Regional Roundtable

Internet Fragmentation and Human Rights in Asia-Pacific

31 January 2024

Background

The availability of a global open, interoperable, reliable, and secure Internet is necessary for the exercise and enjoyment of human rights in the digital age. However, these basic characteristics of the Internet are currently under threat. There is a lack of understanding of the issue of Internet fragmentation and the capacity to counter such threats, particularly among civil society. Countering threats to an open, interoperable Internet effectively requires region-specific understandings. Despite this, current discussions on Internet fragmentation have been largely siloed.

To address this gap, GPD is convening a set of stakeholders from the private sector, policymakers, and civil society for a series of roundtable discussions catered to a specific region. The aim of the roundtables is (1) to advance awareness and common understanding of Internet fragmentation threats in key regions and; (2) to identify opportunities to counter them.

Session summary

The second roundtable took place in January 2024 and focused on Internet fragmentation in the Asia-Pacific region. The roundtable convened around 30 stakeholders from across the Internet governance landscape— including representatives from the private sector, technical community, policymakers, standards development bodies, and civil society.

The roundtable highlighted the complexity of Internet fragmentation in the context of the Asia-Pacific (APAC) region, where geopolitical factors, digital sovereignty, and commercial interests often clash with the broader principles of an open, global Internet. A key theme of the session was that civil society, policymakers, and technical communities must work together to ensure that the Internet remains a global public good that upholds human rights while allowing for regional diversity. The session concluded with a call to action for inclusive governance frameworks that can address fragmentation without compromising user freedoms or global connectivity.

Session overview

Panel 1: Understanding Internet fragmentation

The first session aimed to provide an introduction to Internet fragmentation as a concept. Panellists explored the layer model of Internet infrastructure and how **fragmentation can manifest at different levels**, from physical networks to content distribution, and that different forms of fragmentation can have both challenges and benefits—such as difficulties in developing universally binding policies, or developments which bring content closer to users for improved performance.

The historical context of the Internet's inception as a solution to address fragmentation in physical networks was discussed. The Internet emerged to connect disparate networks, providing uniformity and allowing interoperability. However, it's important to note that fragmentation—or otherwise defined, diversity and variety—remains in the physical layer, where different network technologies coexist by design. The discussion emphasised the importance of distinguishing intentional and beneficial fragmentation from potentially detrimental forms.

Key takeaways

Given its diverse aspects, manifestations and consequences, the panellists highlighted the **need to approach the idea of "fragmentation" with nuance**, recognising the lack of a singular view and the fact that different communities may identify different challenges and potential benefits of fragmentation. With the range of debates and discussions on the topic, there is a necessity for decisions at the policy and governance level to address issues related to fragmentation. This would require a more coherent definition and framework for Internet fragmentation overall.

Panel 2: Exploring Internet fragmentation from a regional perspective

The second panel explored the manifestations of Internet fragmentation in the APAC region, the policy implications and responses that have emerged as a result, and the role that standards setting bodies, such as the International Telecommunications Union (ITU) among others, hold in developing comprehensive frameworks for countering these trends.

Notably, three types of fragmentation were identified in the APAC region: **commercial, governmental, and technical**. This included incidents such as network shutdowns, network usage fees, cross-border data flow policies, restrictions on certain platforms and "walled gardens". While these policies are

often developed to safeguard national sovereignty and security, they can have fragmentary consequences when you consider the global nature of the Internet. Speakers emphasised the **need to balance national sovereignty with individual freedoms and ensure that national policies align with global standards and vice versa**; here, efforts to develop standards and coordinate action by bodies like the International Telecommunication Union (ITU) and Internet Engineering Task Force (IETF), as well as wider Internet governance forums, are crucial. Further, panellists highlighted that, while a certain degree of fragmentation is an inherent feature of a global, open, decentralised and interoperable Internet, there is growing fragmentation in the uniformity of users' experiences of the Internet as a result of geopolitical considerations and regulatory interventions.

