

Regional Roundtable

Internet Fragmentation and Human Rights in Sub-Saharan Africa

26 June 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: changes to the underlying architecture of the Internet—whether due to new proposals at technical standard-setting bodies, legislative changes, or technological advances—risk fundamentally altering the functioning of the Internet as we know it.

Compounding this problem is both a lack of understanding of the issue of Internet fragmentation and the capacity to counter such threats, particularly among civil society in the global south. Additionally, how Internet fragmentation manifests varies across sub-Saharan Africa (SSA). To counter such threats effectively requires an Africa-specific strategy developed based on a consensus-driven understanding of the issue. Yet, currently, discussions on Internet fragmentation have been largely siloed both geographically and ideologically, with such discussions largely taking place among those from the global north and among like-minded peers.

To address this gap, KICTANet and Paradigm Initiative convened stakeholders from the private sector, policymakers, and civil society for a roundtable discussion. The roundtable was part of a series of roundtables held in collaboration with Global Partners Digital (GPD) in Latin America, Africa, Asia-Pacific, and Europe. The current roundtable is a follow-up session to a similar conversation held during the Digital Rights and Inclusion Forum (DRIF) in April 2024.

Session Summary

The fourth and final roundtable took place in June 2024 and focused on Internet fragmentation within sub-Saharan Africa. The roundtable convened around 78 stakeholders from across the Internet governance landscape—including representatives from the private sector, technical community, policymakers, standard development bodies, and civil society.

The panel of speakers comprised different nationalities and experts from the SSA region—including Bob Ochieng, ICANN; Lillian Nalwoga, CIPESA; Francis Amaning, ISOC Ghana, and Benjamin Akinmoyeje, ICANN, (Non Commercial Users

Constituency) NCUC. The session was facilitated by Ihueze Nwobilor, Paradigm Initiative and moderated by Victor Kapiyo, KICTANet. The discussions focused on the meaning of Internet fragmentation and its realities from an SSA perspective, while highlighting key issues for the continent.

Session Overview

Panel 1: Defining Internet fragmentation

The first session aimed to provide an introduction to Internet fragmentation as a concept and identify the drivers of fragmentation across the region.

Through discussions, speakers and participants developed a definition of Internet fragmentation actions which hinder or impede the free flow of information across the Internet. This is not always a deliberate act but can often be the result of laws and regulations put in place by countries and can include data localization, infrastructure limitations, or network disruptions. These issues pose a threat to the universality of the Internet and can lead to “localised” experiences of the Internet, which will affect certain demographics and communities more than others and impede global connectivity and communications significantly.

It was noted that fragmentation, particularly in sub-Saharan Africa, can occur across four broad areas:

1. infrastructure-related;
2. industry-related;
3. user-related; and
4. information and accessibility-related.

Major influencers or drivers of Internet fragmentation in Africa include but are not limited to:

- **Policies and regulations put in place by governments**, e.g., data protection, cybercrime and privacy laws.
- **National prioritisation of and investments in digital or ICT Infrastructure.**
- **Limited access to and low penetration of the Internet and digital devices** in various countries. 60% of Africans don't have access to the Internet. Access to the Internet and online content in Africa is affected by factors such as access to electricity, cost of digital devices, digital literacy levels, geography, language barriers, non-accountability for PWDs, affordability of devices and services, information disorders, and willingness to adapt to technology.
- **The enforcement of digital boundaries to mimic physical boundaries**, resulting in unavailability of content in certain geographical areas.
- **Political influence over technical aspects of the Internet**, such as access to the Internet—resulting in Internet shutdowns, social media blocking or censorship of online content.

Following this, participants identified three key areas where Internet fragmentation is manifesting in the region:

- data localisation;
- Internet shutdowns;
- access to information and censorship.

Speakers identified that the push for local content and data localization often stems from political interests, including efforts to regulate the Internet as national territory and apply ideas of national sovereignty in the online world. **This poses a risk to the Internet's fundamental global character** and can silence users' freedom of expression, privileging certain opinions and perspectives over others.

