DIGITAL FREEDOM SUMMIT 2022

PROMOTING DEMOCRACY IN DIGITAL AGE

Organized by:

DIGITAL FREEDOM COALITION
PROMOTING DEMOCRACY IN DIGITAL AGE.

Venue:
Basera Boutique Hotel, Babarmahal

December 9, 2022, Friday

SUMMARY REPORT

Supported By:

NEPAL TELECOMMUNICATIONS AUTHORITY

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बागमती प्रदेश सरकार
आन्तरिक मामिला तथा कानून मन्त्रालय
सञ्चार रजिष्ट्रारको कार्यालय
बागमती प्रदेश, हेटौंडा , मकवानपुर

Internet Society
Internet for
Education SIG

Background

Digital Freedom Summit is the multi-stakeholder platform annually organized by the Digital Freedom Coalition in Nepal where different stakeholders discuss various issues of Digital Freedom in Nepal. This event is one of the signature events of the Coalition which is both exclusive and influential that focuses on the most recent digital technology trends and discoveries, as well as their impact on digital freedom law, policy and practices. Digital freedom coalition is a consortium of 7 organizations that include: Internet Governance Institute, Forum for Digital Equality, Digital Media Foundation, Media Action Nepal, Educating Nepal, youth IGF Nepal and Antenna Foundation Nepal.

Objectives

- To bring all the stakeholders of digital freedom in Nepal at a single platform to share and discuss their knowledge, skills and experiences;
- To discuss the laws, policies and practices on digital freedom in Nepal.
- To aware people on the importance of digital freedom;
- To contribute towards a better digital freedom environment in Nepal.

Coalition Team

1. Babu Ram Aryal, Chair
2. Binay Guragain, Member
3. Laxman Datt Pant, Member
4. Prabesh Subedi, Member
5. Ashirwad Tripathy, Member
6. Suraj Adhikari, Member
7. Deepa Bhattarai, Member
8. Ananda Gautam, Director

Coalition Partners

This year with the slogan of "Promoting Democracy in the Digital Age" this year on the eve of World Human Rights Day, 2022 on 9th December coalition convened its first summit at the Basera Boutique Hotel with the participation of more than 200 people. The summit was supported by Nepal Telecommunications Authority, Press Registrar's Office (Bagmati Province), Nepal Telecom, BizBazar Ltd. and Internet Society Education SIG. The structure of the event was divided into 4 major panel discussions:

1. Democracy in Digital Age: Political Perspective
2. Freedom to Connect: Infrastructure & Content
3. Digital Freedom and Civic Engagement
4. Digital Economy: Road Ahead

Ms. Priyanka Jha started the program as the host on behalf of the coalition outlining the major objective of the event setting a stage for policy discussions inlined with the theme of "Promoting Democracy in the Digital Age". Mr. Binaya Guragain, Executive Director of Antenna Foundation Nepal, who is also one of the members of Digital Coalition, further highlighted the objectives of the program in the periphery of democracy, rule of law and good governance and welcomed all the stakeholders including guests and participants and thanked all for accepting the Invitation.

The program was directed to set the stage for the first panel on "Democracy in Digital Age: Political Perspective" which was moderated by Mr. Laxman Datt Pant, Chairperson, Media Action Nepal with the panelists, Hon. Dr. Binda Pandey, Member of Parliament, CPN UML, Hon. Pradip Poudel, Member of Parliament (elect), Nepali Congress, Mr. Ashim Rai, Chairman, Thulung Dudhkoshi Gaupalika and Prof. Pitambar Bhandari, Department of Conflict, Tribhuvan University.

The initial discussion of the panel started with the proliferation of the Internet into our daily life and how democracy has started to be reflected in the digital platforms with its gradual development from the town hall discussions back in the 1980's. Today digital platforms has become the medium of expression where both public as well as law makers express their views and are viewed as tools to ensure good governance. While the internet has become the easiest medium to express the views and reach a wider range of audience compared to traditional communication mediums there are growing challenges that include misinformation, disinformation and rapid spread of fake news. Today's discussion of safeguarding freedom of expression in the digital age should also have strategies to overcome these challenges.

Mr. Datt raised the issues about the proper implementation of international treaties and conventions and attempts made by the government to control and restrict the freedom of expression of citizens in social media and other digital platforms through regulation undermining the international treaties and the constitution itself.

Prof. Bhandari illustrated that the voices of marginalized communities were overridden by the mainstream political aspirations even in the non-digital era as well. While the internet is already accepted and adapted as a lifestyle and it has overcome other traditional media as a medium to express the public opinion, the issues of ethics that their voices are heard along with the mainstream political aspirations is a big question. He also said that while social media and

digital platforms have eased the access to the wider audience the confusion of the people about the political aspirations, philosophies and political parties is still challenging.

