

# 2017

Annual Report

# Contents

---

Introduction	3
A New Home For A Growing Team	5
Addressing Rising Incidents of Internet Shutdowns in Africa and the Associated Costs	6
Data Protection Amidst The Growing Trend of African Governments' Requests for User Information and Content Removal From Internet and Telecom Companies	7
Access to Information as an Enabler for Civic Participation	10
ICT4Democracy in East Africa	12
The Forum on Internet Freedom in Africa 2017	14
Overview of Our Work Growing Portfolio	18
Key Events That Shaped Our Work And Interventions	19
Supporters of CIPESA in 2017	24

# Introduction

---

This year was marked by an expansion in the number and scope of our projects, a growth in the number of our staff, and spread of the footprint of our annual Forum on Internet Freedom in Africa (FIFAfrica) research report.

But these positive developments came amidst an environment that was worrying for the protection of human rights and democratic governance. We witnessed a continuing trend of regressive control over freedom of expression and access to information, which took various forms. There were unnecessary network disruptions in countries such as Burundi, Cameroon, the Democratic Republic of Congo, the Gambia and Togo. While denying citizens access to information vital to their livelihoods and participation in public affairs, these disruptions, also commonly known as internet shutdowns, also hampered citizens' right to freedom of expression and hit the micro and macro economies of countries.

Although digital communication interruptions have been common during election periods, Kenya and Rwanda did not block communications during their elections, just as Ghana did not disrupt communications during its 2016 elections - although there had been much talk that it planned to institute disruptions. However, the presence of so-called fake news, hate speech and cyber violence against women did not go unnoticed as threats to the civic participation of netizens, particularly during election periods.

Access to information, including for rural and remote communities, continues to be a key pillar of our work. Advocating greater transparency by public agencies, building capacity to demand for information and to use it for civic participation and to conduct data analysis for public good are a key plank of this work, as is advancing the use of open data, including for state transparency.

We thus hosted and participated in a range of access to information (ATI) events locally and internationally while also working to build a culture of proactive information disclosure particularly by public agencies. In many of these engagements we called for the repeal of draconian and conflicting legislation which affects the realisation of ATI and encouraged the implementation of access to information including through the use of digital technologies and online portals that ease the process of proactive information release and responsiveness to information requests.

Meanwhile, the relationship between communications service providers, users and governments with regard to data protection, requests for user information, network disruptions and content take downs has increasingly taken centre stage in discussions around the free, open and secure use of digital technologies.

We analysed the trend of African Governments’ requests for user information and content removal from Internet Service Providers (ISPs) and telecom companies. The analysis showed that a small but growing number of telecommunication and internet service providers deserve to be commended in their transparency efforts and commitments to safeguard the information of users towards the realisation of the rights to privacy and freedom of expression online. However, their efforts are thwarted by the increase in government strategies to stifle the same rights through shutdowns, use and abuse of courts of law, surveillance and blockages, among others. Indeed, our annual State of Internet Freedom in Africa report for 2017 focussed on the role intermediaries play in advancing internet freedom in Africa.

In this report we share some of the highlights of our work for the year including some of the challenges that are hampering the realisation of an inclusive ICT landscape in Sub-Saharan Africa.

We congratulate the CIPESA Board Chair, Vincent Bagiire, who was named as Uganda’s permanent secretary in the Ministry of Information and Communication Technology (ICT). Dr. Peter Mwesige, Executive Director of the African Centre for Media Excellence (ACME), replaced him as Board Chair.



**Wairagala Wakabi, PhD**  
Executive Director  
CIPESA

## A New Home For A Growing Team

---

In 2004 when CIPESA was established under the Catalysing Access to Information and Communications Technologies in Africa (CATIA) initiative, there were no more than a handful of staff. We have since gone on to position ourselves as a leading centre for research and the analysis of information aimed at enabling policy makers in Africa understand ICT policy issues and for various stakeholders to use ICT to improve governance and livelihoods.

Over the years, CIPESA's work has been driven by a small team of individuals and a global network of collaborators who share in the vision of a more inclusive information society in Africa. This year, the team has grown by five to include Loyce Kyogabirwe, responsible for expanding our work on the right of access to information and civic participation. She brings with her vast experience in capacity building in ICT tools to advance gender equality. Edrine Wanyama, formerly with the Human Rights Network (HURINET) Uganda, joined CIPESA as a Legal Officer with extensive legal expertise in human rights, rule of law and democracy. Daniel Mwesigwa, a fervent commentator on the openness of the internet, startups and entrepreneurship in Africa, was appointed Project Officer ICT for Democracy and Civic Participation.

Also new to the team based in Botswana is Kesa Pharatlhatlhe, an avid youth and women's rights advocate with training in human rights and feminist leadership. Meanwhile in Kenya, Victor Kapiyo, a lawyer, human rights defender, researcher, and a tech-enthusiast, is our Senior Researcher on the State of Internet Freedom in Africa.