However, the most common forms of fragmentation experienced across SSA are **network disruptions and Internet shutdowns**, particularly in Uganda, Kenya, Rwanda and Sudan, as a result of ongoing conflicts, political action and protests. In response, governments have heavily censored posts online and limited access to certain platforms and services, requiring individuals to use virtual private networks (VPNs) and other tools to circumvent this type of surveillance and censorship. This infringes on fundamental rights to access to information and freedom of expression, which are particularly critical for political movements and mobilisation. In certain cases, as in Sudan, users have been reliant on Starlink and other private companies to provide access to the Internet and there have been similar requests for support in other countries. While access to the Internet is critical, individuals should not need to be reliant on certain individuals and companies to have access to information.

Overall, speakers emphasised that we are witnessing **an increase in policies resulting in fragmentary threats**. Therefore, there is a critical need to conduct much deeper analysis of policymaking and trends across the region in order to meaningfully counter these threats. To complement this, participants highlighted the need for more global engagement from an African regional perspective, enabling local actors to more prominently take part in these discussions and ensure their experiences are more fundamentally incorporated into initiatives and policies to counter fragmentary threats to the Internet.

Overall takeaways

1. **Internet fragmentation is a problem with various aspects that impact every SSA country in unique ways.**
2. **The fundamental principle of the Internet is that it should be open, borderless, secure, and global, irrespective of geographical location.**
3. **The issues of Internet fragmentation can be categorised into four aspects: namely, infrastructure-specific needs; industry specific needs; individual specific needs; and information specific needs.**

4. **There is a need for more research and action to address the fragmentation of the Internet in the continent.**
5. **The most effective way to combat this problem is to have a united front.**
6. **African countries should develop policies that are inclusive, relevant and responsive to the emerging needs of the continent.**
7. **Countries and citizens in the SSA region should innovate, invest and bring value to the continent and not just be consumers of digital technologies and online content from other regions.**
8. **Stakeholders in the SSA region need to understand and engage in national, regional and global conversations on Internet fragmentation.**
9. **There is a need for stronger commitments from key stakeholders to preserve the multistakeholder model of Internet governance—e.g. by bringing in voices from across the board, rather than just having meetings between governments and technical communities, and ensuring more diverse perspectives are amplified.**

Recommendations

All stakeholders

- Promote Internet access as a human right.
- Advocate for equal access to the Internet and online content across the world without discrimination.
- Embrace a multistakeholder approach while discussing or developing policies and laws that have an impact on the Internet.
- Develop commitments to preserve and strengthen the multistakeholder model of the Internet.
- Readily embrace emerging technologies and adapt to existing ones such as artificial intelligence e.g., to translate content in foreign languages such as English and French into local languages.
- Engage and participate in global Internet fragmentation conversations.
- Prioritise digital literacy on an individual level and as a society.
- Ensure good management and use of Universal Service and Access Funds to ensure coverage of remote, rural, and underserved areas.
- Promote investment in research, innovation, and technology development from the SSA region.

Civil society organisations (CSOs)

- Develop a holistic approach to Internet fragmentation.
- Facilitate multistakeholder discussions ensure a range of perspectives are incorporated and information-sharing can take place.

- Conduct in-depth research/analysis on Internet fragmentation so that multistakeholder engagements and advocacy campaigns comes from an informed vantage point.
- Curate Internet impact assessment toolkits
- Raise awareness more widely about Internet fragmentation.
- Equip young Africans with digital skills.
- Push for policymakers to adopt policies that are inclusive and will not fragment the Internet.
- Advocate for a human rights-based Internet.

Private sector

- Adopt Public and Private Sector Partnerships (PPPs).
- Be transparent in the decision-making process and the problems they encounter.
- Invest in industry infrastructure.
- Develop user centred solutions that promote and protect user rights.
- Promote the development and deployment of community networks.

Standard Development Organisations

- Conduct detailed research on Internet fragmentation in the SSA region.
- Develop frameworks to address Internet fragmentation.
- Innovate technologies tailored to the SSA context.
- Ensure users have free and equal access to the Internet.
- Promote the development of African ICT standards.

Governments

- Policies and regulations shouldn't be made in silos—stakeholders should be engaged in the decision-making and policy-development processes.
- Develop person-centred policies or sections in Internet policies and regulations
- Prioritise investment in infrastructure and inclusivity.
- Review data localization laws to facilitate cross-border data transfers within the continent.
- Prioritise digital education in schools and training programs.
- Review policies, laws, and practices that restrict the free flow of information online and the quality of the Internet.
- African legislators and their networks should engage in discussions on Internet fragmentation.
- African countries should engage with regional bodies when developing laws and policies that have an impact on the Internet.