

## Civil Society: Mutual Accountability Project

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Issue 18

# CS:MAP Newsletter

### Words from the Chief of Party, Civil Society: Mutual Accountability Project

I take immense pleasure in bringing to you yet another issue of the Civil Society: Mutual Accountability Project (CS:MAP) monthly newsletter. I sincerely hope that this 18<sup>th</sup> issue will help us reflect upon activities and achievements from the month of March 2019, share with and learn from one another, cherish the collective results that we have achieved this far, and aspire to do more towards advancing the Nepali public interest. As with the earlier issues, we anticipate that you will enjoy going through this edition, and provide feedback on making future editions even more interesting and fruitful.

Happy reading!

Bishnu Sapkota  
Chief of Party, CS:MAP; Country Director, FHI 360 Nepal

### **#Ma Bolchhu Campaign Captures Her Stories of Breaking Gender Biases**

In order to mark the 109<sup>th</sup> International Women's Day, a storytelling event held on March 6, 2019 under the *#Ma Bolchhu Campaign* brought together personalities from different walks of life. They shared their tales of inequality experienced, exclusion suffered, challenges encountered and obstacles overcome in their personal and professional lives. A singer, a social activist, a parliamentarian, a politician, a differently-abled person, a transgender and representatives from Dalit and ethnic communities shared their experiences.



The singer sang a song of the existing inequalities and discriminations against women. The representative from ethnic community shared how she went against her parents' denial of her right to education. Growing up facing and loathing gender-based discrimination and inequality, she started working for the welfare of prisoners and their children.

Likewise, the politician said neither dedication nor performance accounts for leadership positions for women. "All that matters is flattery and nepotism," he said. The female parliamentarian who belonged to the Dalit community shared her experience of multiple discriminations and violence she suffered at home, school and community. Similarly, the visually impaired social activist said that she had a learning difficulty in school due to lack of appropriate pedagogy for the visually impaired.

The transgender activist related how she was subjected to continuous harassment from the family and the society. The torture by the cisgender even made her contemplate suicide. She had an ordeal in getting married and finding a job despite being qualified. The stigma and discrimination she faced led her to initiate a campaign for the rights of the transgender.

The event showcased women's journey of breaking patriarchal shackles by defying the prevalent unequal power relations, gendered norms and values, and exploring and realizing their potential for contributing to gender parity and inclusion. The event not only led the audience to reflect on their own behavior and attitudes towards women and social minorities, but also inspired them to speak up against inequality, discrimination and exclusion.



## Strengthening Enabling Environment for Civil Society and Media Organizations in Nepal

### Open Government Partnership for Better Investment Climate

A group of civil society organizations (CSOs) working on transparency and accountability has urged the government to join Open Government Partnership (OGP) - a global movement for developing trust between governments and their citizens. During an interaction organized by Freedom Forum jointly with Accountability Lab on 'OGP and Climate Investment' in Kathmandu on March 28, 2019, CSO leaders requested the government to become an OGP member for securing better investment climate and paving the way for economic advancement.

The speakers said OGP stands for transparency, accountability, participation and technological innovation which are imperative to create an environment for investment. Narayan Adhikari, Country Representative of Accountability Lab, urged the government to become the member of OGP to show its commitment for improved transparency which play a vital role to attract investment in the country.

Similarly, Tara Nath Dahal, Chief Executive of Freedom Forum, said that access to information and transparency in ownership are essential to build trust among investors which would help strengthen the investment climate. He said the investment climate can improve favorable if Nepal gains OGP membership.

The Freedom Forum Project Manager expressed how Nepal's image could improve through improvement in its Doing Business Index (DBI) status, with its joining OGP. Nepal currently ranks 110<sup>th</sup> out of 190 countries in the DBI. Bishnu Pukar Shrestha, Chairperson of CAHURAST Nepal, highlighted the need for the country to adopt the culture of open government.

Ram Prasad Subedi, General Secretary of NGO Federation of Nepal, and Narendra Joshi, Executive Director of SAP Nepal, stressed on the necessity for collaborative efforts among CSOs to persuade the government to join OGP.

Overall, the speakers focused on the necessity of broader awareness of OGP and urged the government to become the member of OGP to develop favorable environment for investment in Nepal on the eve of the Nepal Investment Summit 2019. Twenty representatives (2 female) from CSOs took part in the event.



