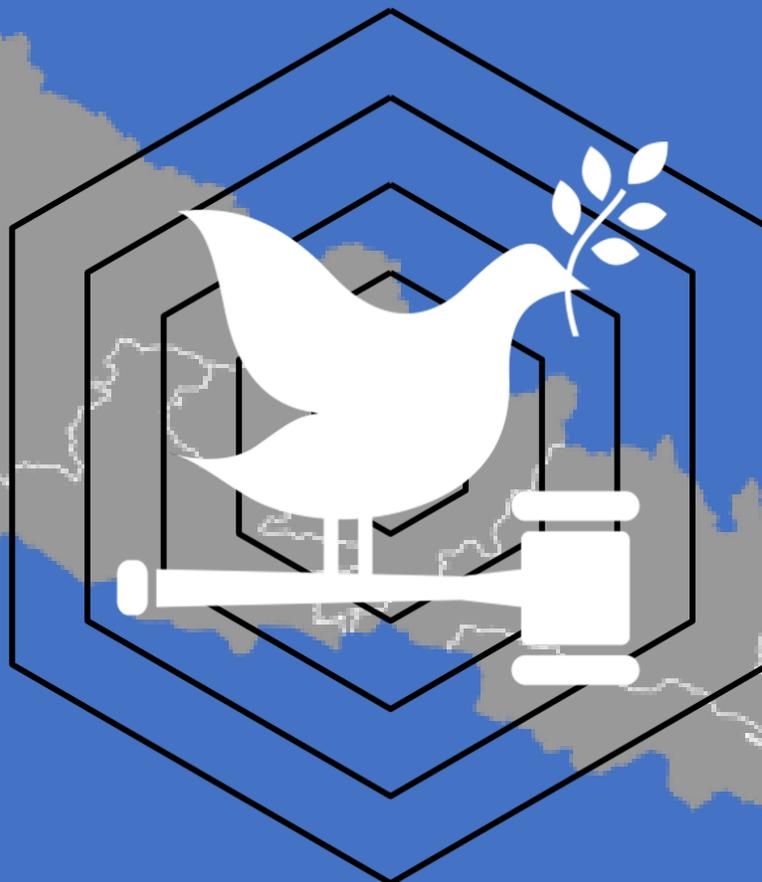


Civic Space

for Peace, Justice, and Strong Institutions

2019

Provincial Assessment



Collective Campaign For Peace
A National Network

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Introduction

The Collective Campaign for Peace (COCAP) is a network of 43 peace and human rights non-governmental organizations from 29 different districts of Nepal. COCAP promotes Sustainable Development Goal 16 – ‘To promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels’. COCAP’s member organizations help citizens to settle conflicts in non-violent ways, to address the root causes of conflict and exclusion, to seek justice for conflict survivors, and to hold duty bearers accountable for guaranteeing people’s rights.

To be able to promote SDG 16, civil society needs an enabling environment. Civil society must be able to access information about government’s decisions and performance. Citizens must feel safe to speak out so that they can hold their representatives accountable. A regulatory system must be in place that promotes associations to work transparently and effectively. The government must consult citizens and civil society to ensure government’s decisions meet people’s needs. And whenever this is not the case, people must feel safe to assemble and protest peacefully.

Civic space is crucial to achieve SDG 16. Yet fundamental freedoms have been threatened and restricted recently in Nepal. COCAP’s network has expressed increasing concern about shrinking space to promote SDG 16. Therefore, COCAP brought together its member organizations and youth volunteers to discuss how civic space is shrinking and shifting. On January, 4, 2020 COCAP organized a provincial civic space assessment with 89 network members, including member organizations, youth volunteers and COCAP staff in Sauraha. The participants analyzed different dimensions of civic space at province level. This analysis is intended to provide a solid basis for joint advocacy and partnerships to protect civic space for peace, justice, and strong institutions.

Methodology

The workshop was intended to provide COCAP's member organizations and youth volunteers a space in which they can share how they experience current trends on civic space. For this purpose, COCAP decided to conduct a joint civic space assessment at provincial level. The assessment can help to identify both issues of concern and opportunities to reclaim civic space within the different provinces. It also provides a common framework for COCAP's member organizations and youth volunteers to monitor civic space trends over time.

