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Nepal: Analysis Shows Social Media Bill Highly Problematical

The Centre for Law and Democracy (CLD) today released its analysis of Nepal’s Social Media Act (Bill) 2081, which was tabled in parliament in late January 2025. The Bill has multiple problems when assessed against international standards on freedom of expression, including that the extensive regulatory powers in the Bill are all exercised by government actors, that platforms, defined very broadly, are required to obtain a government licence, that it imposes numerous expansive and illegitimate content restrictions on both users and platforms, and that it utterly fails to put in place any systematic approach to addressing the harms caused by online content.

“We understand that this Bill is somehow an attempt to implement the UNESCO Guidelines for the Governance of Digital Platforms,” said Toby Mendel, Executive Director of CLD. *“If so, it certainly fails in every way to achieve that aim, suggesting the need for more support for and advocacy towards the government.”*

CLD’s main recommendation is that the whole approach taken in the Bill should be reconsidered in favour of one which, instead of focusing almost exclusively on individual pieces of content, addresses the systematic impact of the operations of platforms. The analysis also puts forward numerous more specific recommendations, including the following:

- The definition of “social media platform” should be much narrower in scope as, presently, it would include any website on which user comments were enabled.
- No government-controlled actor should be able to exercise regulatory powers under this law; instead, an independent administrative body should be created for this purpose.
- The whole approach of licensing platforms should be dropped; this is simply not needed to impose regulatory requirements on them.
- If restrictions on individual pieces of content are retained at all, they should be very substantially reworked so as to bring them into line with international standards.
- The many excessive sanctions should be revised and replaced with a regime which allows for proportionate sanctions to be imposed.

The analysis is available [here](#) and the Bill is available [here](#).

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