are some of the points relating to media/press, information, and transparency:

- 106.** To make the mass media dignified and professional, the mass media policy will be implemented. To make the news dissemination credible and respected, journalists' qualification and standard would be set and the code of conduct implemented. The monitoring of the minimum wage of the working journalists would be continued.
- 107.** The media will be classified and categorized with certain criteria and standard. A work plan on structural and managerial reform of the public associations/organizations working actively media will be implemented. The oldest publication of the country, Gorkhapatra daily, will be published also from Biratnagar in the east and from Kohalpur, Banke from the west.
- 108.** Structural and managerial changes would be equipped with modern technology brought to make the postal service professional.

Express postal service will be managed in the metropolitan city and sub-metropolitan cities. The activities being carried out from the additional postal offices will be continued with the cooperation from the local bodies.

- 109.** Laws on security printing will be amended and process will be taken for establishment of security print.
- 110.** Works will be initiated to expand telecommunication technology, radio and television by developing own satellite. Rural telecommunication fund will be mobilized to spread optical fibre in the Mid-Hill Highway and postal highway. Internet service will be introduced in the community schools and primary health centres through the microwave transmission.
- 111.** The business centres along the Pushpalal Mid-Hill Highway and the newly announced municipalities will have IT services in line with the concept of the modern city. Internet service will be provided freely in the important public places by making the internet service providers and concerned associations bear the cost.
- 112.** To make the public procurement process more open, transparent, objective and credible, a single portal based online procurement

system will be made effective. Similarly, public procurement information management system will be established to ensure all stakeholders access to the information.

- 113.** Quality of auditing will be enhanced to ensure financial accountability of the public auditing. An overall and agency-based work procedure of the internal control system will be formulated to make the public financial management effective.

Freedom Forum has strong reservation on point nos 106 and 107 of the government policy and programme that have mentioned that qualification of journalists would be determined, and media categorized. It grossly violates the citizen's freedom of expression. FoE is a basic right and it is a universal right. Everyone is free to exercise freedom of expression. Licensing for journalists in the name of qualification is against this value.

The curtailment of FoE is against the principle of representative democracy as well.

Secondly, classification of media as stated in point no 107 is against media pluralism. It is a time Nepal needs to foster media pluralism where diverse views are recognized. 🗣️

SDG wise budget allocation in Nepal

Thanks to the new constitution that stipulated the date to unveil the annual budget for the country. As stipulated in the constitution, the government brought the budget on May 28. The date of the announcement of budget was much debated and delayed for the lack of preparation triggered by the political squabbling for some years in Nepal. Therefore, it is in deed a laudatory that constitution fixed the date by which the national should get the annual budget.

The government this time allocated the budget as per the Sustainable Development Goal (SDG).

Agenda	Allocation	%
No poverty	202875032	19.34%
Zero Hunger	65200389	6.22%
Good Health and Well Being	42600024	4.06%
Quality Education	118210864	11.27%
Gender Equality	2222245	.21%

Clean Water and Sanitation	33978549	3.24%
Affordable and Clean Energy	54147486	5.16%
Decent Work and Economic Growth	10850853	1.03%
Industry, Innovation and Infrastructure	170820561	16.29%
Reduced Inequality	440820561	.42
Sustainable Cities and Communities	209078414	19.93
Responsible Consumption and Production	82483	.01
Climate Action	2785606	.27
Life on Land	15238037	1.45%
Peace, Justice and Strong Institutions	109652093	10.45
Partnership for the Goal	6770428	.65

Source: Red Book, Fiscal Year, 2016/17, Ministry of Finance

INCREASE ON CDF - GROSS MISUSE OF STATE COFFER

Freedom Forum's attention has been drawn on the increase of budget to the Constituency Development Fund (CDF) and Constituency Infrastructure Development Special Program.

As the FF's study with the use of RTI in 68 districts on fund use has found that the budget allocated to the CDF was grossly misused by the political parties and hacks channeling the budget to the party interests, the increase has obviously dampened peoples' hope of development although CDF is a new government initiative aimed at decentralizing government spending so as to ensure development/infrastructure projects meet local needs.