To design the assessment, different assessment tools, including Oxfam's Civic Space Monitoring Tool and the [CIVICUS Monitor](#), have been merged and adapted to Nepal's context. The assessment is based on the following working definition of civic space: *The space in which citizens can freely express themselves, peacefully assemble and organize themselves without fear of repercussions. It is the right of citizens to claim civic space and the duty of power-holders to provide and protect civic space.*

Member organizations and youth volunteers formed seven different groups according to the province that the participants work in. The groups discussed trends within six different dimensions of civic space:

1. Freedom of Association
2. Personal Safety and Well-being
3. Freedom of Expression
4. Freedom of Peaceful Assembly
5. Dialogue and Consultation
6. Solidarity and Diversity

The discussion was led by guiding questions (see Annex) yet it was not based on rigidly selected and quantified evidence. Instead, participants had the opportunity to share their personal observations and experiences from taking action at provincial level. At the end of the discussion, the groups agreed on a 'rating' and a 'trend' for their province. The classification system was based on the adapted methodology of the global CIVICUS Monitor. The different groups used the participatory software of Mentimeter.com to submit and visualize their results. This allowed the participants to compare the ratings from the different provinces and to discuss the overall results with each other.

Civic Space Rating:

-  Closed
-  Repressed
-  Obstructed
-  Narrowed
-  Open

Civic Space Trend:

- Opening up ↑
- Static →
- Shrinking ↓

The findings of the group discussions are complemented by data from [NepalMonitor.org](#). COCAP's platform maps news articles and reports by reputable organizations about human rights violations, political incidents and security incidents.

Overall results

Ratings

Civic space to promote SDG 16 was rated in 6 out of 7 provinces as 'narrowed'. This rating describes the following civic space context:

While provincial and local representatives allow individuals and civil society organizations to exercise their rights to freedom of association, peaceful assembly and expression, violations of these rights also take place. People can form associations to pursue a wide range of interests, but people deemed critical of those in power face occasional harassment, arrest or assault. Protests are conducted peacefully, although local authorities sometimes deny permission and occasionally use excessive force, which may include tear gas and rubber bullets.

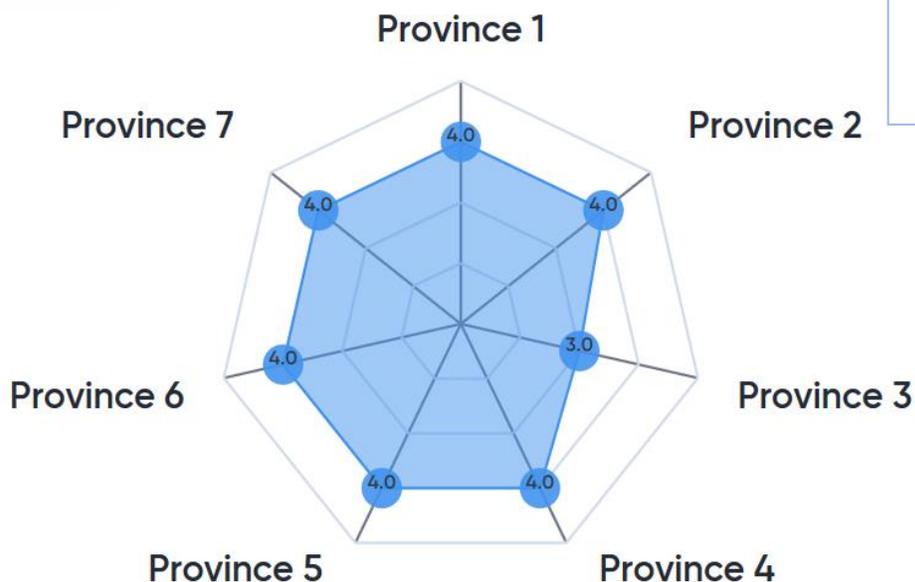
The group that assessed Province 3 rated civic space as 'obstructed'. This corresponds to the following civic space context:

Civic space is heavily contested by local power holders, who impose a combination of legal and practical constraints on the full enjoyment of fundamental rights. Although civil society organizations exist within the province, local state authorities undermine them, including through the use of illegal surveillance, bureaucratic harassment and demeaning public statements. Citizens can organize and assemble peacefully within the province but they are vulnerable to frequent use of excessive force by law enforcement agencies, including rubber bullets, tear gas and baton charges.

Like other civil society actors across Nepal, civil society actors in Province 3 face obstacles from local and provincial governments as well as other local stakeholders. Yet unlike civil society actors from other provinces, civil society actors in Province 3 are also in the front line of shrinking civic space at national level. Accordingly, participants from Province 3 rated the space as more restricted than participants from other provinces.

