



"Whois-Challenges of data Protection & Privacy"

Nepal Prospective

Bikram Shrestha
Co-Chair
Cooperation SIG

The logo for APNIC 46 features the text "APNIC" in a bold, black, sans-serif font on a white rectangular background. To its right, the number "46" is displayed in a large, white, sans-serif font on a solid blue square background. The entire logo is set against a light blue background with a wavy, abstract pattern at the bottom.

APNIC 46

**WHOIS: a tool to access to public
information**

Overview

APNIC 46

- ❖ Privacy is a constitutional right in Nepal under Article 28 of the Constitution and that includes Data Protection Principles.
- ❖ The Constitutional provision also talks about protection of data but there is no specific Data Protection law.

Current Legal Status

APNIC 46

- ❖ The law in effect for the Privacy and Data Protection on electronic form is "Electronic Transaction Act 2006" which is very limited about specific data protection.
- ❖ Existing "Right to Information Act 2007" has provided personal data as a limitation to the right to information. Public agencies are not allowed to make public personal information (Section 3)

Initiatives

APNIC 46

- ❖ MoCIT has prepared a draft bill on Information Technology, Currently, this is under consultation.
 - ❖ This draft also does not address the data protection properly.
- ❖ Individual Privacy Bill 2018 has been tabled to the parliament;
- ❖ Internet Society Nepal and Internet Governance Institute held expert consultation on 7 Sept 2018

Way forward

APNIC 46

- ❖ Proposed bill does not address the issue of Data Protection adequately.
- ❖ Need for more multi-stakeholder discussion & Consultation
- ❖ Community to aggressively push for new data protection law in Nepal.

The logo for APNIC 46 features the text "APNIC" in bold black font on a white background, followed by the number "46" in white font on a blue background. The entire logo is set against a blue background with a wavy bottom edge and a light blue grid pattern.

APNIC 46

Thank you!!!