

DIGITAL RIGHTS WEEKLY

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▶ Axiata's Stake Sale Triggers Probes and Legal Actions

Axiata's decision to sell its stake in Ncell, a telecom giant in Nepal, to a UK-based firm has sparked controversy. Despite citing an unfavorable investment climate as the reason for the exit, concerns arise due to unclear terms and suspicious details of the deal. Telecommunications Regulation 1997 mandates prior approval from the regulator, Nepal Telecommunication Authority (NTA), for transactions involving more than five percent of the paid-up capital. NTA has claimed to be unaware of the deal, and sought details from Axiata regarding the reported deal.

The Ministry of Communication and Information Technology confirmed that the deal was executed without notifying the regulatory agency or obtaining its approval, and the terms and prices of the deal seemed unnatural. The government pledged to investigate compliance with existing laws, international norms, and the deal's impact on Nepal's telecommunications sector, foreign investment, and government revenue. The ministry warned of strong legal action if irregularities were uncovered during the probe. A cabinet meeting on 7 December formed a five-member high-level committee, led by former auditor general Tanka Mani Sharma, to investigate the deal. Simultaneously, the Finance Committee of the House initiated a study on the buyout row and decided to summon Ncell's CEO and officials from the NTA.

The judiciary has also intervened in this case, with the Patan High Court issuing an interlocutory interim order on 7 December, directing authorities to halt the telecom company's sale. The court will decide on the continuity of the order after a hearing on 11 December, summoning both parties and requesting necessary documents on the purchase deal.

PMO and MoCIT Justify TikTok Ban citing its Unregulatability

The Prime Minister's Office (PMO) and the Ministry of Communication and Information Technology (MoCIT) have officially responded to the Supreme Court of Nepal regarding the controversial TikTok ban. Prime Minister Pushpa Kamal Dahal defended the ban, framing it as essential to protect the majority's interests from what he termed as a social ailment. The PM cited disruptions in social harmony, the proliferation of hatred, and an increase in explicit content on TikTok as reasons for the ban. The MoCIT echoed support for the TikTok ban, emphasizing the inefficacy of current regulation methods. Criticizing TikTok's self-regulation, the Ministry pointed out the platform's failure to address false content, and excessive TikTok use leading to health issues, particularly among children and youth. Additionally, the MoCIT highlighted TikTok's role in displaying obscenity, soliciting immoral activities and contributing to illegal actions. Despite a scheduled hearing on the ban order in the Supreme Court on 5 December, it was postponed due to time constraints.

In a separate development, PM Dahal hinted at the possibility that the TikTok ban might not be final. He expressed openness to regulating TikTok in response to public reactions, acknowledging pressure from coalition partners. Dahal suggested the potential regulation of TikTok through upcoming directives on social networking operations in 2023.

PCN Recommends Action Against 18 YouTube Channels for Violating Code of Conduct

The Press Council Nepal (PCN), the regulatory body for press, has urged the Nepal Police's Cyber Bureau to take action against 18 YouTube channels. The action is based on allegations of spreading unverified and rumored content through unlisted or unregistered channels. The PCN claims that these channels have been causing confusion among the public by disseminating baseless and exaggerated headlines, promoting superstition, and violating codes of conduct through the airing of indecent and obscene content.

Government Mandates Registration of Social Media Platforms in Nepal within Three Months

The Ministry of Communications and Information Technology (MoICT) has implemented the Social Media Regulation Guidelines 2023, requiring all social networks operating within Nepal to be listed within three months. Effective from 1 December, the directive mandates that individuals, companies, or organizations intending to operate social media platforms to register them within three months of the guidelines' publication. Additionally, social media platforms already in operation before the guidelines' commencement must be listed with the Ministry within three months of the directive coming into effect. The Ministry has issued a stern warning, stating that social media platforms failing to register within the specified timeframe may face a ban on their operations.

Meta Exposes Thousands of Fake Chinese Accounts Spreading Divisive US Political Content

Meta has revealed the removal of a thousands of fake accounts based in China, impersonating Americans to disseminate divisive content on US politics and US-China relations. These accounts posted various issues, such as abortion, culture wars, and aid to Ukraine. While Meta did not directly attribute the profiles to Chinese officials, it noted a surge in such accounts from China ahead of the 2024 US elections.

Meta Enhances Child Safety Measures

Meta is addressing concerns about the spread of child sexual abuse content on its platform by announcing an expansion and update to its child safety features. The company emphasizes its commitment to tackling online child abuse through technology development, hiring specialists, and collaborating with law enforcement and industry peers. In response to recent allegations, Meta has established a task force to review existing policies, technology, and enforcement systems, aiming to strengthen protections for young people, ban predators, and dismantle their connecting networks. The company asserts the importance of collective efforts to prevent child exploitation beyond online spaces.

AIC Expresses Concerns Over Nepal's Social Media Ban and Directives

The Asia Internet Coalition (AIC) has raised serious concerns about Nepal's recent TikTok ban and social media directive, 2080. In a letter to Communications Minister Rekha Sharma, AIC Managing Director Jeff Penn criticized the decisions, stating they go against global best practices and were made without consulting relevant stakeholders. While acknowledging the importance of responsible social media use, the AIC also express the concern that the current regulations could hinder its members from providing platforms and services to Nepali users and businesses.

PUBLICATION

UN Policy Brief on Information Integrity on Digital Platform

In the era of rapid digitalization, global connectivity relies heavily on information dissemination through digital platforms. However, this has led to a significant challenge of online misinformation, disinformation, and hate speech. In response, the Secretary-General launched the Policy Brief on 'Our Common Agenda,' focusing on 'Information Integrity on Digital Platforms'. The brief proposes measures to enhance the safety and inclusivity of the digital space. Recommendations include refraining from spreading harmful content, ensuring a diverse media landscape, implementing consistent global policies, establishing crisis response protocols, and promoting data transparency. The brief calls on tech companies to prioritize human rights over engagement, advocates for user influence in policy decisions, and urges advertisers to take responsibility for their impact.

Full Policy Brief at: [Our Common Agenda - Policy Brief 8: Information Integrity on Digital Platforms](#)

Our Common Agenda Policy Brief 8 Information Integrity on Digital Platforms

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Digital Rights Weekly is a week-based update on Digital Rights and ICT issues, that happened throughout the week, compiled and analyzed from the digital rights perspective by Digital Rights Nepal (DRN). DRN is a not-for-profit initiative dedicated to the protection and promotion of digital rights, including the right to online freedom of expression and association, online privacy, access to information, and related issues such as internet governance, cyber laws/policies, and cyber securities in Nepal.



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