The State of Internet Freedoms in East Africa

Research Report Launch

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Forum on Internet Freedoms

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Golf Course Hotel, Kampala

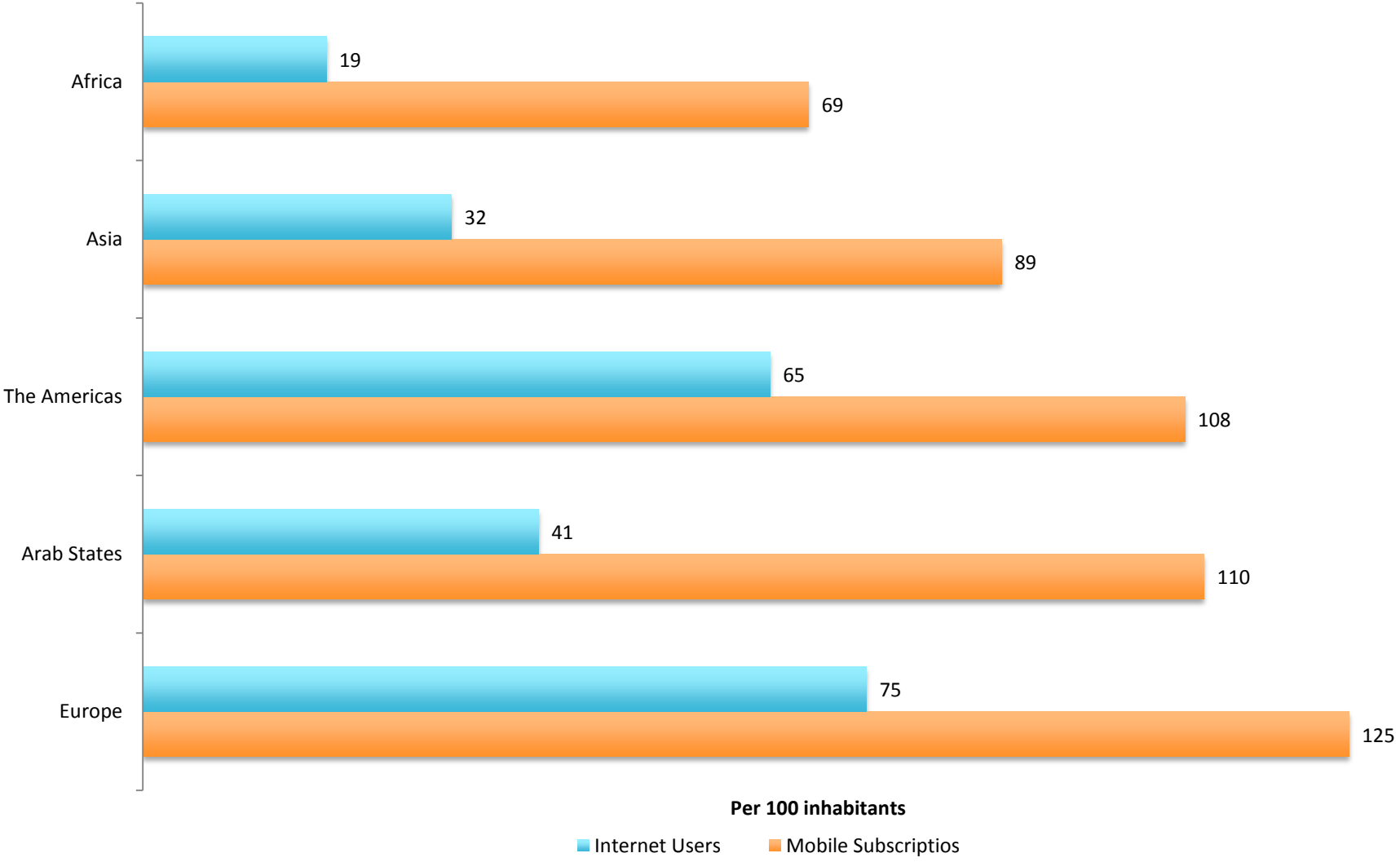
CIPESA

Overview

- Background to the Internet
  - Global Statistics
  - What it has enabled – economy and development
  - What it has enabled – human rights and freedom
- Aim of the OpenNet Africa Initiative
- About the Research
- Research findings
  - Notable country developments
- Going forward
- Acknowledgements and Contact

A quarter Century of the Internet

(ITU 2014 Statistics)



What do the numbers mean?