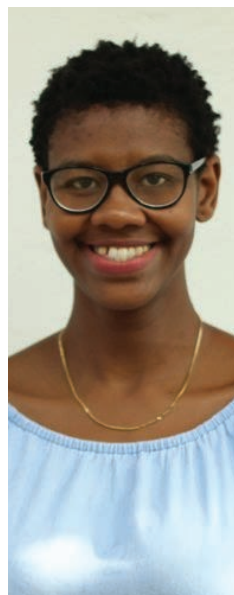
*Daniel Mwesigwa*



*Loyce Kyogabirwe*



*Edrine Wanyama*

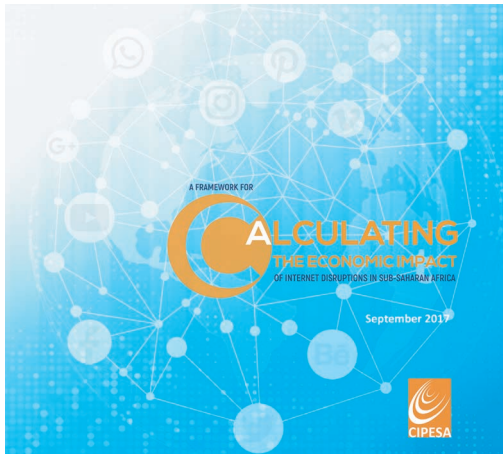


*Kesa Pharatlhatlhe*



*Victor Kapiyo*

# Addressing Rising Incidents of Internet Shutdowns in Africa and the Associated Costs



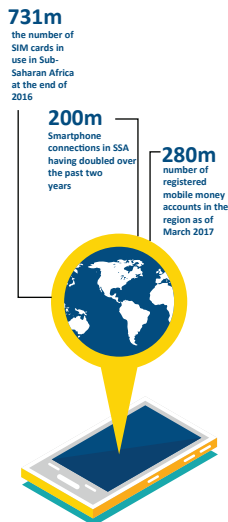
Sub-Saharan Africa is seeing a rising number of internet disruptions, with the period between 2015 and September 2017 having at least 12 countries disrupting their internet. The disruptions take various forms – complete national internet shutdowns, regional internet shutdowns, social media shutdowns, and even an internet access curfew. The disruptions are usually initiated around election times, public protests, and during national exams. The longest shutdown was recorded in Cameroon, lasting 93 days beginning January 16, 2017, while the most recent was recorded in Togo in September 2017. The shutdown in Cameroon was imposed in the wake of strikes, fatal violence and protest action against the alleged continued “francophonisation” and marginalisation of English speakers who were protesting alleged privilege given to the French-speaking population and Francophone regions. For one, CIPESA joined civil society organisations from across the globe in submitting a series of

letters to the Cameroon government, and in joint advocacy campaigns calling on the government to re-open access to the internet.

Secondly, amidst growing incidents of network disruptions, CIPESA developed a Framework for [Calculating the Economic Impact of Internet Disruptions in Sub-Saharan Africa](#). This was upon the realisation that, while it was clear how internet shutdowns affected users’ fundamental rights, such as the right of access to information and freedom of expression, the impact of disruptions on a country’s economy and citizens’ livelihoods was rarely articulated due to a lack of verifiable data.

In March 2017, the Freedom Online Coalition (FOC), a group of 30 governments that advances internet freedom worldwide, said state-sponsored network disruptions undermine the economic benefits of the internet and disrupt access to essential services such as health care. However, previous efforts to estimate the costs of internet disruptions have not focused on the Sub Saharan Africa context, while some estimates of the costs of shutdowns lacked a rigorous method for arriving at the figures put forward.

The framework goes beyond previous work by The Brookings Institution and Deloitte, which primarily estimated the direct economic impact of a shutdown on the Gross Domestic Product (GDP). It calculates the direct loss of earnings in the ICT sector’s contribution to GDP, plus the quantitative effects of loss of confidence in the digital economy stemming from government-perpetuated disruptions and the resultant loss of cost savings by businesses that are deprived of internet access. The framework can be used to estimate the cost of a complete internet disruption (national or regional), and a partial disruption targeting social media.



# Data Protection Amidst The Growing Trend of African Governments' Requests for User Information and Content Removal From Internet and Telecom Companies

---

The guarantee of user data safety has been elusive. Efforts such as the General Data Protection Regulation (GDPR) which came into force in the European Union (EU) in May 2016, have served to reinforce the value of data, but also the need to ensure its protection and privacy. Currently, the 28 EU member states have until May 2018 to apply the Regulation to existing national laws to ensure the protection of citizens with regard to the processing of personal data and its transfer within the EU and beyond. Among the lessons African states can learn from this exercise is the need for strong data protection laws and regulations as well as the establishment of state and regional mechanisms that strengthen data protection frameworks.

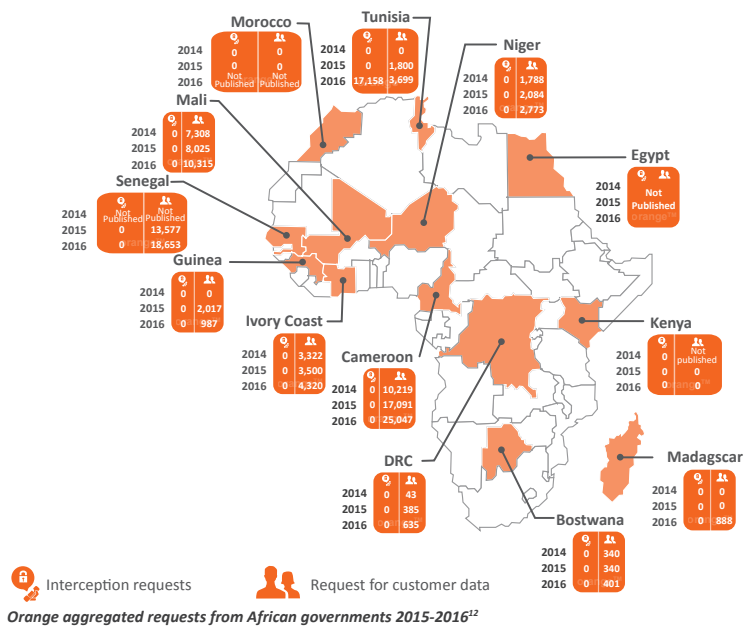
In Africa, only 14 countries (Angola, Benin, Burkina Faso, Mali, Gabon, Ghana, Ivory Coast, Lesotho, Madagascar, Morocco, Senegal, South Africa, Tunisia and Zimbabwe) have enacted data protection and privacy laws. Others, including Kenya, Niger, Nigeria, Tanzania and Uganda, have bills that are yet to be passed into law.