Visual presentation of the rating during the workshop

Civic Space Ranking



Trends

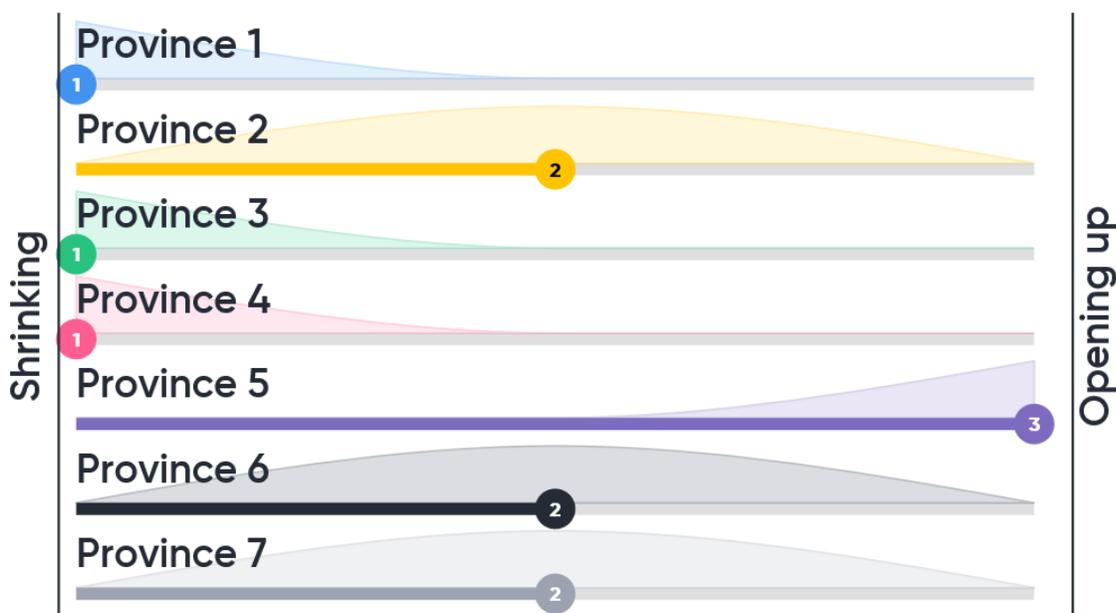
The participants discussed how space to exercise different civil rights has developed within the province in the last 12 months, as compared to the 12 months before. In Province 2, 6 and 7, participants did not notice any significant difference with regard to civic space in the last two years. The participants are concerned that the trend could become negative in the following year due to the recent restrictive draft policies at national and provincial levels.

In Province 1, 3 and 4, participants indicated civic space within their province as shrinking. This means that journalists and other civil society members face a more hostile environment and are threatened more frequently for investigating and advocating on sensitive issues. It also means that CSOs usually face more bureaucratic hurdles than in the past to register and operate within the province.

In Province 5, the participants noted a positive trend on civic space. According to the participants, CSOs face a more enabling environment and less hurdles to work within the province. Yet data from NepalMonitor.org shows that the number of journalists who have been threatened and attacked slightly increased in 2019, as compared to 2018. The perception that civic space is increasing is thus unlikely to be shared by all civil society actors within the province.

Visual presentation of the trends during the workshop

Civic Space Trends





RATINGS PER PROVINCE



Province 1



Status:

- Closed
- Repressed
- Obstructed
- Narrowed
- Open

Trend:

- Opening up ↑
- Static →
- Shrinking ↓

Violence against journalists in Province 1 in 2019

Physically attacked: 4



Arrested: -

Accused and Threatened: 6



Killed: -

Freedom of Association

- There is a lack of mechanisms to coordinate CSOs at provincial level.
- CSOs must gain prior approval from the local government for carrying out a range of activities such as conducting studies, surveys or programs. If the CSO does not manage to obtain approval, the local government is allowed to halt the CSO's activities.
- The Social Development Ministry of Province 1 has recently adopted an act which requires from organizations that are already registered at central level to also register at provincial and local level.

Personal Safety

- There is a high prevalence of gender-based violence (GBV) within the province. Civil society members who support survivors of GBV face threats and attacks by the perpetrator and his supporters.
- In many cases, local law enforcement bodies fail to provide adequate protection from these attacks and to bring the perpetrators to justice. For example, DSP Binod Pokharel of District Police Office in Sunsari pressured a woman to withdraw a complaint of rape against the popular religious leader Krishna Bahadur Giri (Siddha Baba).

Freedom of Expression

- Mayor of Triyuga Municipality, Udaypur lodged a complaint against a journalist who reported on corruption within development activities.
- Civil servants usually deny to give proper information if any journalists, HRDs or citizens ask for information.

Freedom of Peaceful Assembly

- Citizens and political parties are free to participate in and organize peaceful assemblies within the province. The local administration must be informed before organizing an assembly. In most cases, the police deploys security forces during the assembly.
- On July, 20, [15 protestors were arrested in Itahari](#) during a protest for the cancellation of the public service commission advertisement. Among the ones arrested were the president and other representatives of the Indigenous Committee.