Should we accept fragmentation as an inevitable part of the Internet, given that state actors, as users, are democratically chosen representatives? Is this fragmentation a natural feature, or should we consider the Internet's higher purpose beyond these limitations?

Key takeaways

Following the panellists' presentations, discussions explored **the role of the ITU in developing standards, and the dominance of this space by nation-states, in comparison to other multistakeholder Internet governance forums**. While this can lead to undue nation state influence in decision-making processes and challenges in reconciling national interests with the global nature of the Internet, it was agreed that the ITU could hold a central role in developing a vision for a unified Internet, free from mandatory fragmentation or external forces.

Acknowledging that the ITU does not hold the sole mandate to develop technical standards, participants discussed **the need for the ITU to coordinate its work with other technical standards setting bodies and industry organisations**. It was also noted that discussions on fragmentation can vary greatly between technical and political spheres—with technical responses primarily focusing on the impact of fragmentation on civil liberties rather than addressing wider geo-political trends. As such, it is necessary for initiatives aimed at countering fragmentation to navigate both technical and legal frameworks and ensure multistakeholder input.

Finally, participants discussed **the role of civil society in working on and addressing issues of Internet fragmentation**, emphasising ongoing monitoring of discussions, facilitating peer-learning and information exchange, and developing multistakeholder coalitions and coordination across different sectors.

Overall takeaways

1. Internet fragmentation is not inherently harmful but should be carefully managed. The emphasis should be on ensuring that fragmentation does not lead to harmful consequences, such as the suppression of freedom of expression, inequality in access to services, or the stifling of innovation.

2. Civil society should be actively engaged and participate in ongoing dialogue and monitoring of discussions and developments to ensure that their interests are adequately represented.

3. Governments must balance national sovereignty with global connectivity needs. While national regulations (e.g. data localization, cybersecurity laws) are important, they should not lead to severe fragmentation that undermines the Internet's global nature.

4. While engagement in standards bodies like the ITU can be resource-intensive and challenging, it is important for meaningful engagement in the Internet fragmentation space. Individuals should build networks and work with like-minded organisations to identify suitable methods of engagement and collaboration.

5. Addressing fragmentation requires collective action from all stakeholders—governments, the private sector, civil society, and international organisations. A collaborative, inclusive approach to policymaking and technical standard-setting is essential to preserve the Internet as a global, open, and human-rights-centred platform.

6. While innovation encourages some degree of technical fragmentation (e.g. unique devices or platforms), it is important to preserve the uniformity and interoperability of the Internet.

7. International standards should be developed to mitigate fragmentation, particularly in areas like data protection. Efforts should be made to harmonise technical and policy standards that support an open and globally accessible Internet.

8. There is a need to ensure that the voices and concerns of countries in the global South are not sidelined in discussions about Internet fragmentation.

Recommendations

All stakeholders

- Promote a collaborative, inclusive approach to policymaking and technical standard-setting.
- Collectively work to harmonise technical and policy standards that support an open and globally accessible Internet.

Civil society organisations (CSOs)

- Actively engage and participate in ongoing dialogue and monitoring of relevant policy and technical discussions and developments to ensure that civil society perspectives are adequately represented.
- Engage with governments to educate and inform them on the effects of their actions and policies.
- Engage in information sharing among civil society, particularly regarding processes and forums that are not easily accessible.

Private sector

- Participate in multilateral discussions, coordinating with other stakeholder groups such as civil society and the technical community.
- Go beyond commercial considerations to focus on the interests of users. Tailored services can even be a unique asset in local or national contexts
- Innovate while preserving the uniformity and interoperability of the Internet.

Technical community

- As with the private sector, participate in multilateral discussions, coordinating with other stakeholder groups such as civil society and the technical community (e.g. through joint submissions)
- Work with civil society to navigate the technical and political elements and frameworks of fragmentation and share these insights with other stakeholders.

Governments

- Balance national sovereignty with global connectivity needs, ensuring national regulation does not lead to harmful consequences—such as the suppression of freedom of expression, inequality in access to services, or the stifling of innovation—and does not undermine the Internet's global nature.