## Capacity of Civil Society Leaders and Journalists Enhanced

Federation of Nepali Journalists (FNJ) and NGO Federation of Nepal (NFN) jointly organized two capacity-building workshops on freedom of association and expression on March 21-22 in Kavre and March 28-29, 2019 in



Kathmandu. The objective was to familiarize the national civil society and media leaders with international legal standards and principles and basis for local advocacy on draft laws that affect civil society and media.

The workshops customized for provincial media and civil society leaders of Province 3 were facilitated by CS:MAP partner ICNL and the CS:MAP Legal and Policy Advisor. Participants analyzed the existing civil society and media-related policies including the proposed 'Social Organization Act, 2018' from the perspectives of constitutional and international standards. They worked on policy advocacy cycle in order

to understand and strengthen their advocacy approach.

Similarly, participants were given different scenarios and asked to analyze if those scenarios were in concurrence with the international standards and constitutional values. The participants also shared their experiences and discussed on the issues and importance of policy advocacy in the present context where the government is in the process of developing many laws and policies. There were 28 participants including chairpersons of FNJ and NFN and central committee members and representatives from other civil society and media organizations.

## Collaboration with Media to Safeguard Freedom of Expression

Nepal Government recently tabled a bill on the Management and Regulations of Information Technology (IT Bill) at the House of Representatives and a bill related to the Management of Advertisement Regulation (Advertisement Bill) at the National Assembly. The IT Bill has provisions which contravenes with the Constitution of Nepal and freedom of expression. The Bill provides power to the administration to block social media platforms if they are not registered in Nepal. The Bill also introduces harsh punishments for posting improper content on social media platform.



If the Advertisement Bill is passed as it is, it would have an adverse impact on public decency, integrity of labor, and discrimination related to gender, caste, religion and other socio-economic status. Both bills are under consideration of the parliamentary committee. Freedom Forum has been drawing the attention of stakeholders and has initiated discussions through social media and shared preliminary concerns by issuing press release on the Advertisement and IT bills.

This drew the attention of journalists to the contents of those bills. Journalists including the editors of the major newspapers, radios and TVs made telephone calls and visited Freedom Forum for in-depth information on the issue. A number of news reports, interviews, opinion articles and editorials sensitized the public and policy makers in line with the perspectives of Freedom Forum.

## With a new IT bill, state draws battle lines against free speech

In attempting to regulate social media platforms, Oli administration violates the freedom of speech and opinion guaranteed under the constitution, experts say

BRUNDA RAI  
KATHMANDU, FEB 15

A new information technology bill proposed by the KP Sharma Oli administration giving sweeping powers to authorities to block social media platforms if they are not registered in Nepal has raised alarm, as rights advocates say it curtails freedom of speech and increases surveillance of personal data.

The broad definition of "social network" in the bill includes all information and communication technology-based platforms where people and organisations interact or share content. This would include everything from Facebook, Twitter, Instagram to messaging services like Viber. Even the more secure plat-

forms like WhatsApp and Wire could fall under the purview of the laws enacted through this bill, experts say.

The bill comes just days after the government tabled a new law at the House of Representatives restricting civil servants from sharing their views on social networking sites, and four months after the parliament passed a bill, which is set to be tabled in Parliament, has provisions to fine or imprison individuals who post "improper" contents on social networking sites that the authorities deem as discrediting individuals and an attack on national security.

Information rights activists say the bill threatens online freedom and would violate the freedom of speech and opinion enshrined in the constitution. Some of the critics of the bill suggest that the pro-

visions in the bill will give the government greater power to suppress dissenting voices like in authoritarian regimes.

"If you start criminalising these things, the state will use its resources to stifle the voices and people who criticise, who disagree and whom they don't like," said Tharun Dahal of Freedom Forum, a civil liberty group that advocates free speech.

The government has already been using the Electronic Transaction Act to arrest, and take action against, people based on their social media posts deemed "improper" by the authorities. According to the cyber crime cell at Nepal Police, 106 cases were filed in Kathmandu Valley in the last three years for posts on social media.