Dr. Pandey started with sharing her experience of adapting the available digital services, remembering her days when she was elected as an Member of Parliament (MP) back in 2074, where the salary of MP used to be paid by cheque. She reflected after facing different hassles to get the cash in hand via the pay cheque and how they convinced the administration to get paid via e-banking services. Later on she also shared about the debates on "Use of Electronic Devices in the House" and the possible negotiations between the legislators and the media regarding the portrayal of the use of those devices. Starting from how the situations headed towards live streaming of Parliament meetings, she also requested that all the three levels of government should endorse the proper use of ICT services for the public service delivery.

Mr. Poudel portrayed the contrast between the digital literacy and access to digital services of the voters of urban areas and remote and rural parts of Nepal. During his recent election campaign in Kathmandu, the digital technology made it easier to reach voters even without meeting them physically. He also addressed that while we have the liberty to reach a wider audience using digital platforms today we should also be cautious about the possibility of fake news, misinformation and disinformation that might lead the campaign in the opposite direction.

Mr. Rai raised the issues of quality access to the digital infrastructure and services especially in the rural parts of Nepal. Similarly, he shared about the digital initiatives led by Thulung Dudh Koshi Rural Municipality in making an online taxation system with smooth coordination between all of their ward offices.

Concluding the first session the Chief Guest of the program, Dr. SwarnimWagle headed up for his keynote on Democracy in the Digital Age. Mr Wagle initiated his keynote speech sharing about the economic perspective of Digital Freedom. He mentioned, I believe there are three different aspects to it i.e. economic, sociological and techno-political. While covering the economic part, inclusivity has expanded, for instance, access to education has increased through digital literacy. Similarly efficiency and innovation are two other spectrum which has expanded widely. The digital world has grown through opportunity and service delivery but to whatever extent it grows, it will require a complement which is analog. It has also been affecting the youths which can be illustrated clearly with the number that youtube has gained, people are being involved in the platform like UpWork and earning in USD value through their skills. Witnessing all these revolutionary changes we have to be aware of democratization. Merchandising and mechanization of misinformation. Principally, propaganda attracts you to something whereas disinformation tries to make you disbelieve everything and it is going to cost nothing to the social media and one minute can destroy everything. Trolling resembles viruses because it is something that replicates very rapidly and we now have to focus on how to educate, enlighten and make people aware of the misinformation that might be haunting them on a daily basis. There is a parallel sync in democracy and academics, like peer review and anonymous

contesting, evidence and citation, new evidence and withdrawal if fraud is found, separation of power and specialization, government institutions and scientific society, and voting and citation or references respectively are equivalent to each other in two differing dynamics.

There are various challenges that attack our privacy through the digitized world, for instance the face surveillance of China during Covid period and London as the most photographed city in the world where one individual is captured in CCTV camera for at least 300 times in one row. The fact that now huge corporations can predict the emotions of people when they see a specific content on the screen is very dangerous because if 'how will you react emotionally' can be predicted remotely then you might be vulnerable to being completely under control.

The measures like, the government and any of the government institutions should not be abusing our right to privacy, we should be allowed to scrutinize the government and the media should be alert, can be possible safeguards to the challenges. And everything is in our own hands because the same technology led to the evolution of communism and capitalism in two different corners of the world at the same time frame. Therefore, there are opportunities but the only thing is that we need to be able to see.

In the second panel discussion, panelists, Mr. Dipesh Bista, CEO, e-Governance Commission, Mr. Dipesh Acharya, Director, Nepal Telecommunications Authority, Ms. Sarita Lamichhane, Founder, Prayatna Nepal and Mr. Bikram Shrestha, President, Nepal Internet Foundation discussed the major issues in regards to Freedom to Connect: Infrastructure and Content .

Mr. Dipesh Bista initiated the discussion addressing the question concerning equitable supply of digitized services. He mentioned we have to face the long queues just to get the government services and it will take days and even months to just receive license, no-objection certificates, passports and the newly formed e-governance commission is here to ease these existing gaps between government service delivery and the use of ICTs. Our commission is set to working on creating equitable access for all. The e-governance commission plans to establish a service center all around the country which will bridge the gap between beneficiary and different services to be provided by the government on every corner of the country. To make all this happen we will be optimally utilizing e-governance for all kinds of public service delivery.

