GLOBAL PARTNERS DIGITAL

Regional Perspectives on Internet Fragmentation:

A summary of reports from the Europe, Latin America, Sub-Saharan Africa and Asia-Pacific regions

Introduction

Internet fragmentation is a growing concern within the Internet and digital technology governance field. While definitions <u>remain contested</u>, the term broadly refers to the division or separation of the Internet into smaller isolated networks or segments through various actions or factors. This, in turn, puts the fundamental open, secure and interoperable nature of the Internet at risk.

Actions and factors driving fragmentation can be state-led: like Internet shutdowns and regulatory frameworks that impede open data flows, as well as the broader influence of geopolitical tensions and economic disparities. Fragmentation can also be caused by differences in technical standards, business practices which limit access to content and services between countries or regions, and changes to the multistakeholder model of governance at forums like the International Telecommunication Union (ITU).

Internet fragmentation therefore poses a significant threat to the protection and promotion of human rights by creating environments that can limit free expression, restrict access to information, undermine privacy, and isolate individuals or communities from broader society.

These threats can occur in many forums and spaces where digital governance and technical standards are discussed. It's therefore critical that civil society and human rights defenders around the world are well aware of the potential range and scope of fragmentation and where it can manifest, and equipped to effectively engage and contest it. In response to this need, in 2023 and 2024, GPD convened a series of regional roundtables alongside civil society organisations in Latin America, Sub-Saharan Africa and Asia-Pacific. The aim of these discussions was twofold: to foster a better understanding of how Internet fragmentation is manifesting in different regions, and to use these insights to determine appropriate and effective responses, both at the regional level and globally.

The roundtable discussions were multistakeholder in format, bringing together key actors from industry, civil society, academia, the technical community and government. Each roundtable developed reports to summarise discussions and identify key takeaways and recommendations.

These can be accessed here:

- Sub-Saharan Africa
- Asia-Pacific
- Europe
- Latin America

This brief provides a summary of key insights across these regional discussions, identifying cross-cutting takeaways and recommendations to inform next steps for the field.

Key takeaways

Across regions

From the regional roundtables, we found three common key trends.

- 1. Governments globally are in a "rush to regulate" digital technologies, with both intended and unintended consequences. The rapid pace of technological development is creating a corresponding urgency among state actors to roll out new policies and regulations. But this breakneck pace of policymaking can often result in frameworks which—intentionally or not—undermine the basic premises of the open, interoperable Internet. They can likewise harm human rights—for example, data protection legislation that mandates data localisation may impact the right to privacy, while online safety regulation may undermine access to information as well as freedom of expression. This emerging tension between digital sovereignty and an open Internet is one which needs to be addressed through an Internet governance approach that is both inclusive and rights-respecting; balancing the ability to grow national digital economies while protecting the open nature of the Internet.
- 2. Geopolitical agendas and dynamics are increasingly driving Internet governance discussions. Protecting the multistakeholder model of Internet governance—which includes ensuring that it is more inclusive—is an essential part of protecting an open Internet. Yet there are continued attempts to drive more areas of Internet governance, from norms and standards relating to cybercrime to content moderation and the development of technical standards, into multilateral and state-driven decision-making forums like the UN. We're also seeing efforts to increase the involvement of states in technical standards setting; e.g by engaging more directly with technical standards bodies or developing standardisation strategies to promote longer-term political objectives. Greater engagement of states in standards setting may not always drive Internet fragmentation, but it could—for example where political agendas are driven by sovereignty objectives.
- 3. Siloisation is impeding efforts to tackle fragmentation. As political and commercial interests drive Internet fragmentation—for example, by promoting more state-centric governance models, or by consolidating the Internet's architecture and creating single points of failure through private monopolies— Internet governance communities that are best placed to resist this, such as

the technical community and civil society, are barely communicating with one another. This division reduces our capacity to counter fragmentation in a comprehensive and holistic manner. All the roundtable discussions noted a lack of coordination among technical Internet governance forums and bodies, and with other stakeholders, particularly civil society and policymakers. Building bridges between these communities, and making both technical standards discussions and policymaking more inclusive, could support the protection of an open, interoperable, interconnected Internet.