FF's resources (information collected about the use of CDF) was massively used by the media drawing wider attention that the budget framed out of the tax the people pay was misused by the parliamentarians and their subordinates.

In the fiscal year 2014-015, two public funds- CDF and CIDSP, had the total appropriation of NRs 3.3 billion. The government has increased the CDF (for each MP) to Rs 5 million this fiscal year from Rs 1.5 million allocated for FY 2014-15 while CIDSP has risen from Rs 10 million to Rs 30 million for per MP. 🗣️

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under the Electronic Transaction Act-2008. Aryal's presentation included other related issues as defamation, obscenity, hat speech, blasphemy and political criticism and shared some legal cases the State handled under Section 47 of the ETA.

Facilitating the program, Freedom Forum Chairman Taranath Dahal said, "Time has come for wider stakeholders in the country to debate on FoE on internet, and make a common understanding to protect the digital freedom, and augment democratic values in this age of ICT." Freedom Forum was ready to take a lead in the campaign to foster FoE on internet in Nepal, Dahal added.

Similarly, South Asia Program Coordinator at International Federation of Journalists, Asia-Pacific, Ujjwal Acharya, said internet is the multi-stakeholders' platform. The different understandings about internet among the State mechanism, right defenders and internet users have caused serious threat to FoE on internet in Nepal. According to him, many countries have tried to control FoE on internet by ICT related laws. "Online media and other media should be treated equally," he stressed.

Senior investigative journalist Hasta Gurung said, "Internet is an open university. None can control



"Internet is an open university. None can control it. It is the booster of global media." He further argued that efforts to regulate and control internet is a sheer folly. "Nepal does not need any law to control it," he underscored.

On the occasion, Chairman of Nepal Bar Association, Sher Bahadur KC, said internet should be used by balancing the conflict and

According to him, around 100 websites were blocked in the recent past after the order from Nepal Telecommunications Authority (NTA). He further revealed that ISPs' Association was asked verbally to identify and block especially the pornographic websites.

Superintendent of Police at Human Rights Cell of Nepal Police, Puja Singh, said when the intention is wrong while using law, it creates problem. Practice of FoE by the journalist and citizen should be regarded same, she said, adding that internet freedom is a debated issue even in the security agency.

Similarly, Board Member at the Freedom Forum, Ms Rammaya Lamichhane, said the main objective of the ETA at its origination should be understood for its interpretation, which could help reduce the victimization of citizens under this act.

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Other speakers including Online Journalists Association's Chairman, Prabesh Subedi, UNESCO representative JB Biswokarma, Chairman of Media Action Nepal, Laxman Datt Pant, and US journalist Jill Filipovic, media law advocate Rishi Ram Ghimire and Tanka Aryal, freelance journalist Shiromani Ghimire, FF Vice-Chair Hari Binod Adhikari, Executive Director Krishna Sapkota, Public Affairs Officer at US Embassy, Kathmandu, Meena Kaini, ICT and development expert Dr Sudhamsu Dahal pointed out the need of building ICT awareness, sharing of internet knowledge among diverse stakeholders, and congruity between jurisprudence and practice to bolster FoE on internet.



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development; while Chairman of the Internet Service Providers' Association, Suman Lal Pradhan, shared the plight that the Association was frequently prodded to block many websites.

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located inside the Singha Durbar complex by removing the restriction on entry.

With similar vein, the Freedom Forum's Chairperson Mr Dahal, on March 27, had drawn the attention of the NIC towards the deprivation of citizen's right to information owing to the

obstruction to them from entering into the Singha Durbar.

The Office of the Prime Minister and Council of Ministers and the Parliament Secretariat were also informed of the applications at the NIC.

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plains coupled with rowdy demonstration and the obstruction on southern border. Attack, death threat, threat, manhandle continued both by the State and agitating sides. The agitating political parties and groups continuously threatened reporters reasoning the news on protests was given little space in their media; while the security persons randomly assaulted journalists in the protests.