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Newspapers such as Republica, The Kathmandu Post, Kantipur, Nagarik, and The Himalayan Times have covered the news and printed related articles and editorials on the restrictive provisions of IT and Advertisement bills. On February 13, 2019, Republica covered a news on IT Bill. The Kathmandu Post has been continuously writing how those Bills have restricted free speech and expression, citing Freedom Forum's effort in its editorial. Several media also interviewed Tara Nath Dahal, Chief Executive of Freedom Forum.

BBC Nepali Service, Kantipur FM, Image FM and Radio Barahi spoke to Dahal on Advertisement Bill and its provisions on freedom of expression in which he defended freedom of expression and demanded revision in those bills. Sagarmatha TV, Kantipur TV, News 24 TV, and Image Channel interviewed and took bytes of Dahal and Board Member of Freedom Forum Sudhamshu Dahal. Positive response of media outlets and editorial teams over the issues has been reflected in the media coverage and follow-ups.

### **Province 1 Parliamentarians Pledge to Make CSO-friendly Laws**

INSEC organized an interaction on constitutional rights for civil society organizations (CSOs) in Biratnagar on March 10, 2019. The objective was to inform provincial law-makers on the constitutional rights of CSOs. INSEC presented a paper on CSOs' constitutional rights.

Hikmat Karki, Minister for Internal Affairs and Law of Province 1, said that the provincial government would regulate the CSOs by respecting their rights to freedom of association and assembly. He further said that the CSOs should play a complementary role as the province has limited resources. Urging the CSOs to question the government if there were any inappropriate actions, he said the provincial government would not confront CSOs, but rather facilitate their operations and forge partnerships with the CSOs.

Eight provincial parliamentarians shared their views and commitments with regard to CSOs legal and policy issues. They put forward their concerns about malpractices in the operation of the projects and foreign assistance. Suggesting that CSOs improve accountability and transparency, they also pledged to reform the provincial laws relating to the CSOs if there were any restrictive provisions for CSO operations.



Subodh Raj Pyakurel, Vice-Chairperson of Provincial Planning Commission, Province 1, emphasized on the proper implementation of the code of conduct and strong self-regulation for improving CSOs image. He suggested the lawmakers to refer to the constitutional provisions and international legal instruments while making laws. Dr Indra Shrestha, Chairperson of INSEC, said that CSO-friendly policies and laws are the fundamental prerequisites for a democratic society.

Fifty-three people (19 female) including 16 provincial parliamentarians and civil society representatives, Provincial Minister for Internal Affairs and Law, Vice-Chair of Provincial Planning Commission and 35 CSO representatives participated in and shared their opinion in the interaction.

## Civil Society and Media Engagement with Government for Effective Public Resources Use and Services Delivery

### District Administration Office Dolakha Sets up Digital Citizen Charter

The District Administration Office (DAO) Dolakha has established a digital citizen charter to enhance citizens' access to relevant services and information through audio-visual citizen charter at its premises. Parbat Gurung, Member of Federal Parliament, inaugurated the citizen charter on March 17, 2019. The charter was installed in partnership with HURADEC (Human Rights Awareness and Development Centre) Dolakha.



The charter displays a 30-minute long audio-visual related to the services and process for acquiring the services delivered by the DAO. In his inaugural speech, Gurung said that adopting digital technologies would improve public service delivery and resource use. He urged other offices of the district to replicate such an innovative idea for rendering

public service more transparent and effective.

Sagar Mani Pathak, Chief District Officer, said that such audiovisual charters would help people know about the process for seeking and availing public services. Hom Pathak, Chairperson of HURADEC Dolakha, said that the digital citizen charter would be helpful even for the visually impaired. He said that HURADEC Dolakha has also supported the installation of a similar charter in Ramechhap district as well.

### Sajha Sabha Draws the Attention of Service Providers to be Accountable

SOCH Nepal organized *Sajha Sabha* in Gorkha on March 9, 2019 focusing on the status of 10 major development projects in the district. *Nagarik Sajha Sawal* (Coalition of Gorkha) had mobilized 10 journalists to conduct a study of the status of 10 most important public construction projects in Gorkha district. After a series of meetings and informal discussions among the coalition members, journalists and other civil society members, *Sajha Sabha* was convened to discuss on these issues.

Anupama Regmi, Treasurer of the Federation of Nepali Journalists Gorkha Chapter, presented the findings of the study which showed poor performance of the development



projects in the district. The reasons behind the poor performance were attributed to bureaucratic delay, budget deficiency, lack of construction materials at the sites, and restriction and delayed approval by the District Administration Office (DAO) Gorkha to use local resources.