Dialogue and Consultation

- The province government frequently holds consultation meetings with local civil society members and organizations, HRDs, journalists and with the general public before drafting acts and policies. However, in many cases the concerns and demands raised by citizens and civil society during these processes are not sufficiently reflected in the final decisions by government officials.
- There is few discussion about the drafts of upcoming policies among the media and civil society within the province.

Diversity and Solidarity

- There is few coordination but fraction among civil society members to express solidarity in cases of human rights violations, to organize broad-based campaigns and to jointly conduct projects.
- Many CSOs are divided into political ideologies and agendas.
- Many citizens and government officials question the transparency and efficiency of CSOs within the province.

Province 2



Status:

- Closed
- Repressed
- Obstructed
- **Narrowed**
- Open

Trend:

- Opening up ↑
- Static** →
- Shrinking ↓

Violence against journalists in Province 2 in 2019

Physically attacked: 7



Arrested: 12



Accused and Threatened: 6



Killed: -

Freedom of Association

- Multiple bureaucratic steps make the registration of CSOs burdensome. Government officers often deliberately delay the process and request bribes in order to speed up the registration process.
- There are also bureaucratic hurdles and difficulties in obtaining tax clearance and in renewing the registration of CSOs.

Personal Safety

- HRDs face threats, attacks and arbitrary arrests within the province.
- Civil society members are offered bribes to drop cases of rape and other crimes which civil society members advocate for.
- Police officers who cooperated with civil society to provide justice have been transferred to other police posts.
- Civil society members were threatened with having their family members kidnapped and killed and female activists have received rape threats.

Freedom of Expression

- Journalists who have reported on sensitive cases and issues are [threatened, attacked and arrested](#).
- Police does not provide relevant information about cases to civil society. Only persons who have personal connections to police officers can easily obtain the information.
- Most local governments within the province lack transparency and accountability. In some instances, activists and journalists who requested information have been threatened, arrested and attacked. As an example, [anti-corruption campaigner Biraj Yadav was physically attacked](#) for requesting information on expenses incurred for a road construction in his area in Birgunj on June 11, 2019.

Freedom of Peaceful Assembly

- Citizens have to inform the police before organizing a rally or protest. In most cases, the police and local government grants citizens the right to assemble peacefully.
- There are incidents of heavy policing and disproportionate use of violence by police forces during protests. For example, [Narayan Singh was shot dead by police forces](#) during a protest in the Sarlahi district on June 30, 2019.

Dialogue and Consultation

Not discussed

Diversity and Solidarity

Not discussed

Bagmati Province



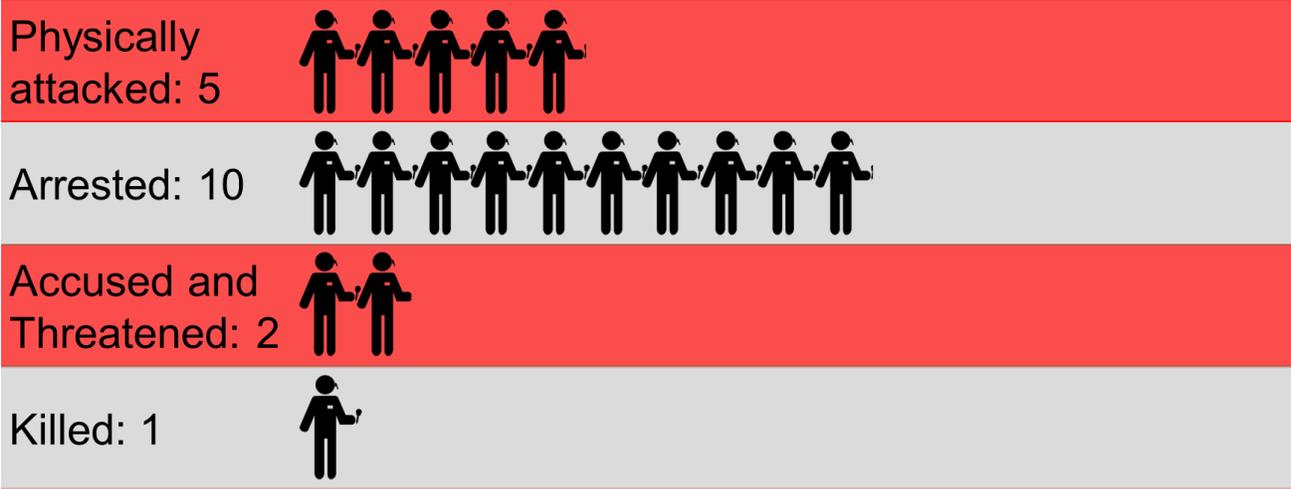
Status:

- Closed
- Repressed
- **Obstructed**
- Narrowed
- Open

Trend:

- Opening up ↑
- Static →
- Shrinking** ↓

Violence against journalists in Province 3 in 2019



Freedom of Association

- The process to obtain project approval by the Social Welfare Council (SWC) is non-transparent, very time-consuming and left to the discretion of individual officers. CSOs are required to spend at least 60% of their activity budget for 'hardware' components. This requirement is difficult to fulfill for CSOs working on awareness raising, human rights documentation or public accountability.
- The work of CSOs working in Province 3 is strongly influenced by federal policies and practices to regulate CSOs.