Followed by Mr. Bista Ms. Sarita Lamichhane continued the discussion sharing that the websites and the digital platforms all around the internet are not designed with accessibility by design. Fonts sizes are not customizable by users in those platforms either they are using unicode or traditional fonts. They are not accessible for visually impaired people. While building any online

platforms there is no consultation with people of marginalized communities and this creates a gap between the needs of those people. Even government policies are ignoring the consideration of people of marginalized communities both in ICT platform and ICT based services. The accessibility aspect is very important to onboard people with disabilities who are still deprived of digital access. Even the regulating bodies don't have any interest in training their officials to prepare disability-friendly policies and regulations. The focus is not to stop using everything but accommodate the ways to make meaningful use of what's available. We even see the discriminatory content against sexual minorities and these kinds of activities should be properly regulated. Also there is a need for digital literacy as we have gained a lot of newcomers on the internet, mostly the people in rural areas are very unaware about the potential of the Internet and Digital platforms also theory are not aware about their digital rights. We are very far away in terms of accessibility in technology, once one of the organizations wanted to award a mobile application that has endorsed the disability-friendly practices but unfortunately they couldn't find any mobile applications as such.

Mr. Prabesh Subedi addressed the current situation of digital literacy in Nepal mentioning the number of users of social media has grown rapidly in the past 10-15 years. There has never been this many users that were interconnected in a single network in human evolution ever. There are different aspects of digital literacy and access might not be the only parameter, there can be various user perspectives that play vital roles for being connected and getting meaningful connectivity. In our case, we have a certain level of access to the technology already and our industry has already invested a lot of capital in digital technology and not everyone connected is aware about the proper use of these digital platforms. And we have to say that due to lack of digital literacy those developed digital platforms and services are not being utilized properly.

Mr. Jhanbindra Bhusal shared his experience Regarding the implementation of Code of Conduct during the election time. Mr. Bhusal reflected that Online media has the highest record of being registered legally in comparison to the other forms of media houses. Being on top of the numbers the complaints regarding the contents and code of conduct in online media is also on top of other types of media. During the election period we also observed political leaders adapting new technology using facebook pages, hiring journalists for social media and online campaigns and often some of them even violated the code of conduct. Press council Nepal is also coming up with training for the stakeholders about the code of conduct to be followed by the journalists so that code of conduct could be properly followed by the journalists.

Mr. Bipul Pokharel shared his experience and challenges from the representative organization of journalists. Mr. Pokharel brought up the importance of media which can be illustrated with one instance which was back in 2007 where it took a whole 1 month that people of far-western part of Nepal got to know about the transition of our nation into democratic country. Reflecting today

we have already heard about the numbers of media including the online media being on top the competition is being a bit unhealthy which has raised serious concerns about the flow of verified, trusted and factual news and updates. We have also observed the positive side during the Covid period with the wide coverage of today's media people adapted to wear masks in a very short period of time. So, there are opportunities paved by the emerging technologies that need to be utilized optimally by the media industry to make a positive influence in society and there are challenges that need to be addressed properly.

Advocate Prapoosa KC, represented youth voices among the panelist and she shared about the concerns about the position of youth regarding cyber crime in Nepal. Sharing her experience as a lawyer and spending her last 5 years in the Cyber Crime arena, where she realize that online sexual harassment has victimized both male and female but when it comes to exposure we have highly victimized females only. I at least want people to understand that not only females are the victims of online sexual harassment, men are also the victims. The section 47 of Electronic Transaction Act, 2063 is neither up to date nor it provides clear direction to the modern day cyber crimes and it has only created confusion. This confusion continues to the jurisdiction of the cyber bureau and court as well. The cent percent penetration of the Internet as in reports is a myth and we are so poor in regards to digital literacy that using a facebook account is acted as being digitally literate. In this very messy scenario I would question the e-governance commission what are their agendas on digital policies and is there any work they did on the recent election. Today's main challenge is that we have the access but we are not aware about the proper use of available technologies. And the same loopholes have spiked the crimes happening via internet platforms and we are not again aware that we have been victims of cyber crime and we do not know further steps to be taken.

Responding to the question raised by the audience regarding the social media has become a medium to express patriarchy for people and it has restricted the access to justice, Mr. Prabesh Subedi stated that every law is not necessary for people to know, lawyers are there for it but the laws which are required on an everyday basis should be known by every individual. The Internet is a platform beyond the borders of a nation. We are connected through various conventions and treaties to make the regulatory bodies global. There should be a consistency between Jumla and the UN Headquarter in regulation.