Indeed, as governments continue to make requests for user information it is fundamental to have mechanisms which address the unauthorised access to user data. As such the increased publishing of transparency reports by global telecommunications intermediaries has contributed to promoting transparency and accountability, through periodically publishing reports detailing information on government requests for user data, content removals, and compliance with those requests.

In July 2017, we published a [policy brief](#) with insights into the user data and content removal requests which governments in Africa have made to select internet and telecommunications companies in recent years. The relationship between communications service providers, users and governments with regards to data protection, requests of user information and content take downs is increasingly taking centre stage in discussions around free, open and secure use of digital technologies.

**Google is credited with being the first internet company to publish a transparency report back in 2009, followed by Twitter in 2012. Facebook and Yahoo have published reports since 2013. Vodafone and Orange were among the first telecommunications companies to publish transparency reports, both in 2014. In February 2017, Millicom issued its second Law Enforcement Disclosure Report.**





These reports have become vital to understanding censorship, surveillance and more importantly the commitment of service providers to protecting the privacy of their users and promoting freedom of expression online. Based on the reports alone, it remains unclear what the true extent of governments' surveillance of citizens' communications and censorship of content across the world is. Nonetheless, the reports indicate a growing trend among countries, including African governments, of requests for subscribers' data and content removal.

However, similar reports still need to be released by more industry players as a means of promoting transparency and for holding states to account - on issues of intermediary liability, content removals and user information requests.

**Extraction from page 8**  
*The Growing Trend of African Governments' Requests for User Information and Content Removal From Internet and Telecom Companies*

## Data Privacy and Intermediary Liability

Indeed, intermediary liability continued to be tested in Tanzania where the founders of Jamii Forums, a popular online news and chat platform, were taken to court for denying the state access to user information.

Following the detention of one of the Forums' founders, Maxence Melo, a court in Tanzania dealt a blow to the rules governing the country's internet intermediaries, after ruling that requests for disclosure of user information for law enforcement purposes pursuant to the Cybercrimes Act (2015) are not arbitrary. In a March 8, 2017 ruling, three judges of the court in Dar es Salaam also ruled that the absence of regulations to govern the enforcement of the Act did not render the controversial law unconstitutional.



## Data Privacy and the Right to Be Forgotten

---

African states are not immune to decisions made in courts in other parts of the world. As such, we keep a keen understanding of developments which are likely to impact African policy. In April, we joined 17 expert non-governmental organisations from across the world in filing legal submissions before France’s highest court, the Council of State (Conseil d’État), raising serious concerns about a ruling of France’s data protection authority, la Commission nationale informatique et libertés (“CNIL”), on the “right to be forgotten”. The ruling is of concern as the CNIL has unilaterally imposed draconian restrictions on free expression upon all organisations and individuals who use the internet around the world, even imposing a “right to be forgotten” upon countries which do not recognise this principle. The CNIL ruling causes particularly serious damage to human rights protection in the developing world.








*Image Source:shutterstock.com*

# Access to Information as an Enabler for Civic Participation

Negative perceptions on data privacy have been shown to hinder citizens use of ICT especially as a tool for civic engagement and thus limit their access to information. However, empirical evidence has shown that improved citizens’ access to information can stimulate citizen engagement and promote debate on service delivery issues between ordinary citizens and duty bearers. Our ICT4Democracy in East Africa project (see the following section) has shown that through the combined use of different technology tools including basic feature phones through to well strategized social media campaigns, citizens are likely to monitor and demand accountability from their leaders on service delivery, and issues raised in remote communities can be elevated to relevant duty bearers, including through roping in influential national media.

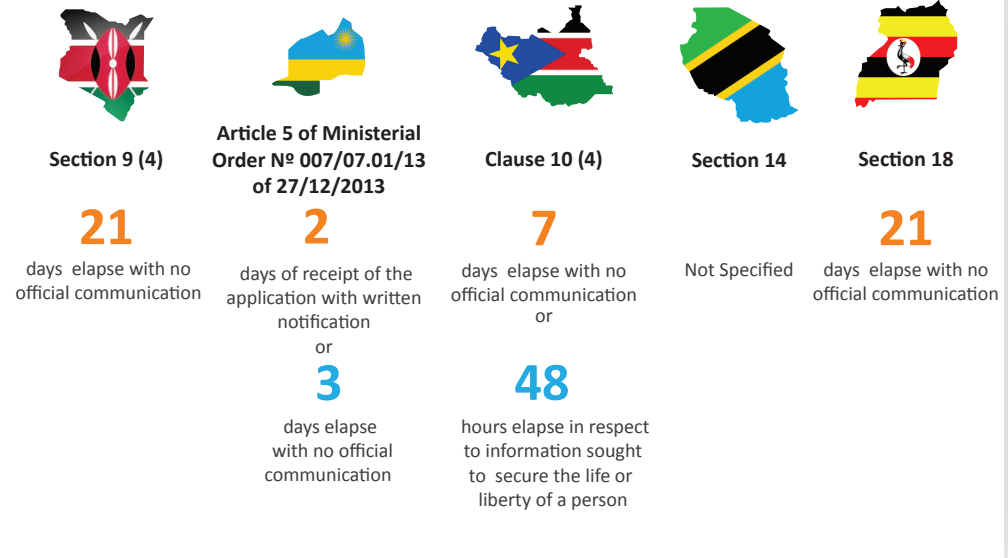
This was witnessed in the case of the marginalised Makonde community in Kenya. The community has lived along the Kenyan coast since their arrival from Mozambique in the 1930s to work for the British. After years of struggling to be recognised as citizens of the country, ICT4Democracy in East Africa partner, the Kenya Human Rights Commission (KHRC) led a campaign which relied on both new and traditional forms of ICT to demand for the civic recognition of the community which has been excluded from the rights afforded other citizens including the right to vote. On October 13, 2016, the community was finally officially recognised by President Uhuru Kenyatta as Kenyan citizens and the process of granting them national identity cards commenced.