Personal Safety

- Journalists, HRDs, lawyers and other individuals who are engaged in politically sensitive cases do not feel safe to speak out and take civic actions.
- Individuals who have personal contacts to people in power are much better protected from repercussions than individuals without personal connections.

Freedom of Expression

- [Journalists were threatened, attacked and arrested](#) for reporting on sensitive issues such as rape allegations, land disputes, and party politics. The threats and attacks were initiated by police forces, political cadres, students and local citizens.
- [YouTuber and stand-up comedian Pranesh Gautam was arrested](#) under the Electronic Transaction Act on June 7, 2019 and held in police custody for 9 days for posting a negative movie review on YouTube.
- Some journalists do not respect journalism ethics such as impartiality and limitation of harm.

Freedom of Peaceful Assembly

- [Police used excessive force](#) and arrested four protestors during peaceful demonstrations against the Guthi Bill at Maitighar in Kathmandu on June 9, 2019.
- [Police detained 32 Human Rights Activists](#) on January 30, 2019 that were planning to publicly demand the sacking of the Tourism Minister Rabindra Adhikari for his alleged involvement in the wide body aircraft scam.
- [Police arrested more than a dozen Women's Rights Activists](#) on September 9, 2019. The activists demonstrated against human trafficking in front of the Chinese Embassy.
- Unlike in the previous year, citizens were allowed to demonstrate on Maitighar Mandala throughout 2019.

Dialogue and Consultation

- There is an increasing trend by the government to directly present draft bills to the parliament without prior consultation of civil society (e.g. the Guthi Bill).
- Local government officials exclusively support civil society members that are associated with their respective political party.

Diversity and Solidarity

- Civil society is divided by political ideologies and often fails to express solidarity beyond party affiliation and group identities.
- There is less support for women representatives to fulfill their responsibilities and mandates.
- Civil society members with marginalized identities are represented in numbers in civil society alliances but are often hindered from meaningful participation.

Gandaki Province



Status:

- Closed
- Repressed
- Obstructed
- **Narrowed**
- Open

Trend:

- Opening up ↑
- Static →
- Shrinking** ↓

Violence against journalists in Province 4 in 2019

Physically attacked: 5



Arrested: 10



Accused and Threatened: 2



Killed: -

Freedom of Association

- The administrative processes for CSOs to carry out daily operations have become more efficient than they used to be in the past.
- There are some obstacles regarding the registration and re-registration of CSOs. Small CSOs cannot re-register their organizations due to high charges. In some cases, governmental officials deliberately delay the process and blame CSOs as 'dollar eaters'.
- Local government official's family members and two individuals of the same family are not allowed to be members of the same CSO.

Personal Safety

- There were several recent threats to human rights defenders as well as physical attacks and arrests of journalists. As an example, journalists and anti-corruption activist Om Hamal was arrested on August, 23, 2019 by the police for being allegedly associated with the Biplav-led group. The journalist was re-arrested even after the Supreme Court gave a release order.
- Local state authorities do not take threats and attacks on civil society member seriously. This is especially the case for female activists.

Freedom of Expression

- Journalists have been threatened and arrested in the province. For example, the journalist [Rajendra Adhikari was arrested](#) on April 1, 2019 as he intended to report on the demonstrations of the Biplav-close ANNIFSU. The editor of Tandav News, [Arjun Giri, was arrested](#) on April 15, 2019 and charged under the Electronic Transaction Act for reporting about alleged financial fraud by a business man.
- Government officials do not cooperate with civil society members to provide information. Civil society members have to request information several times before gaining access.

Freedom of Peaceful Assembly

- Citizens are usually granted the freedom to protest or gather for peaceful activities within the province.
- There is heavy policing during some protests and there have been some instances of [police violence against protesting students](#).

Dialogue and Consultation

- Civil society actors are regularly invited for dialogue on issues of policy development and reform. Yet some civil society actors are (deliberately and unknowingly) excluded from these dialogues. Moreover, the recommendations from civil society are rarely taken into account in the final government policies.
- The local government has the tendency to take over the space of CSOs, instead of cooperating with and complementing CSOs.

Diversity and Solidarity

- Most CSOs within the province adhere to the principle of inclusiveness in their statute and in practice.
- Many CSOs cooperate effectively with each other within the province.
- There are cases of corruption within some CSOs in the province.