The fourth session of the event was titled Digital Economy: Road Ahead and consisted of panelists, Sanjib Subba, CEO, Nepal Electronic Payment System Limited (NePS), Dibya Tara Shakya Assistant Manager, Digital Banking Department, Global IME Bank, Mr. Ganesh Raj Gautam, Managing Director, Big Bazaar Limited, and Dr. Narayan Prasad Regmi, Spokesperson, Ministry of Supply, Commerce and Industries.

Mr. Sanjib Subba initiated the discussion sharing about the Digital Economy in Nepal which has been ranked as 21st Economy in Asian context which is a very poor score in the present Digital age. We have an emerging economy here in Nepal but when it comes to digital adaptation in terms of the digital economy we are at level zero. Other countries have taken a leap forward in this context and if we see this from the other side we don't have much to be innovated or developed in terms of technology because it has already been developed and we just have to adapt it, make our people digitally literate and this is also another opportunity. We have some silver linings as Nepal Government has already initiated the process of registration for National Identity card and till now one crore Nepali citizens have been able to officially register for it which is very optimistic. I have been advocating for e-KYC in Nepal when there was no discussion on such issues. If we adapt and utilize available resources to corporations and banks then it can bring enormous changes in this digital world. We have to accept that being at zero is not always at zero because it enables enormous amounts of opportunities and we can choose whatever way we want and which is already trusted and already adapted.

Followed by Mr. Subba Ms. Dibya Tara Shakya, shared her experience as a stakeholder of the banking industry. These days, Mobile Banking and Internet Banking is considered to be a ground for digitization. Previously, for opening a bank account we were required to visit the bank and at least wait for ½ or 1 hour in line for formalities but the situation has changed now because of atomization. In the case of KYC too, details can be collected digitally either through the means of photos or videos. Today's development of Information technology and most specifically automation is very beneficial for human resources working in the banking sector. We are already aware that we have Artificial Intelligence which has been helping banks to determine whether an individual could be provided a loan or not. But along with the benefits there comes challenges while dealing with public data and automation there are concerns about Individual privacy and these need to be protected in both policy and implementation stages. And with privacy there comes data security. Either our institutions have enough resources to secure their customer data which incase of data breach could expose very sensitive information.

Mr. Ganesh Raj Gautam continued the discussion responding to different challenges faced while ensuring the quality service. Mr. Gautam stated that due to the gap of available resources and service delivery beneficiaries are not very satisfied with the service providers. If the end users are not able to access the digital platforms and services then in terms of economy just the internet penetration is leading us nowhere than increasing the revenue of Internet service providers. The e-commerce platforms in our case are very few in numbers and they are just in the initial phase. This instance has limited us in the establishment of digital infrastructure required for the digital economy. To march towards the digital economy our small and medium business should endorse digital platforms and technologies. In terms of policies and regulatory approach as well we still lack regulatory mechanisms to register and operate business in digitized form. Such lack of legislation has already created trust issues among customer to service providers. We also lack

Digital Trade Rules, Digital Trade Strategies, Paperless Trading Rules, Electronic Authentication Rules, Electronic Payment Rules, Electronic Invoicing Rules, Online Consumer Protection Rules, and Personal Data Protection Rules. In terms of infrastructural aspects we also still lack mechanisms to geo-locate the deliveries of customers.

Concluding all the sessions as scheduled, Ms. Jha, the host of the event invited Chair, Babu Ram Aryal and Special Guest, Dr. Ganesh Raj Pandey, Secretary of Office of Prime Minister and Council and Ministers to the stage for their remarks for the closing ceremony.

Dr. Ganesh Raj Pandey addressed the closing ceremony of the program representing the Government of Nepal. He shared that this program was very insightful and interesting where we could hear the voices of civil society and business community stakeholders. I would like to request the coalition to submit both recommendations and reports to the respected Ministries. If we only compare the present context of Nepal in terms of digital services utilization with even south asian countries we are in a very down and out position. Working with different ministries I have realized that we often get confused with just using social media with digital literacy which I think is not a proper indicator. I also see a need for a document or report that illustrates the legal obligation of the business community, civil society and end users. There are numerous opportunities that could be enabled by adapting Technologies for public service delivery. One of such examples might be from our neighboring country where farmers get daily updated and automated information about weather and agro-products pricing. Dr. Pandey concluded his remarks promising that they will endorse the needs of citizens and also asked the business community and civil society to be there to support and object to the government based on critical analysis.

Mr. Babu Ram Aryal, Chair of the Digital Freedom Coalition expressed his vote of thanks for all the contributors, panelists, guests, supporting organizations, steering committee members and members of organizing committee. Appreciating all the stakeholders of the event and with a promise to be back with a more constructive summit next year Mr. Aryal officially ended the program and invited all attendees to interact with each other followed by the dinner.

Event Photos

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