Dr Baburam Bhattarai, former Prime Minister; Surendra Raj Pandey, Member of National Assembly; provincial parliamentarians Prakash Chandra Duwadi, Hari Sharan Acharya, Mankumari Gurung, and Ashok Kumar Gurung; Chair



of District Coordination Committee; chairs of all 11 *gaunpalika*/municipalities of Gorkha; Hari Bahadur Thapa, Editor-in-Chief of Annapurna Post daily; and representatives of the CSOs and journalists participated.

The meeting issued an 11-point declaration committing to fight against corruption, delay and politicization; enhance people's participation in policy formulation, revision and implementation; make monitoring participatory; make planning process and implementation of development activities transparent and participatory; and disclose mandatory information.

The local and national media covered the event. Some of the immediate results of this event included an emergency meeting of the contractors' association of Gorkha which issued a press release claiming that the contractors alone were not responsible for the poor performance and the DAO assured approval for the use of local resources within two days of application. The project chief committed to speed up the construction work of Daraudi Drinking Water Project. A total of 204 people participated in the event.

Similarly, Rural Women Development Center conducted a district-level *Sajha Sabha* in Dang on 31 March 2019



with the objective of making public service delivery more effective, improving governance and increasing citizens' participation in local governments. Amar Bahadur Dangi, Member of Parliament of Province 5, and representatives from Tulsipur Sub-metropolis, Ghorahi Sub-metropolis, District Coordination Committee, civil society, media, Common Assembly (CA), and Listening, Dialogue and Action Group (LDAG) participated in the *Sajha Sabha*.

The meeting focused on sharing action plans and their results of *Sajhedari Manch*, CAs and HEAD coalition. As committed during the previous *Sajha Sabha*, Narulal Chaudhary, Chief of

Ghorahi Sub-metropolis, said that the Sub-metropolis had allocated budget for subsidy on beehives; mushroom, tomato, fruit farming and fishery; conducted public hearing, public audit across the Sub-metropolis; set up agriculture and veterinary service center in all Wards; allocated budget to freed Kamhari's education, sickle-cell anemic people and barred teachers of public schools from teaching in private schools.

Dangi committed to making effective policy for sickle-cell anemic people and farmers and improving governance of local and provincial governments. Likewise, Tulsipur and Ghorahi Sub-metropolises' chiefs committed to ensure public participation in local planning and policy making process. The elected representatives committed to provide training of trainer for health volunteers; manage an ambulance service; improve teaching-learning environment in public schools; train farmers; formulate policy for agriculture subsidy, and support in the preparedness for natural disasters. Similar events were held in Nuwakot, Doti, Achham, Kanchanpur, Dadeldhura, Surkhet and Rasuwa districts.



### **Civil Society Interacts with Government Representatives on Local-level Planning Process**

Community Development Center-Nepal organized two interactions on "The Role of Civil Society in Local-level Planning Process" in Rasuwa on March 21 and in Nuwakot on March 22, 2019. The objective was to share and interact on the experience of local-level planning process, current status and practice and participation of citizens in the planning process. Representatives of political parties, local governments, elected representatives, media, civil society and the public participated in the interactions. Kamal Nath Acharya presented a paper on "The role of Civil Society in Local-level Planning Process".

The participants discussed on issues such as lack of coordination between Wards, *gaunpalika* and civil society on public interest issues; lack of participation of marginalized communities and local-level civil society groups like youth club, child club, mothers' group, community users groups, cooperatives; low priority to agribusiness and health sectors; and no budget for women, senior citizens, children and Dalit, among others. The government officials and political leaders committed to address the problems by increasing civil society participation in planning process. District-level interactions have been held in Dhading, Makawanpur, Banke, Kailali, Achham and Doti districts. Chaired by District Coordination Committee chairs in both districts, 45 people in Rasuwa and 42 in Nuwakot participated in the interactions.