## Mode of Requesting for Information

	 Section 8	 Article 9	 Clause 9	 Section 10	 Section 11 and Reg 3 of ATIA Regulations, 2011-Form 1, schedule 2.
Writing	✓	✓	✓	✓	✓
Through a prescribed format	✓ <i>(but no regulations to specify yet)</i>	✗	✗	✓ <i>(but no regulations to specify yet)</i>	✓
Verbally/orally	✓	✓	✓	✓	✓
By telephone	✗	✓	✗	✓	✗
Through the Internet	✗	✓	✗	✓	✗

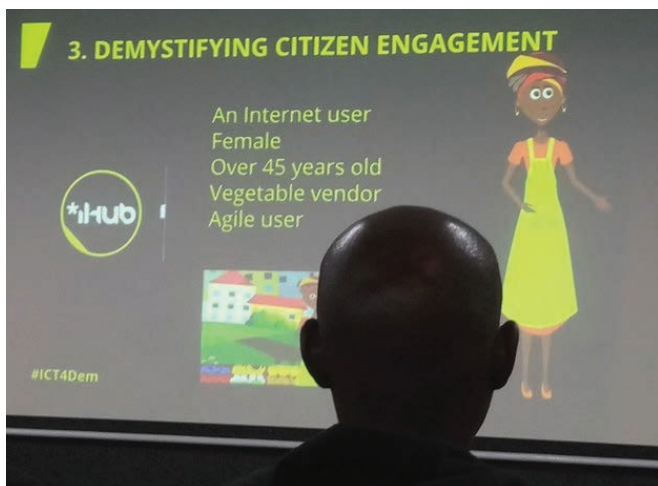
Extraction from page 6  
Comparative Analysis of  
Access to Information  
Legislation in East Africa

**Time Within Which Requests for Information are Deemed Rejected**



In Uganda as part of our work on the Connecting Voices of Citizens project we pursued a series of engagements on access to information with a range of stakeholders including parliamentarians, civil society and the media. These discussions were built upon a CIPESA position paper on the [State of Access to Information in Uganda](#) which also made several recommendations. Among the recommendations made was the need for the state to fast-track and operationalise a Digital Repository Centre for proper storage and accessibility of government records which would serve to ensure the digitisation of information and more efficient information record keeping, management and release. This echoed sentiments shared in a Comparative Analysis of Access to Information Legislation in East Africa which noted that although laws across the region prescribe different modes (both online and offline) through which information may be accessed, the modes still have not fully utilised their potential. Options for persons with disabilities (PWDs), for example braille and variety in language in which information can be received are largely absent.

# ICT4Democracy in East Africa



Our flagship project on connecting ICT tools use in rural communities to policy, service delivery and good governance is the ICT4Democracy in East Africa network. The network works in Kenya, Tanzania, and Uganda to achieve two top-line objectives: 1) Increased citizen participation in governance and the realisation of human rights through ICT; and 2) Improved transparency and accountability of governments through ICT.

The network partners are the Collaboration on International ICT Policy for East and Southern Africa (CIPESA), the Women of Uganda Network (WOUGNET), Transparency International Uganda, iHub Research (Kenya), the Kenya Human Rights Commission (KHRC), the Commission for Human Rights and Good Governance

(CHRAGG, Tanzania) and Toro Development Network (ToroDev).

Building on the partners' over five years experience in leveraging ICT to improve participation in governance, monitor service delivery and human rights as a network, the past 12 months have seen the project continue to grow the awareness and skills of civic groups, human rights defenders and the media in the effective use of ICT in social accountability, and the realization of human rights. In 12 districts across Uganda, and nationwide in Kenya and Tanzania, an estimated 12 million individuals have been exposed to the work of the project through various awareness raising media and capacity building engagements.

Across the three countries, women constituted 61% of those who participated in skills building and awareness raising activities. This had led to more women participating in dialogues and interactions organised by partners between citizens and duty bearers. Indeed, women currently constitute over 60% of the membership of governance and service delivery advocacy/accountability committees initiated and supported across eastern, western and northern Uganda. Where data is available, women have also constituted over 40% of those reporting service delivery failures via the network platforms in Uganda.

The project has also registered more reporting and follow up of human rights violations and service delivery failures received through partner supported platforms. The SMS for human rights system in Tanzania recorded 26% follow up/referral rate for the over 2,500 reports received during the year. In Kenya, the human rights violations reporting SMS shortcode registered a follow up rate of 20%. The toll free call centre for health service delivery monitoring in northern Uganda had the highest follow up rate of reports received during the year - 35% while the SMS platform for governance monitoring in eastern Uganda had a 27% resolution rate. The responsiveness of officials receiving the complaints and reports has improved with more timely and efficient service delivery.

A total of 365 duty bearers in 12 districts in Uganda were trained in using ICT for citizen engagement, proactive disclosure and responsiveness to citizens' concerns. Consequently, dialogues and interaction opportunities (physical through meetings and online via radio talk shows) between citizens and duty bearers have enabled citizens to express themselves on numerous issues around democratic governance, accountable and efficient public services delivery. Engagements have worked towards building consensus for strategies to address community challenges including collaboratively between CSOs and local government leaders (politicians and technocrats) through budget consultations for allocations on priority needs.

Nonetheless, outcomes so far have not been without challenges. Partners in Tanzania and Kenya are faced with the challenge of balancing minority rights protection and advocacy with cultural, religious and moral values. Rapid advancements in technology have also had an impact on the smooth functioning of the various ICT platforms maintained. Meanwhile, despite the passing of right to information laws in Kenya and Tanzania, and an over 10 year old law in Uganda, government openness and availability of information critical to project efforts is in short supply.

