

# Opposition grows to Nepal government's move to curtail social media

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Resistance is increasing in Nepal to the proposed Information Technology Bill (ITB), which curbs freedom of expression and social media. Senior journalists, prominent intellectuals and law professionals have voiced their opposition to the draconian nature of the bill, which is part of the ruling Stalinist Nepal Communist Party's (NCP) turn toward autocratic rule.

The Federation of Nepali Journalists, Nepal Bar Association, NGO Federation of Nepal and other organisations have condemned the attack on free speech. Addressing a meeting last week in Kathmandu, Nepal's capital, constitutional expert Bhimarjun Acharya said the bill "must be scrapped entirely."

The parliamentary Development and Technology Committee passed the bill on December 29. It will be presented to parliament for passage to replace the current Electronic Transactions Act, which the NCP government has used already to arrest people for making "improper" social media posts.

The ITB sets heavy fines of up to 1.5 million rupees (\$US13,145), or jail terms of up to ten years, or both, for harassing, bullying or defaming others via social media. Though the government claims this would not stifle freedom of expression, the bill's vague language would put social media users at high risk for criticising business leaders, politicians and bureaucrats.

Under the bill, the government would be able to block social media platforms if they are not registered in Nepal, including Facebook, Viber, and WhatsApp. Internet Service Providers (ISPs) would also come under scrutiny. The bill authorises the federal, state and local governments in Nepal to direct ISPs to withdraw "improper" online content, without any court ruling. Equipment and software can be deemed "illegal."

Cases will be heard by an "Information Technology

Court," chaired by a "legal expert" and with IT and commerce experts as members. Acharya said this would be a "kangaroo court" designed to bypass the judiciary, violating the Nepal constitution.

Expressing the concern of sections of the Nepali elite, the *Himalayan Times* wrote on December 31: "Democracy will die in the absence of freedom of expression or opinion." A *Kathmandu Post* opinion piece noted that authorities could block social media, "threatening to curtail freedom of speech online as well as increase surveillance of personal data."

Responding to widespread public hostility, the country's main opposition party, the Nepali Congress (NC), was forced to demand that the government revise the bill's "regressive" provisions. However, the last NC government also attacked basic democratic rights and was widely discredited before it was voted out in the December 2017 general elections.

A day before the parliamentary committee approved the bill, NCP chairman Pushpa Kamal Dahal branded the press as the "bourgeois media." This is a cynical attempt to justify the attack on basic democratic rights by a government that serves the interests of the capitalist class.

Since its election, the NCP government has sought to gag free expression. The police have filled 106 cases in Kathmandu Valley, where the majority of Nepalis live, for "improper" posts on social media in the last three years.

The ICB is not the only measure proposed by the Nepal government to attack media freedom. Under the Media Council Bill (MCB), the Nepal Press Council can fine editors, publishers and journalists up to one million rupees if found guilty of damaging someone's reputation. Under the current legislation, the council can ask for clarifications and apologies, and blacklist

press organisations, but must go to court for compensation orders.

On December 30, the government tabled the Special Service Bill, which authorises Nepal's intelligence agencies to intercept telephone and digital conversations under the basis of countering "threats to national security, sovereignty and integrity."

With more than half the planet's population now using the internet, governments everywhere are increasingly taking measures to gag social media platforms, fearing their use to organise the struggles of workers and youth. At least 29 countries carried out deliberate internet shutdowns last year.

As part of the Nepal government's increasing surveillance against the masses, 165 more CCTV cameras were installed by police in the capital Kathmandu during October. This takes the total number of CCTV cameras in Kathmandu Valley to 1,414, and to more than 3,000 throughout Nepal. A number of schools and colleges in Kathmandu are under CCTV surveillance also.

These developments underscore the NCP's fear of the development of a mass movement against the government. In by-elections held in November for the parliament and provincial assemblies, the NCP lost most of the seats it had held. In an attempt to shield itself from the discontent, the Rastriya Janata Party withdrew its support from the government last March.

Nepal is a social tinderbox. On average, the richest 10 percent of people now own property worth an astounding 26 times more than the poorest 40 percent, and the top 10 percent earn three times more than the poorest 40 percent.

Nepali migrant workers in the Middle East and elsewhere sent home over \$7 billion to their families in the last fiscal year, but they endure significant hardships, including 12-hour work-days in desert heat and gruelling hours in factories with no days off. Many are virtual slaves trapped in private homes as domestic helpers. Around 1,000 Nepali migrant workers die every year, mainly in the Gulf region, because of these appalling conditions.

Mass opposition to the ongoing poverty and social problems under the previous Nepali Congress government resulted in the victory of Prime Minister K.P. Sharma Oli's administration in the 2017 election. But the NCP government has carried forward the same

pro-market program of international finance capital, which is intensifying social devastation and political opposition.

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