Province 5



Status:

- Closed
- Repressed
- Obstructed
- **Narrowed**
- Open

Trend:

- Opening up** ↑
- Static →
- Shrinking ↓

Violence against journalists in Province 5 in 2019

Physically attacked: 4



Arrested: -

Accused and Threatened: 3



Killed: -

Freedom of Association

- Many people who have been civil society activists during the civil war and peace movement are nowadays members of political parties. There are few politically-independent civil society organizations within the province.
- CSOs are required to register both at central and local level which is time- and resource-consuming
- CSOs face several bureaucratic obstacles regarding tax clearance, registration and re-registration of CSOs.
- Police forces disregarded the special status of the National Human Rights Commission by [attempting to enter its office in Nepalgunj](#) on April 22, 2019. The police tried to arrest a person who was under the protection of the NHRC.

Personal Safety

- Individuals face threats and intimidation while reporting or advocating on sensitive issues such as corruption, illegal activities or GBV. As an example, [Mamata Chauhan was threatened and abducted](#) on April 2, 2019 after reporting on sensitive cases in Rupandehi.

Freedom of Expression

- [Journalists faced threats and physical attacks](#) within the province. For example, the head of Palhinanda rural municipality Dipak Gupta [threatened a journalist](#) on April 29, 2019 for writing a report about irregularities in a road construction project.

Freedom of Peaceful Assembly

- Freedom of peaceful assembly is usually guaranteed by state authorities within the province.

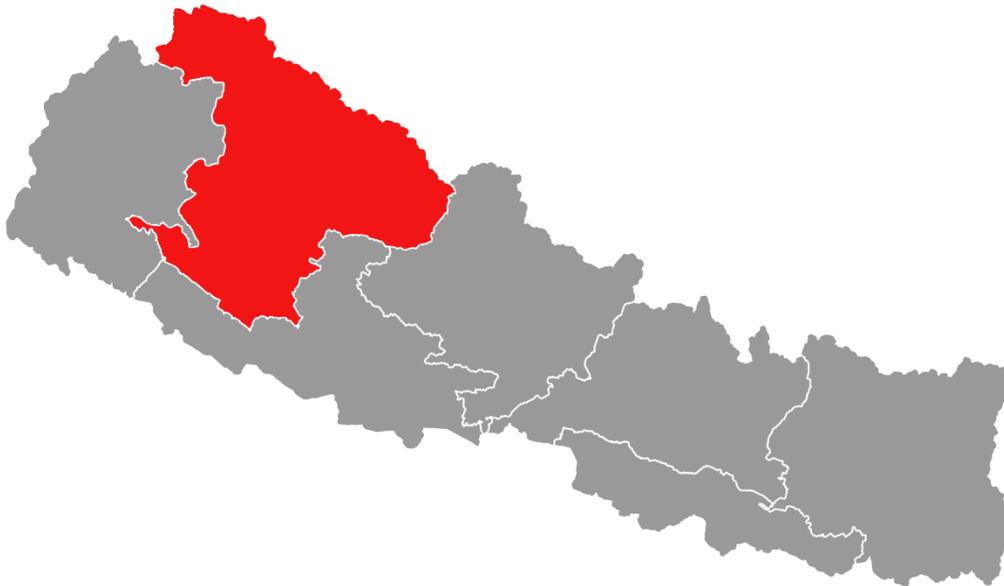
Dialogue and Consultation

- Many civil society actors struggle to define their roles and strategies within the new federal structure.

Diversity and Solidarity

- Even [locally elected representatives face caste-based discrimination](#) within the province. It can thus be assumed that civil society actors from the Dalit community face severe discrimination within society.

Karnali Province



Status:

- Closed
- Repressed
- Obstructed
- **Narrowed**
- Open

Trend:

- Opening up ↑
- Static** →
- Shrinking ↓

Violence against journalists in Province 6 in 2019

Physically attacked: 5



Arrested: 1



Accused and Threatened: 3



Killed: -

Freedom of Association

- Freedom of Association is respected within the province. People usually do not face bureaucratic hurdles from the provincial or local government while registering associations.
- The Home Ministry is however drafting laws which will make it difficult to register and renew social organizations like NGOs and INGOs. Under these laws, to register as association, CSOs have to request approval from all municipalities and rural municipalities in which the organizations intends to work. Moreover the government also intends to strictly regulate the operation of NGOs and INGOs by controlling their access to and use of funds. The provincial government is highly likely to implement these laws which will obstruct citizen's right to organize and associate.

Personal Safety

- Some [journalists and Human Rights Defenders reported receiving threats](#) from local representatives when writing news about corruption and irregularities in the local government. Police and local administration usually respond promptly and properly to threats and assaults to journalists and other civil society actors.