## Introducing The CIPESA-ICT4Democracy Fellowship Programme for Media and Academia

---



The CIPESA-ICT4Democracy Fellowship (Academia) programme was launched in May 2017. The media fellowship aims to raise media understanding of, and its effective and consistent reporting of Information and Communication Technologies (ICT) -for-democracy issues in East Africa towards increased quality and regularity of reporting, as well as a greater diversity of voices, in coverage related to ICT, democracy and human rights.

The academia fellowship aims to nurture university students' and early career academics' understanding of ICT for governance, human rights and development. By engaging members of the academic community, the programme benefits partners of the ICT4Democracy in East Africa network through placements of individuals with skills in fields such as ICT, mass communication, and informatics, within the partner organisations. Ultimately, the programme aims to grow links between the academic community and practitioners in the ICT field for mutual research, learning and knowledge exchange, so as to create the next generation of ICT for democracy and ICT for human rights champions and researchers

# The Forum on Internet Freedom in Africa 2017



The fourth edition of the Forum on Internet Freedom in Africa (FIFAfrica) was held on September 27–29, 2017 in Johannesburg, South Africa. This marked the first time that FIFAfrica was hosted outside Kampala, Uganda, where it had been held since inception in 2014. The 2017 edition of FIFAfrica was co-hosted by CIPESA and the Association for Progressive Communication (APC). FIFAfrica 2017 was the first ever event of its kind in southern Africa, thereby enabling a particular focus on internet freedom concerns in the sub-region while maintaining a pan-African profile. With a dedicated focus on bringing together a larger network of actors that advocate for internet freedom in the region and beyond, a richer and broader mix of actors, state and non-state, the Forum contributed towards creating a larger network of actors that advocate for internet freedom particularly in Africa.

The landmark event convenes various stakeholders from the internet governance and online rights arenas in Africa and beyond to deliberate on gaps, concerns and opportunities for advancing privacy, access to information, free expression, non-discrimination and the free flow of information online. This assembly of mostly Africa-based human rights defenders, journalists, government officials, private sector players, bloggers, developers, the arts community, law enforcers, telecom regulators, global information intermediaries and general internet users converges to discuss matters pertaining to internet freedom.

The Forum's growing audience (from 80 participants representing six countries in 2014 to over 250 from 35 countries in 2017), the diversity of participants, and discussions, reflect increased awareness among Africa's growing internet users and stakeholder community of the need for broader and more impactful work on advancing digital rights advocacy and drawing up common strategies to promote internet freedom.

Highlights of FIFAfrica included the launch of the annual State of Internet Freedom in Africa research report and the commemoration of the International Day for Universal Access to Information (IDUAL) on September 28. For the second year, the Forum featured a digital security clinic and for the first time there was an exhibition showcasing the work and products of various players in the internet freedom arena including the hosts APC and CIPESA, Access Now, Defend Defenders, Right To Know (RTK) campaign, Media Monitoring Africa, and Konrad-Adenauer-Stiftung Africa.



# State of Internet Freedom in Africa 2017

---



The study sought to identify the in-country approaches to intermediary liability, and develop recommendations to reinforce internet freedom on the continent. The study also paid special attention to the role of intermediaries with regards to internet shutdowns, surveillance, filtering and censorship, with regards to challenges such as hate speech, fake news, child and women rights, and terrorism. Moreover, it is expected to assist in drawing lessons towards developing best practice for intermediaries to enable them play a more positive role in advancing internet freedom.

The study found that states and intermediaries are facing challenges in tackling unlawful conduct online, such as violence against women, fake news, hate speech, child rights violations, and terrorism. Unfortunately, where states and internet intermediaries have attempted to respond to these challenges, they have often undermined citizens' rights to free expression, privacy and the right of access to information. Further, the expanding civic space facilitated by the internet has not been welcome in all states, with governments seeking to control this space in various ways. The responses by governments include, among others, the arrest, intimidation, prosecution and detention of critics; imposition of liability on internet intermediaries for not complying with information or surveillance requests; and censorship of content. Such actions have often been at the

expense of users' rights to privacy, expression and access to information.

Caught in the middle of these challenges are intermediaries. These include instances where intermediaries are encouraged to censor content they host or transmit in order to avoid liability, or intermediaries closing down the option of 'user generated content' out of fear of facing penalties or lawsuits. Such actions significantly reduce the space for free expression and access to information online. However, some intermediaries have developed policies and practices that in some cases violate users' rights as opposed to safeguarding them. In this regard, specific gaps include transparency and accountability with respect to the retention and disclosure of user information and activity to authorities and third parties.

---

Ultimately, digital rights deserve an equal measure of support as offline rights as the two are principally interlinked. Tools such as the UPR mechanisms, digital rights litigation, advocacy, campaigns that run both online and offline are just some of the ways through which online rights can be advanced. However, to achieve this, there remains a need for better coordination with CSOs and indeed other stakeholders on problematic areas in the digital rights arena.