- Borderless…
  - eServices
  - eTransactions
  - eBusiness
  - eHealth
  - Distance learning
  - Communications (mass and cheap)
  - eVoting
  - And much more…

What do the numbers mean?

- For human rights and freedoms?
  - Freedom of Expression
  - Freedom of assembly/Association
  - Press Freedom
  - Democracy (critical opposition)
  - Privacy and Security

The Good

The Bad

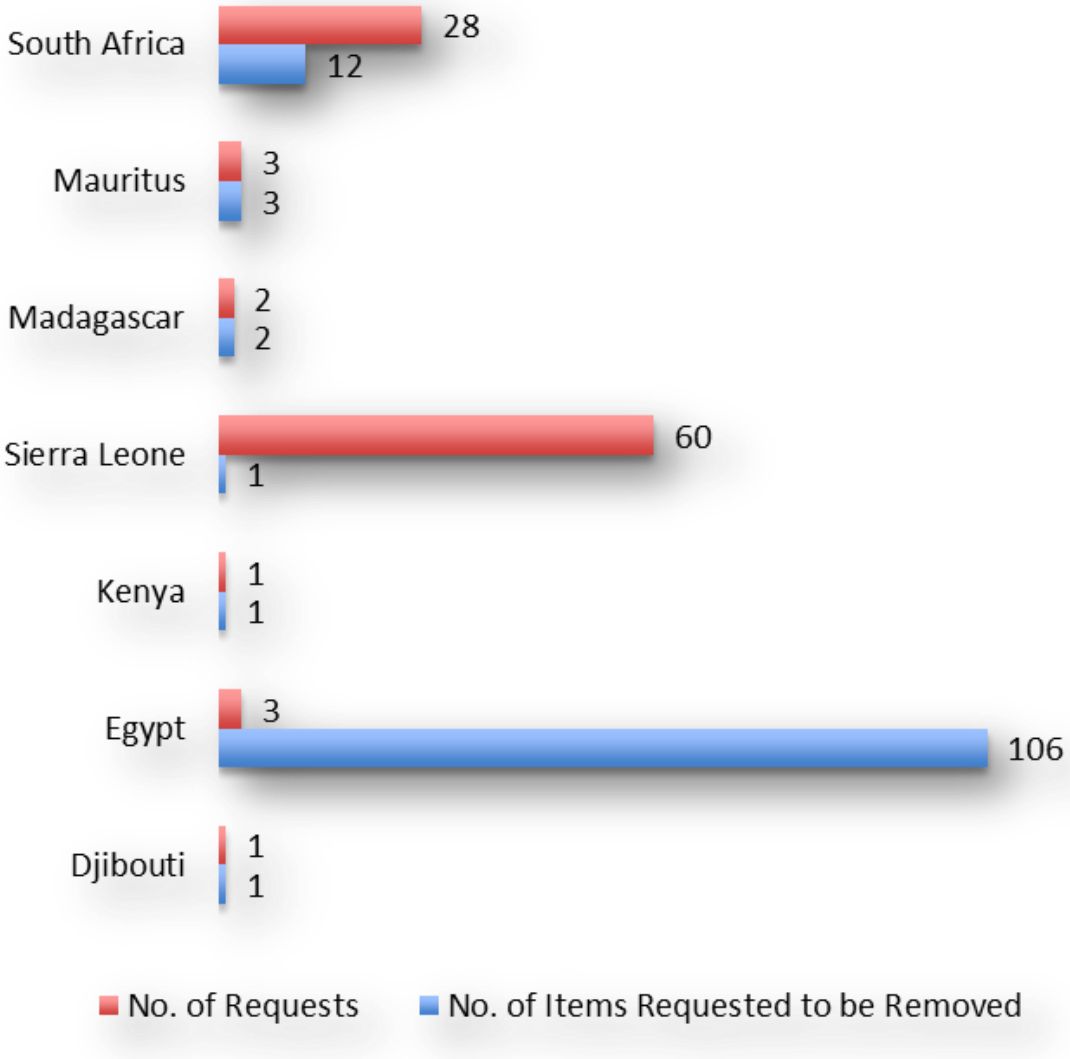
Westga
You Tube
Bē
Meetup
Wikileaks
Defend Freedom of Speech
HATE SPEECH

