

## **Statement**

### **Civil Society Urges Government and Stakeholders to Advance Social Media Regulation Through a Transparent, Rights-Friendly and Participatory Process**

Date: May 1, 2025

We, the undersigned civil society organizations committed to promoting freedom of expression, digital rights and democratic good governance, express concern over the recent public statement by the Minister of Information and Communication Technology stating that social media platforms would be banned in Nepal if they do not registered within a week.

While we acknowledge the need for an appropriate legal framework to ensure the accountability of digital platforms, we believe that shutting down any platform without a transparent process and clear legal criteria would be arbitrary and unconstitutional.

The currently implemented “Directive on Regulating the Use of Social Media, 2080” provisions the registration of platforms in Nepal, there is a lack of a clear mechanism to ensure its implementation and accountability. Moreover, at a time when the bill on social media is registered in the Parliament and is under discussion, the threat of immediate ban seems to have a negative impact on freedom of opinion and expression, the right to information and digital rights.

We respect the regulatory role of the state, but regulations must comply with the Constitution of Nepal and international human rights standards such as the International Covenant on Civil and Political Rights ratified by Nepal. In this context, we urge the government to:

- Refrain from disproportionate, impractical and premature decisions such as blocking access to social media platforms that infringe citizens' freedom of opinion and expression (the Constitution of Nepal, Article 17), right to information (Article 27), and digital rights.
- Ensure that digital regulatory processes are transparent, inclusive and rights-friendly, including consultations and suggestions from civil society, experts and stakeholders.
- Develop a human rights-based legal framework to ensure the accountability of social media platforms, and protection of fundamental freedoms.

- Adopt measures such as restrictions or bans only as the last resort and only on the basis of clear legal procedures and in compliance with international standards.

We believe that guaranteeing access to digital spaces, fostering public dialogue, and safeguarding fundamental rights are core responsibilities of the state.

We believe that social media platforms should be accountable to the state, democratic policies, rules and human rights of citizens, as well as to address unlawful activities occurring due to misuse of the platform. Therefore, in the context of the government's request for social media registration, we call on digital platforms to engage in meaningful dialogue with the Government of Nepal and collaborate with Nepal's stakeholders to develop civil rights-friendly policies and regulations in line with democratic and international values.

We call on social media companies to operate responsibly in Nepal and adopt the necessary transparency.

We stress the need to develop a sustainable and rights-friendly digital governance framework based on collaboration between the government, parliament, civil society and stakeholders from the sector. We are firm in our belief that adequate discourse, expert opinion, and public consultation are also necessary for the Social Media Bill currently being discussed in the Parliament.

Signed

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