## Recommendations from FIFAfrica 2017

---

- As the amount of personal data gathered by states, tech giants, and other digital services providers grows, there is a pressing need for African governments to enact and actively implement data protection laws. Further, there should be more collaborative efforts to address gaps in cybersecurity to safeguard data privacy, combat fraud and cybercrime. Indeed, with increased human interaction with technology such as through the Internet of Things (IoT), service and device providers must play a greater role in protecting data entrusted to them by users. This call echoes insights from the State of Internet Freedom in Africa 2017 report which focuses on Intermediaries' Role in Advancing Internet Freedom – Challenges And Prospects.
- The abuse of power by state agencies particularly with regard to the free flow of information online was a repeated theme throughout the discussions. There have been numerous instances of internet shutdowns with little or no response from regional bodies to this abuse of citizens' fundamental rights. Participants called for more advocacy and pushback against shutdowns including through demonstrating the economic impact of shutdowns. According to the Framework for Calculating the Economic Cost of Internet Disruptions in Sub-Saharan Africa report that was launched at FIFAfrica, shutdowns have had longlasting negative effects on national economies.
- It was recommended that the Declaration of Principles on Freedom of Expression in Africa of the African Charter on Human and Peoples' Rights should be updated to include recognition of access to information and respect for digital rights.
- The media in many African countries operate in precarious environments including in turbulent political climates, and are faced with various restrictions. Further, many countries have similarly retrogressive provisions in their laws, leading to similar experiences for media in different countries. Examples include ambiguous laws that require registration of journalists, such as in Uganda, and in Kenya, where the National Security Service Act 2014 and the Media Council Act 2013 variously limit press freedom and freedom of expression. Meanwhile, journalists have been arrested in the various countries for their work including in Burundi, Rwanda, Uganda and Tanzania. In some instances, on top of arrest of journalists, media houses have been closed as witnessed in Zambia. Further, limited access to information such as in Tanzania undermines the role of the media as the fourth estate. While citizens demand that media practitioners meet the public's expectations including in the relay of accurate and factual information amidst the spate of fake news and misinformation online, mainstream media remains policed and subject to self-censorship in many instances. More efforts therefore should go into building the digital security skills and practices of journalists and media houses so as to protect their work, sources and information.

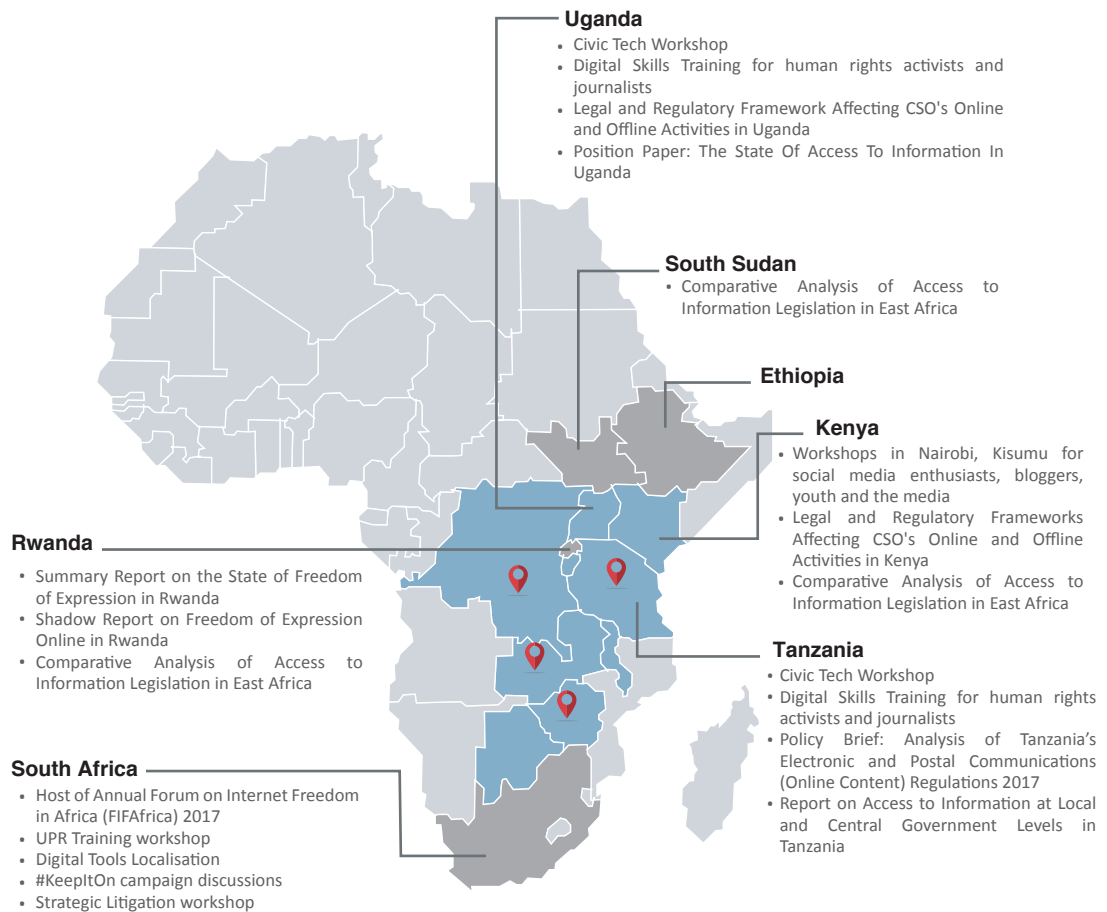
- The current gender digital divide in Africa needs to be addressed, including through generating gender-disaggregated statistics such as on ICT use and access, and the challenges women face in online participation. Similarly, there is a need to generate more relevant digital content which reflects the circumstances and realities of African women, including through the media and academia, and to undertake policy efforts that strongly address the gender digital divide in Africa.
- In order to advance diversity and inclusivity including in culture and sexuality online, ICT policy changes which acknowledge and promote the rights of marginalised and minority communities both online and offline should be made. This should be coupled with education campaigns for rights holders and duty bearers to understand what comprises hate speech, false information, incitement, and violence against minorities and women online.

The independence of the media is strongly linked to the realisation of access to information and access to the internet. Lack of access to information, or to the internet, affects the free press and the role of the media as society's watchdog. Accordingly, press freedom, access to information and access to the internet should be strongly upheld by African governments.