As always, political cadres and security persons and traders remained the most hostile to free reporting.

Some points

Nepal got new constitution from the Constituent Assembly on September 20, 2015 which has created a broader democratic context to institutionalize reforms on media sector.

Threat was more to reporters writing on financial irregularities, smuggling and administrative malfeasance.

Security agency, especially police persons controlling protest/riot failed to segregate journalists from protesters, and respect of their rights.

Political parties are yet to internalize the importance of press freedom and journalists' right to free reporting.

Due to protests, many national media, especially Kathmandu-published newspapers were obstructed to reach towns and cities in southern plains for nearly four months.

Some FM radios in Madhes were found used to glorify protests, breaching the code of conduct.

Pressure from both State and agitating parties mounted on media thereby blocking news, disrupting work atmosphere.

Political parties, groups, and people from the southern plains felt belittled by the national media with littler coverage of their protests.

For lack of clear and comprehensive laws to govern internet, the practice of freedom of expression on internet is challenged.

On policy: The Ministry of Information and Communications formed a committee to study the overall media and formulate a new media policy. As the country has witnessed the big change on political and constitutional setups, broader media policy is imperative, but, the committee lacks the farsighted vision to incorporate the views from the wider range of stakeholders for perspective media development.

Press Council Nepal, a State agency to see code of conduct on journalists, brought a preliminary draft of the Journalists' Code of Conduct-2016.

BROADER MEDIA POLICY NEED OF HOUR

The government of Nepal had formed a committee to study the overall media and formulate a new media policy. It was a good initiative as it was formed at a time broader media policy was needed in the country.

The committee was formed under the coordination of Chairman of the Administrative Court, Kashiraj Dahal, also sought FF's suggestions, for the latter showed keen interest in view of its extensive work experience relating to the study, debate and formation of laws and policies relating to Nepali media.

While furnishing suggestions, FF Chairperson Taranath Dahal reminded the committee that

in the name of formulating news policies, past efforts on FoE could not be ignored. While suggesting the government for the new media policy, the need of broader policy should be assured where all sorts of media can fully exercise their rights in free and secure atmosphere. Without independent media, democracy can't sustain. In the name of code of conduct, journalists' and citizens' right to free expression must not be curbed, he stressed.

Meanwhile, the committee is learnt to have submitted its preliminary report to the Ministry of Information and Communications. Detailed report is awaited for analysis. 📄

It seems the Code of Conduct was brought in haste. Similarly, it is learnt that efforts are made by the Council to classify journalists and making journalists to take eligibility exams signals possible State control on media and journalists.

Impunity Watch: Nepal police, after six years of the murder of media entrepreneur Arun Singhaniya from Janakpur, a city in the southern plains of Nepal, proved that suspended member of parliament (MP), Sanjay Sah, was the mastermind.

Held on another crime- bomb blast in Janakpur city, the police investigation revealed that he was the mastermind behind the murder of media entrepreneur Singhaniya. Singhaniya was the chairperson of Radio Today Communications Group. The police investigation further disclosed that four other persons – Chandra Dip Yadav, Yongendra Sahani, Om Prakash Yadav and Mukesh Chaudhary- were also involved in the murder. Singhaniya was shot dead at local Shiva Chowk of Janakpur city on March 1, 2010.

The police paraded them organizing a press meet on April 6. As per the investigation, Sah paid the goons to finish off media entrepreneur Singhaniya after the Janakpur Today disseminated a story on a burglary.

Attack on journalist inside Singha Durbar: Kabin Adhikari, a photojournalist with an online news portal- onlinekhabar.com, was attacked by police persons inside Singha Durbar, the central administrative place of the country. He was attacked by police while photographing the arrest of civil servants inside Singha Durbar, on April 10.