4. The EU continues to exert extraterritorial influence on policy: several years after the passage of the General Data Protection Regulation (GDPR), countries across the global South continue to adopt regulation from the EU, which can further fragmentation if they are based on sovereigntist and protectionist narratives (e.g. data localisation regulation). At the EU itself, there is an evident tension between public-facing pronouncements on the EU's commitment to protecting the unity of the Internet (e.g. the <u>EU's Declaration of Digital Rights and Principles</u>) and the regulation it is developing and implementing (e.g. proposed interconnection agreements that would undermine net neutrality principles, and proposals that could politicise the shared domain name system, e.g <u>DNS4EU</u>).

Discussions across the regions found that preventing Internet fragmentation involves addressing both technical and non-technical aspects of Internet governance. From a technical standpoint, addressing Internet fragmentation requires adhering to the fundamental design principles of the Internet (e.g. the **five critical properties of the Internet** outlined by the Internet Society), and emphasising openness, globality, and a multistakeholder approach. Ensuring that geopolitical and commercial interests do not negatively impact an open Internet also requires open and inclusive policymaking approaches which are centred on the interests of end-users and promote rights-respecting outcomes.

Region-specific takeaways

GPD and collaborating organisations co-hosted and delivered four regional roundtables, each with their own individual outcome reports: in **sub-Saharan Africa** (with Paradigm Initiative and Kenya ICT Action Network), **Asia-Pacific** (with The IO Foundation and Foundation for Media Alternatives), **Europe** (GPD-led), and **Latin America** (with Data Privacy Brasil).

The majority of the discussions shared and reflected the three themes above, illustrating global trends, despite varying contexts. However, there were some regional particularities.

In sub-Saharan Africa, there remains **poor and highly uneven access to the Internet**—a factor which needs to be considered when designing policies to address Internet fragmentation and promote access to an open Internet. Holistic responses are required as 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, and affordability of devices and services. Addressing this will require proactive and holistic engagement from the private sector, civil society and technical stakeholders.

In the Asia-Pacific region, one particularity is **the diversity of economic and political environments the region encompasses**, and how this generates different manifestations of fragmentation. Efforts to disrupt user access in a wealthy country like South Korea might come in the form of regulation that undermines net neutrality (or the principle of an agnostic network—namely that it doesn't distinguish between the types of content or senders of content). In Bangladesh or India, its manifestation might be blunter and more direct—for example, via an Internet shutdown.

In Latin America, **zero-rating policies by corporate actors pose a particular and urgent threat to net neutrality**. For example, the widespread existence of corporate walled gardens (whereby commercial incentives and a consolidated Internet architecture lock users into services provided by one or two large providers) and proposals to establish network fees present a key threat to an open Internet in the region.

Recommendations

The roundtable discussions generated a set of shared recommendations, despite the varying contexts.

Cross-stakeholder recommendations:

 Break down silos within Internet governance and technical standardssetting communities, including in discussions around the risks and drivers of Internet fragmentation. It is important for stakeholders to agree on which characteristics of the Internet need to be protected, where risks to them are emerging, and how these can be addressed.

Recommendations for civil society:

- Conduct more research on the impacts of policy and regulation on the Internet, and raise awareness of these impacts.
- Encourage and enable more civil society participation in standards development organisations (e.g. the Internet Engineering Task Force and International Telecommunication Union) to supplement civil society engagement in policy forums (e.g. the Internet Governance Forum)

Recommendations for government:

 Ensure inclusive and rights-respecting policymaking at the national, regional and global levels, including in the development and implementation of digital sovereignty policies.

Recommendations for technical communities:

 Raise awareness of Internet fragmentation (including by engaging with civil society on the impacts of policy and regulation on technical aspects of the Internet), and engage in multilateral Internet governance discussions to protect the multistakeholder model.

If you are interested in discussing these recommendations and work, please contact Keerti Rajagopalan (*keerti@gp-digital.org*).