# Overview of Our Work Growing Portfolio

**3 Languages** : English, Swahili, French

**14 Countries covered in various programmatic areas:** Kenya, Uganda, Rwanda, Burundi, Tanzania, South Africa, Zimbabwe, Zambia, Burundi, Ghana, South Sudan, Democratic Republic of Congo, Malawi, Botswana



ICT Policy and Advocacy Training Workshop Conducted



State of Internet Freedom in Africa Research Focus Countries

## Regional and Continent-wide Activities and Reports

- Growing Trend of African Governments' Requests for User Information and Content Removal From Internet and Telecom Companies
- State of Internet Freedom in Africa Report 2017
- A Framework for Calculating the Economic Impact of Internet Disruptions in Sub-Saharan Africa
- Comparative Analysis of Access to Information Legislation in East Africa
- Assessment of Internet Freedom and the Digital Resilience of Civil Society in East Africa

# Key Events That Shaped Our Work And Interventions

- Open Letter alongside civil society organisations from across the globe to the Cameroonian Government
- Twitter chats



Cameroon shut down the internet in Anglophone regions



Day Roundtable for media and civil society in Nairobi, Kenya



January

- Workshops with human rights defenders, journalists and bloggers on internet freedom in Kenya



Launch of the CIPESA-ICT4Democracy in East Africa Fellowship Programme for Media and Academia



Information Officers from Ugandan government offices hosted at discussion on Access To Information (ATI).

Aimed to understand the challenges faced by various Ministries, Departments and Agencies (MDAs) when implementing ATI. Session included a training on the use of the online information portal [www.askyourgov.ug](http://www.askyourgov.ug).



Hosted session on Internet Freedom in Africa: Navigating the challenges at the Internet Freedom Festival in Valencia, Spain

The session aimed to spark conversation on current internet freedom challenges in Africa while providing possible solutions. We also joined panel sessions hosted by partners, such as the Association for Progressive Communications (APC), Hivos, the Ford Foundation and International Media Support (IMS).



March



Supercharging Human Rights Defenders in East Africa

Small Media, CIPESA, DefendDefenders and the Centre for Intellectual Property and Information Technology Law (Strathmore University, Kenya) surveyed the cybersecurity landscape in East Africa and the state of internet controls in the region, using the African Declaration of Internet Rights and Freedoms (ADIRF) as a reference. The declaration establishes a set of rigorous principles by which governments and other stakeholders must abide in order to guarantee the online rights and freedoms of citizens.



International Women's Day Twitter Chat

We looked specifically at the role of technology as an enabler of access to information in Uganda for women. We posed the question, "What must change?" on March 8 via our social media networks and received a diversity of opinion on the areas that need to be addressed.

Uganda's access to information law remains largely unknown, misinterpreted and unimplemented. This activity added to a succession of activities aimed at promoting the awareness and implementation of ATI in Uganda.



**Position Paper on Access To Information (ATI) Law presented to the Uganda Parliament's ICT Committee**

This multi-stakeholder convening followed on from efforts that started in December 2016 when Jamii Media head, Maxence Melo, was arrested. Court subsequently dealt a blow to the rules governing the country's internet intermediaries, after ruling that requests for disclosure of user information for law enforcement purposes pursuant to the Cybercrimes Act (2015) are not arbitrary. In a March 8, 2017 ruling, three judges of the court in Dar es Salaam also ruled that the absence of regulations to govern the enforcement of the Act did not render the controversial law unconstitutional.



**Convening on Intermediary Liability in Tanzania**



**April**

We joined 18 expert non-governmental organisations from across the world to file a legal submissions before France's highest court, the Council of State (Conseil d'État), about a ruling of France's data protection authority, la Commission nationale informatique et libertés ("CNIL"), on the "right to be forgotten".



**Advocating on the Right to be Forgotten**



**May**



**Lusaka Internet Forum in Zambia**

CIPESA attended the Lusaka Internet Forum (LIF), where it co-organised sessions on freedom of expression and on gender, and gave a keynote address on how ICT can aid attainment of the Sustainable Development Goals (SDGs). The LIF was organised by the Swedish Embassy in Zambia and partners including the Zambia Governance Foundation, as a satellite event in the lead up to the Stockholm Internet Forum. Thematic sessions on agriculture, gender, and freedom of expression were hosted by Bongo Hive, the Asikana Network, the Swedish Programme for ICT in Developing Regions (Spider) and CIPESA.



**ICT Policy and Advocacy Training Workshop**

The workshop targeted human rights defenders, activists, media and social media enthusiasts to increase their understanding of relevant ICT policies in Zambia and how they affect human rights online. The workshop also entailed developing strategies in advocating for a free, open and secure internet through the innovative use of traditional and new media.



**Training on Internet Law and Digital Security in Kisumu and Nairobi, Kenya**

We hosted these training workshops in partnership with the Bloggers Association of Kenya (BAKE) so as to build participants' understanding of rights and offenses related to the internet within the Kenyan legal context. The trainings were held ahead of Kenya's election and benefitted 65 (45 in Kisumu and 20 in Nairobi) individuals including technology enthusiasts, bloggers and activists.



**Youths Participation in Governance Workshop, Nairobi, Kenya**

We convened 30 youth and civil society activists to explore rights and responsibilities, as well as effective and secure ways to engage in the country's governance processes, such as elections, including through use of ICT.

CIPESA was represented at the African Internet Summit on a workshop on Internet Measurements, where our staff made a presentation. Research insights on the relationship between internet infrastructure, privacy, surveillance and censorship in Africa were shared. Among the key insights was that to-date, there remains little data on the nature and extent of deliberate interference with digital communications networks. Such data is fundamental to support advocacy for improved policy development for online rights in Africa.



African Internet Summit

CIPESA, under the ICT4Democracy in East Africa initiative, embarked on a series of events showcasing innovation in social and civic tech geared at increasing knowledge and awareness, and promoting opportunities for collaboration among technologists and actors in the transparency, accountability and human rights arena.



Social Tech showcases

The events were hosted in partnership with the Dar es Salam-based Buni Hub in Tanzania and Outbox in Uganda.



June



July

Democratic Republic of Congo: ICT Policy and Advocacy Training Workshop



In partnership with the Goma-based Rudi International, we engaged with 17 participants from media, civil society, and lawyers in a two-day workshop which resulted in a call urging the Government of the Democratic Republic of Congo (DRC) to make amendments to its current laws governing Information and Communication Technologies (ICT) to make them favourable to the growth of internet usage, as well as online privacy, access to information and freedom of expression.