The ugly

Facebook Data Requests Jan – Dec 2013

Country	Total Requests	Users/Accounts Requested	Compliance rate
Botswana	4	8	
Egypt	14	17	
Ivory Coast	5	5	20%
Uganda	2	2	
South Africa	17	13	
Sudan	4	4	
Global Highest			
India	3,245	4,144	50%
United States of America	Approx 24,000	Approx 40,000	80%

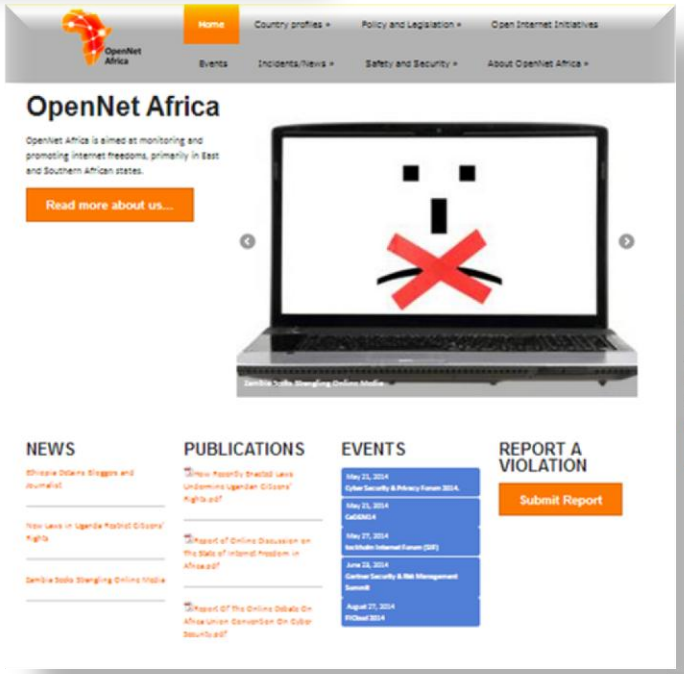
Content Removal Requests to Google July 2012 – June 2013



OpenNet Africa

www.opennetafrica.org

OpenNet Africa **monitors** and **promotes internet freedoms**, primarily in East and Southern Africa



OpenNet Africa

- Policy analysis
- Intermediary Liability
- Incident reports

Document and Research

Dissemination, Dialogue, Engagement and Advocacy

- Online portal , social media platforms and mailing list
- Policy briefs, articles, blog posts and press releases
- Mapping of actors and initiatives

- Practical clinics for safety and security training
- Network development
- Toolkit