The anti-graft body, Commission for Investigation of Abuse of Authority (CIAA), arrested senior journalist Kanak Mani Dixit from the capital city on April 22. The CIAA

arrested noted journalist and Chairman of Himal Media, Dixit, citing the reason that he did not cooperate with the CIAA investigation on his properties allegedly amassed by the illegal means. However, noted journalist, during the arrest said, "The CIAA action on me is biased and I am picked from the very place then king had arrested me during royal coup."

In conclusion,

State side including political parties and security agencies remaining the most hostile elements to limit press freedom shows the dire need of democratic culture in the political parties.

The unawareness among the security persons to segregate journalists from the protestors means they need proper training on respecting journalists' rights during protest

The committee to prepare draft on new media lacks the activism to incorporate the views from the broad range of stakeholders. The committee is in need of holding broad discussion and debate with the pressing issues of media so that diverse views would surface to get due address. The committee's decisions must suit the democratic values.

Attack on journalists inside Singha Durbar,

one of the safest places, shows how unreceptive the very central administration of the country is towards free reporting. If such place is not safe for journalists, where can they be safe? Which is the safe place? Attack on such premises is condemnable.

Any policy brought in haste does not grasp the changed dynamics of media. Only broad discussion with stakeholders can help ensure the media freedom- a prerequisite to democratic system. 📄

Freedom Forum's Updated Information

Type and Nature of Organization	NGO working for Democracy, Right to Information, Freedom of Expression, Fiscal Transparency and Open Data		
Legal Status	Registered at District Administration Office Kathmandu. DAO Registration Number: 127/062/63, SWC Affiliation Number: 18518		
Location	Adarsa Marga, Prasuti Griha Road, Thapathali, Kathmandu		
Staffs and Roles	Krishna Sapkota: Executive Director, coordinates overall organizational and project affairs (Development and Implementation)		
	Narayan Ghimire: Media Monitoring Officer, who coordinates media focused initiatives		
	Aruna Adhikari: Finance Officer, looks after accounting and administrative affairs and performs responsibilities as the Information Officer.		
	Kumar Chaulagain: Program Assistant		
	Manju Ojha: Media Monitoring Assistant		
	Trishna Dhakal: Admin Assistant / Receptionist		
	Basanti Thapa: Office Assistant		
	Project Staffs: Freedom Forum hires short term project staffs based on project need		
Ongoing Project Information	Project Name	Supporting Agency	Date of Signing the Contract
	IFEX	IFEX	December 2015
	Developing Case Study on Data Use by Parliamentarians and Journalists	Development Initiative	January 2016
	EU Climate Change and Disaster Risk Reduction in the SAARC Region Workshop	IUCN	30 May 2016
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 aids to journalists, media and Information Seekers		
Responsible Authority	Chairperson: Taranath Dahal , Executive Director: Krishna Sapkota		
Decision Making Process	General Assembly : Making policies, rules and regulations of organization Executive committee: Formulation of action plans as per constitution of organization, rules and regulation Management team: Running projects and daily operational affairs and reporting timely to the Executive Committee.		
Past/Current Activities	Please follow the link: http://freedomforum.org.np/content/category/activities/		
Information Officer	Aruna Adhikari		
Financial Information	Freedom Forum received grants amounting NPR 589409.30 from different donors from 2015 December to May 2016		
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.html		
Annual Report	http://freedomforum.org.np/content/publications/reports/annual-reports/		
Mechanism for Information Dissemination	Websites: www.freedomforum.org.np ; www.nepalpressfreedom.org , www.nepalelectionchannel.org Newsletter: Free Expression		

A “deep and disturbing” decline in media freedom

The 2016 edition of the World Press Freedom Index, which Reporters Without Borders (RSF) published on 20 April, 2016, shows that there has been a deep and disturbing decline in respect for media freedom at both the global and regional levels.

Ever since the 2013 Index, RSF has been calculating indicators of the overall level of media freedom violations in each of the world's regions and worldwide. The higher the figure, the worse the situation. 3,857 points

The global indicator decline since 2013 is 13.6%. The global indicator has gone from 3719 points last year to 3857 points this year, a 3.71% deterioration. The decline since 2013 is 13.6%.