Comparative Analysis of Access to Information laws in East Africa presented to Ugandan Members of Parliament



The analysis was presented to 16 MPs who were also urged to pursue the proposed amendments so as to align Uganda's law with progressive provisions in some of the East African Community (EAC) Member States' laws, as well as to international human rights instruments.

We participated in this workshop, hosted by the National Information Technology Authority (NITA-U) and the Commonwealth Telecommunications Organization (CTO) which brought together SME entrepreneurs, banking industry officials as well as ICT sector representatives from non-government organisations and other ICT stakeholders to engage on gaps in cyber standards and digital security.



Cyber standards training workshop for Small to Medium Enterprises



August

This brief provided an analysis of the user data and content removal requests which governments in Africa have made to select internet and telecommunications companies in recent years. It has gone on to become one of CIPESA's most popular publications.



Release of brief on African Governments' Requests for User Information and Content Removal From Internet and Telecom Companies

**September**



**Submission of shadow report on human rights in Burundi to the Universal Periodic Review (UPR)**

Alongside Article 19, the East Africa Law Society, the Pan African Lawyers Union (PALU) and DefendDefenders, we called for repeal of Burundi's Penal Code and the 2015 Press Law, to address provisions that undermine freedom of expression. The five organisations highlighted the worsening situation for freedom of expression and association in Burundi since its last UPR in 2013.



**#FIFAfrica17**

**Forum on Internet Freedom in Africa (FIFAfrica)**  
Johannesburg, South Africa

- The fourth edition of FIFAfrica took place in Johannesburg, South Africa, hosting 250 participants over the course of four days in a series of pre-event workshops, exhibitions and panel discussions
- Launch of the 2017 edition of the State of Internet Freedom in Africa themed “
- Intermediaries’ Role in Advancing Internet Freedom – Challenges and Prospects”
- Launch of the “Framework for Estimating the Cost of Internet Disruptions”



**Marking the International Day for Universal Access to Information (IDUAI)**

CIPESA hosted a dialogue with 50 government officials in Kampala on universal access to information. Participants included public information officials and policy makers and they reflected on the role of information in improving service delivery and accountability in Uganda.

The study forms part of the Open e-Governance Index (OeGI), an action-research project implemented by the Foundation for Media Alternatives (FMA) that aims to measure the state of ‘openness’ in the implementation of ‘e-governance’ around the world. The findings were presented to civil society, media and government representatives



**Findings of State of Open eGovernance in Uganda presented**

This unique workshop sought to provide a venue for stakeholders in Africa to build collaborative possibilities across sectors, expand research capacity within practitioner and digital rights advocacy communities, and to provide the skills and know-how to more strategically use research and data to advance advocacy efforts. Sessions included qualitative and quantitative methods and would provide the space for hands-on activities and the development of individual and group research interests. Hence, the workshop scheduled for February 2018 sought to provide opportunities to connect scholarly expertise with policymakers and advocates and improve working synergies between emerging African networks of civil society organisations, academic centres and think-tanks.



**Announced the Research Methods for Internet Policy and Advocacy Workshop**

The workshop is a collaboration between Annenberg School for Communication's Internet Policy Observatory, CIPESA, Research ICT Africa, Kenya ICT Action Network (KICTANet), Unwanted Witness, Paradigm Initiative, and Young ICT Advocates



**October**

The study, which was conducted by the Media Institute of Southern Africa (MISA) Tanzania Chapter, assessed the responsiveness of local government authorities (LGAs) and central government offices in Tanzania to citizens' information requests. Seven out of Tanzania's 28 regions were covered in the study, with a total of 28 information requests filed to 14 institutions during March and April 2017. The written requests were emailed as well as hand-delivered to the institutions. Follow ups on approval or denial of requests was conducted through phone calls and physical visits.



**Study on Access To Information in Tanzania**





November



Submitted to the African Commission on Human and Peoples' Rights (ACHPR) a shadow report on the state of freedom of expression online in Rwanda.

The report outlines Rwanda's legislative and related measures taken to promote and protect freedom of expression online, and provides the Commission with impartial information regarding Rwanda's state of internet freedom and recommendations for improvement.

CIPESA's stakeholder submission calls for a comprehensive review of all interception and privacy laws and policies to bring them into conformity with constitutional guarantees as well as international human rights standards and best practices on surveillance of communications by setting out clear legal parameters that ensure protection of freedom of expression and privacy rights.

This year's global theme for the Internet Governance Forum was "Shape Your Digital Future". We supported the Uganda IGF annual meeting which took place on 14 December and brought together 111 participants from multiple stakeholder groups in Uganda who discussed the different issues affecting internet use in Uganda including cyber security and the gender digital divide. The meeting was complemented with Twitter chats expanding the discussion beyond Uganda.

We carried insights from our work over the course of the year to the global IGF where we also hosted a pre-event which showcased FIFAfrica and the Framework for Calculating the Economic Impact of Internet Shutdowns in Sub-Saharan Africa.



Uganda Internet Governance Forum 2017



Global Internet Governance Forum



December

# Supporters of CIPESA in 2017

---

We are grateful for the network of collaborators and organisations who make our work possible.





Collaboration on International ICT Policy for East and Southern Africa  
Plot 6 Semawata Place, Ntinda, P.O Box 4365 Kampala, Uganda.  
Tel: +256 414 289 502 | Mobile: +256 790 860 084, +256 712 204 335  
Email: [programmes@cipesa.org](mailto:programmes@cipesa.org)  
Twitter: [@cipesaug](https://twitter.com/cipesaug)  
[www.facebook.com/cipesaug](https://www.facebook.com/cipesaug)  
[www.cipesa.org](http://www.cipesa.org)