Skills and Knowledge Development

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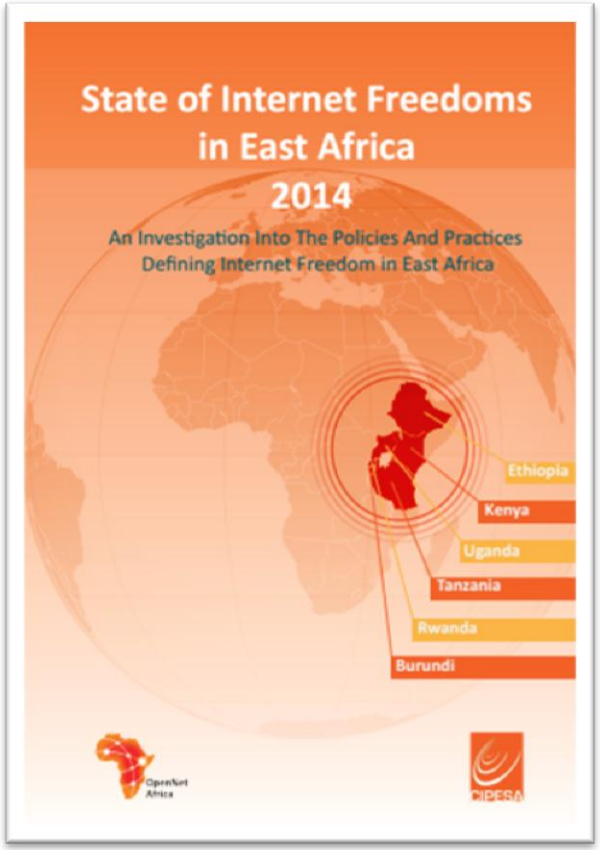
The Research

- January 2010 – April 2014 developments (policy and action) related to internet freedoms in East Africa
- Method
  - Policy analysis
  - Document reviews
  - Technical audits
  - Interviews
  - Workshops
  - Online discussions



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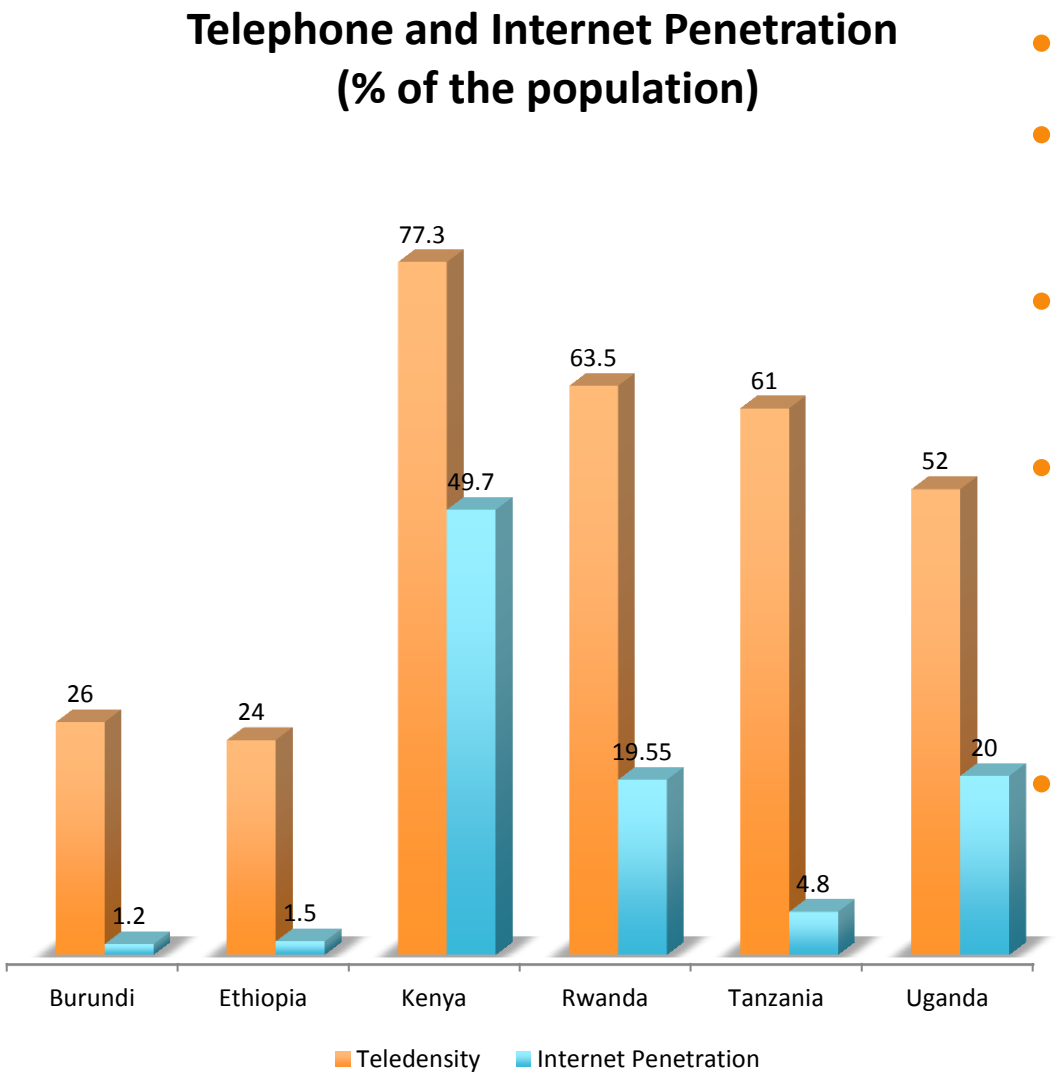
Findings: ICT Growth in East Africa