The many reasons for this decline in freedom of information include the increasingly authoritarian tendencies of governments in countries such as Turkey and Egypt, tighter government control of state-owned media, even in some European countries such as Poland, and security situations that have become more and more fraught, in Libya and Burundi, for example, or that are completely disastrous, as in Yemen.

The survival of independent news coverage is becoming increasingly precarious in both the state and privately-owned media because of the threat from ideologies, especially religious ideologies, that are hostile to media freedom, and from large-scale propaganda machines. Throughout the world, “oligarchs” are buying up media outlets and are exercising pressure that compounds the pressure already coming from governments.

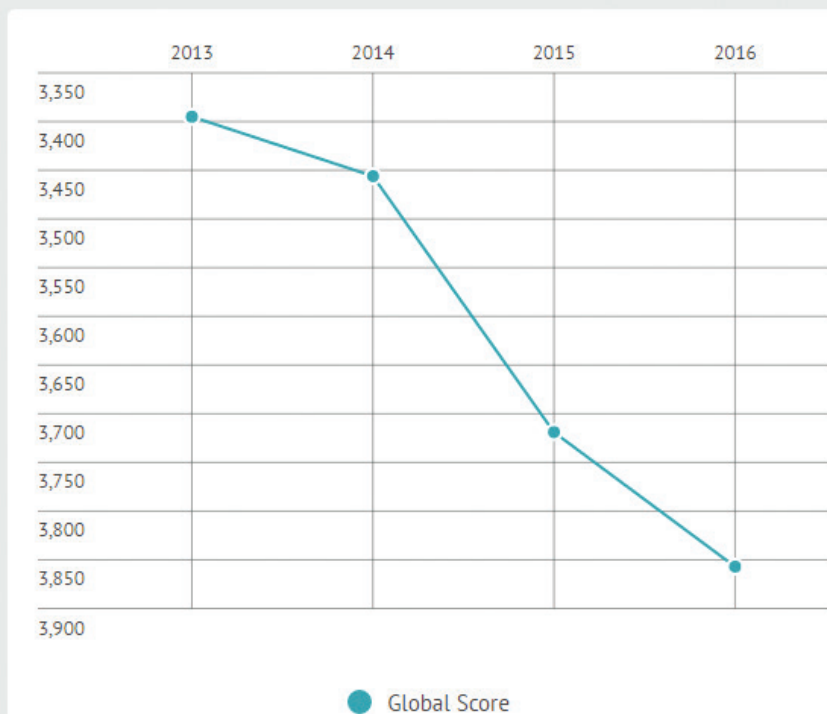
All of the Index's indicators show a decline from 2013 to 2016. This is especially the case for infrastructure. Some governments do not hesitate to suspend access to the Internet or even to destroy the premises, broadcast equipment or printing presses of media outlets they dislike. The infrastructure indicator fell 16% from 2013 to 2016.

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.

Editors: Krishna Sapkota, Narayan Ghimire

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Global Score



The legislative framework has registered an equally marked decline. Many laws have been adopted penalizing journalists on such spurious charges as “insulting the President,” “blasphemy” or “supporting terrorism.” Growing self-censorship is the knock-on effect of this alarming situation. The “media environment and self-censorship” indicator has fallen by more than 10% from 2013 to 2016.

Every continent has seen its score decline. The Americas have plunged 20.5%, above all as a result of the impact of physical attacks and murders targeting journalists in Mexico and Central America. Europe and the Balkans declined 6.5%, above all

because of the growing influence of extremist movements and ultraconservative governments.

The Central Asia/Eastern Europe region's already bad score deteriorated by 5% as a result of the increasingly glacial environment for media freedom and free speech in countries with authoritarian regimes.

Published by Reporters Without Borders annually since 2002, the World Press Freedom Index measures the level of freedom available to journalists in 180 countries using the following criteria – pluralism, media independence, media environment and self-censorship, legislative environment, transparency, infrastructure, and abuses.

(Source: <https://rsf.org/en/deep-and-disturbing-decline-media-freedom>)



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