Freedom of Expression

- The provincial government does not obstruct people from voicing their concerns and freely expressing their opinions. Yet at the local level, journalists and social activists have been threatened by local representatives for reporting on corruption and irregularities.
- Local governments are often reluctant to provide information to people. Although government officials do not directly refuse to provide information, they make the process difficult by demanding different documents.

Freedom of Peaceful Assembly

- The provincial government does not obstruct civil society, citizens, or other groups from staging peaceful demonstrations and voicing dissatisfaction through assemblies. Incidents of heavy use of force by police and local administration have not been reported in the last year.

Dialogue and Consultation

- The provincial and local governments do not consult civil society organizations and other public stakeholders when formulating new policies. To fulfill the minimal formality of inclusion during dialogue and consultation, local and provincial representatives invite civil society members to general discussion meetings. Yet the participation of civil society is not meaningful as their concerns are usually not addressed.

Diversity and Solidarity

- Civil Society within the province is diverse and includes representatives from Women, Dalit, and Indigenous groups. However, within this diverse civil society there is very little solidarity and the different groups raise and support issues selectively. The different groups within civil society also hold different levels of power and access to the provincial government. Accordingly, some groups have their concerns addressed, while others have not.
- Civil society remains lax in matters of transparency and accountability within itself.

Sudurpaschhim Province



Status:

- Closed
- Repressed
- Obstructed
- Narrowed**
- Open

Trend:

- Opening up ↑
- Static →**
- Shrinking ↓

Violence against journalists in Province 7 in 2019

Physically
attacked: 1



Arrested: 12



Accused and
Threatened: 2



Killed: -

Freedom of Association

- CSOs in the province usually do not face any bureaucratic hurdles in the process of establishment and operation of associations
- There are rumors that the local government plans to adopt new laws and policies regarding the regulation and operation of local CSOs. However, no draft or any other information is published yet.

Personal Safety

- CSO members that work on sensitive issues have been threatened to withdraw the case or not to raise the issues.
- People are afraid to have public discussions on political issues, incidents of sexual harassment, and other sensitive topics as they are fearing police arrest.
- There are no security provisions for CSOs, HRDs and social activists by the local government.

Freedom of Expression

- CSOs feel intimidated to talk and share their opinions on political and social issues, such as cases of rape and murder due to incidents in which journalists and artists have been arrested. For example, on January 3, 2019 the [journalist Ganesh BK was arrested](#) after reporting on drug smuggling and the involvement of local police in the illegal activities. On August 8, 2019, police [arrested Shankar BK for a facebook post](#) accusing the local police chief of framing Rabi Lamichhane in a murder case.
- Information regarding local governance, planning process and budget can be accessed easily once requested but the local government does not pro-actively publish this information for the public.

Freedom of Peaceful Assembly

- CSOs can organize assemblies in a peaceful manner without any obstructions.
- Local representatives often participate in the assemblies conducted by CSOs but they do not invite CSOs in their own assemblies.

Dialogue and Consultation

- The local government usually does not consult with CSOs in the process of policy development and reform.
- In local level dialogues, only stakeholders who are politically engaged with the ruling party are invited.
- The local government usually does not seem interested in the activities of CSOs.

Diversity and Solidarity

- There is lack of solidarity among CSOs and CSOs are divided based on caste, religion, and political ideology.

Conclusion

After the civil war, civil society played an important role in Nepal to provide basic services to citizens and to rebuild the country after conflict and natural disasters. Civil society filled the vacuum during this time that was created by the absence of democratically elected and responsive local governments.

This situation changed in 2017 with the operationalization of federalism and nation-wide local elections. The federal system provided CSOs and local representatives the opportunity to cooperate in order to address the needs of local communities. However, instead of seeking cooperation, most local representatives perceive CSOs as competition for local recognition. Accordingly, the local administration often deliberately delays and hinders the work of CSOs. Local representatives do not facilitate the meaningful participation of civil society in local governance and do not coordinate with CSOs in community projects.

As more responsibilities of the government shift to the local level, so do the responsibilities of local civil society actors. Civil society is crucial to monitor the work of the local government and to hold local representatives accountable. Moreover, whenever the local state systems fail to provide justice or violate human rights, it is the obligation of civil society actors to flag this. However, civil society actors who play this crucial role often face intimidation and attacks at local level. In some districts, police and local authorities take effective actions to investigate and prosecute these cases. In other districts, political influence grants impunity to those restricting freedom of expression. Most worrying are the cases in which locally elected representatives directly threaten and attack civil society members for exercising fundamental human rights.