### **Administration of Community Score Card for Social Accountability**

SOCH Nepal administered the Community Score Card (CSC) at Dachhi Health Post in Kageshwori-Manohara Municipality-5 in Kathmandu and Gorkha Municipality-8 in Gorkha from February 23 to March 29, 2019. Resource Assessment Tools, Self-evaluation and Performance Evaluation Card and Face-to-face meetings were conducted. Based on the findings, the health post committed to address the unfriendly behavior of the staff of health post; lack of effective public awareness; lack of understanding among locals on the availability of free medicine as the names are in English; poor sanitation; unavailability of 36 types free medicines; lack of counseling room; improper disposal of syringe at Raniswara Health Post; and no display of Citizen Charter at a visible location.

After the administration of the CSC, the management committee of the health post committed to build extra rooms for counseling at Raniswara Health Post in Gorkha; manage extra beds for birthing center and video x-ray at Dachhi Health Post; expand school health program to private schools; provide service with a smile; take initiation to dispose syringes properly; display the name of medicines in the Nepali language; and place Citizen Charters at visible locations. Ward chair of Gorkha-8 committed to address those problems within three months. Both health posts formed monitoring committees comprising service providers, service receivers and civil society members. The participants also committed to conduct regular oversight of the implementation of the action plans.

### **Local Advocacy Receives National Media Attention**

Media for Development and Social Change (FMDC) has been advocating for the implementation of regular health checkup provision for the students of community schools in Doti in coordination with the local governments and district-level coalition. As a result, KI Singh *gaunpalika* in Doti initiated health checkup by allocating budget to three community schools located at Ward no. 5 of the *gaunpalika* between March 5-15, 2019. A total of 533 students benefited from the health checkup.

Of them 78 had dental problems, 87 hearing problems, 67 eyesight problems, 61 suffered from other ailments, and 127 were found to suffer from malnourishment.

The *gaunpalika* arranged a team of health personnel including doctors. A news report on the initiation was published in the Kantipur daily on March 07, 2019 and different local newspapers and online news portals drew the attention of the national media. Kantipur daily also wrote an editorial on March 11, 2019 on KI Singh *gaunpalika's* effort. Details can be found through the following link:

[https://www.kantipurdaily.com/opinion/2019/03/11/155227333311667635.html?fbclid=IwAR3l5lCvJ3w43b3megfGU\\_p9lMWxJa0L80aZmzbh0RFNkqBBSLhf8DeYotY](https://www.kantipurdaily.com/opinion/2019/03/11/155227333311667635.html?fbclid=IwAR3l5lCvJ3w43b3megfGU_p9lMWxJa0L80aZmzbh0RFNkqBBSLhf8DeYotY)

## Capacity Building of CSOs and Media

### Use of ICT for Advocacy Emphasized

HURADEC organized a one-day workshop on information and communication technology (ICT) on March 22, 2019 in Sindhuli district. The objectives were to educate and teach civil society actors the importance and application of ICT in advocacy campaign through social media, and to orient them on the use of mobile apps like *Sajha Sabha* and *Mero Report*. Twenty-one people including the executive committee members, executive director, program coordinator, district coordinator, community action researcher, community reporter, and LDAG facilitator participated in the workshop.

The executive director of HURADEC said that the workshop had contributed to the institutional development of the organization and helped the participants to use ICT for advocacy and in their daily life as well.



### Interaction on Social Accountability Tools Held

HURADEC organized an interaction between the representatives of CSOs and the local government on social accountability tools on March 26, 2019 in Dolakha. Representative of Bhimeshwar Municipality, women rights fora, civil society and media participated in and discussed on the effective use of social accountability tools especially in the local governments.



The interaction focused on public hearing, public audit, social audit, community score card and right to information, and concept, significance and application of social accountability tools. Ward chair of the Bhimeshwar Municipality committed to make the activities of the local government effective and transparent applying the public hearing and public audit and other social accountability tools. Twenty-four people including 15 women participated.

### Editorial Team

Sajana Maharjan, Deputy Chief of Party, CS:MAP, FHI 360 Nepal

Nirmal Rijal, Ph.D., Media Director, CS:MAP, Equal Access International

Ram Sharan Sedhai, Development Communication Manager, CS:MAP, FHI 360 Nepal

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### For Further Information Contact:

**Civil Society: Mutual Accountability Project (CS:MAP) | FHI 360 Nepal**

GPO Box 8830, Gopal Bhawan, Anamika Galli, Baluwatar, Kathmandu, Nepal

Tel: 977.1.4437173 | Fax: 977.1.4117475

Web: <https://www.fhi360.org/countries/nepal>