- Mobile Money
- Infrastructure development
- Academia and Private Sector Innovation
- Government Initiatives to promote access and use including for marginalised groups
- Liberalised sectors (except Ethiopia)

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Findings

- Paucity literature on the subject
- Long existent and vague laws
- Recent legislations curtailing constitutional rights
- Government control over the internet and associated technologies through interception, monitoring and surveillance (including extra legal means)
- Numerous incidents that infringe on online freedoms
- Few actors promoting internet freedoms
- Low levels of user skills and knowledge about online safety and ethics
- Intermediary liability
- Lack of data protection and privacy laws
- Access to information denied

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Notable Country Developments

Burundi

- 2013 Amendments to Regulatory law – oversight of internet writings and monitoring ethics of online news agencies
- 2013 Press Law - proscribes dissemination of information that undermines national security, incites civil disobedience, serves as propaganda for enemies or insults the country's president.
- 2013 Press law – disclosure obligation of online publishers
- May 2013 – 30 day ban on online commentary at www.iwacu-burundi.org
- January 2014 – ARCT notice against SMS and anonymous calls

Ethiopia

- 2012 Telecom Fraud Offences Law
- 2009 Anti Terrorism Proclamation
- 2013 Information Network Security Agency (INSA) proclamation and National Intelligence and Security Service (NISS) establishment – Internet Control, Censorship, Intelligence gathering and surveillance
- 2013 blocking tests – 62 blocked websites
- April 2014 – arrest of six bloggers and three journalists

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Notable Country Developments

Kenya

- Regulations on Monitoring Hate Speech – Online and Bulk SMS
- 2013 blocking of mashada.com for failure to moderate hate speech
- March 2013 – hunt for 14 bloggers for posting hate speech online. One charged with posting "annoying statements"
- National Intelligence service Act, 2012 – allows for interception

Rwanda

- Monitoring of online Media during Genocide period
- 2013 Interception of Communication Law – Monitor citizens voice and data communications (including with equipment not facilitated by service providers)
- Progress – 2013 laws on media and access to information, draft amendments to genocide law
- April 2014 – Phone, Whatsapp and Skype messages tendered as evidence in a treason case
- Intimidation over social media

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Notable Country Developments

Tanzania

- Colonial laws
- September 2013 – Newspaper shutdown (print and online)
- August 2013 – TCRA social media campaign against hate speech
- 2011 - Alleged attempt at cloning JamiiForum – to control content

Uganda

- 2013 – Government plans to set up a “social media monitoring centre”
- 2014 – Anti Homosexuality Act
- 2014 – Anti Pornography Act
- 2013 CIPESA/Citizen lab test – no evidence of content blocking

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Going Forward

- Fill the information void
- Lobbying and advocacy
  - Amendments to laws and regulations
  - Enactment of laws to mirror technology
  - Commit to full implementation of progressive laws
- Skills building
- Increased oversight and transparency
- Encouragement of conversation

Acknowledgements and Contact

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