While civic space is narrowed and obstructed, it is not entirely repressed or closed yet. There have been many instances in the last year during which civil society members spoke out and peacefully assembled against injustice. This means that there is also space left to unite and protest against any violations of fundamental freedoms. Civic actions to protect civic space will be even more safe and effective if it is organized by broad-based alliances of diverse civil society actors. For this to happen, civil society actors must be willing to bridge their existing political biases and to express solidarity beyond divisions of caste, gender and other identity traits.

In this point of time, the Nepali government managed to federalize its government structures. Yet the government did not manage yet to make these structures work for citizens in an accountable and responsive way. If the government's aim was to federalize an inefficient administrative structure, it can continue as usual. However, if the government's aim is to federalize democracy, its first priority must be to protect and create civic space in every district across the country.

Annex

CIVIC SPACE RATING, adapted version of the CIVICUS Civic Space Monitor:

1. **Closed: Participation of civil society is (nearly) impossible and life-threatening within the province.**

There is complete closure - in law and in practice - of civic space at provincial level. An atmosphere of fear and violence prevails, where local representatives and powerful non-state actors are routinely allowed to imprison, seriously injure and kill people with impunity for attempting to exercise their rights to associate, peacefully assemble and express themselves.

2. **Repressed: Participation of civil society is very dangerous and extremely difficult within the province.**

Civic space is significantly constrained at provincial level. Journalists and civil society members who criticize power holders risk harassment, imprisonment, injury and death. Although some civil society organizations exist within the province, their advocacy work is regularly impeded and they face threats of de-registration and closure by the local authorities. People who participate in peaceful protests within the province are likely to be targeted by the authorities through the use of excessive force, including the use of live ammunition, and risk mass arrests and detention.

3. **Obstructed: Participation of civil society exists within the province but is obstructed by local authorities.**

Civic space is heavily contested by local power holders, who impose a combination of legal and practical constraints on the full enjoyment of fundamental rights. Although civil society organizations exist within the province, local state authorities undermine them, including through the use of illegal surveillance, bureaucratic harassment and demeaning public statements. Citizens can organize and assemble peacefully within the province but they are vulnerable to frequent use of excessive force by law enforcement agencies, including rubber bullets, tear gas and baton charges.

4. **Narrowed: Participation of civil society is active within the province yet people who are critical of those in power occasionally face obstructions.**

While provincial and local representatives allow individuals and civil society organizations to exercise their rights to freedom of association, peaceful assembly and expression, violations of these rights also take place. People can form associations to pursue a wide range of interests, but people deemed critical of those in power face occasional harassment, arrest or assault. Protests are conducted peacefully, although local authorities sometimes deny permission and occasionally use excessive force, which may include tear gas and rubber bullets.

5. **Open: Participation of civil society is active, safeguarded and encouraged by provincial and local representatives.**

Provincial and local representatives both enable and safeguard the enjoyment of civic space for all people. Levels of fear are low within the province as citizens are free to form associations and to demonstrate in public places without restrictions in law or practice. Local authorities are tolerant of criticism from civil society groups and journalists and provide space and platforms for open and robust dialogue with members of the public.

Guiding questions

Freedom of Association:

1. Are there any legal or bureaucratic hurdles in place in your province that affect the daily operations of CSOs? (which ones and how do they affect the work of CSOs?)
2. Are there plans for new or amended legislation at province level to regulate the registration and functioning of CSOs? (if yes, what is known about the drafting process and content of the law)

Personal Safety and Well-being:

3. Do journalists, activists or human rights defenders and their families experience threats or attacks on their personal safety within your province? If yes, what kinds of threats/attacks and who is involved?
4. Do local state authorities take such threats and attacks seriously, investigate and take appropriate action?

Freedom of Expression (and right to information):

5. Which negative consequences – if any – do journalists, social media activists or civil society members face within your province for investigating and speaking out on certain issues?
6. Are people able to access information related to the provincial and local government (e.g. about local level planning process, budgeting and spending of provincial and local government)?

Freedom of Peaceful Assembly

7. Are there restrictions on the ability of individuals to demonstrate, protest or gather for other peaceful activities within your province?
8. Is there use of disproportionate violence, arrests and heavy policing in protests within your province?

Dialogue and Consultation:

9. What are the opportunities for civil society actors within your province to effectively engage with the government on issues of policy development or reform?
10. Are there transparent and effective mechanisms through which citizens are consulted and can provide input with respect to government policy and reform at local and provincial level?

Diversity and Solidarity:

11. In how far is civil society within your province able to build broad-based alliances that transcend party affinity, caste and ethnicity, urban-rural divides etc? What are barriers to forming broad-based alliances and to cooperate with each other?
12. In how far do CSOs within your province adhere themselves to the standards of transparency, accountability and engagement with their constituency?

Further Resources

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