

KICTANet's Brief on IGF 2015

10-13th November 2015

Joao Pessoa, Brazil

This year's IGF was held in Joao Pessoa, Brazil, where Kenya was represented by a delegation of onsite and offsite participants as well as panellists. Being the 10th annual meeting and the IGF's mandate coming to an end this year, the meeting was both reflective and forward looking.

The question was not whether the IGF would continue as it is expected that its mandate will be renewed in the upcoming United Nations General Assembly later in the year. Nevertheless, the success of the multistakeholder governance process was questioned, with some wondering about the impact of IGF discussions to the growth of the Internet. Some governments emphasized the need for multilateralism (government to government talks) in addition multistakeholderism. However, going by the interest for the renewal of the mandate of the IGF (the so called WSIS 10+), it is clear that the IGF remains an important platform for global policy discussions. For example, net neutrality, zero rating and Facebook's free basics featured prominently in formal and informal discussions.

The IGF was organised around the following areas:

1. Six Best Practices documents i.e. on developing meaningful multi-stakeholder participation mechanisms, regulation of unsolicited communications, enabling environments to establish successful Internet exchange points (IXPs);
2. Several dynamic coalitions such as Internet of Things, Disabilities, Child online safety, Freedom of expression, Youth Coalition, Internet rights, Core principle of the Internet;
3. Emerging issues- Youth and religious radicalization, online hate speech, digital legacies;
4. Policy Options for Connecting the Next Billion; and
5. Reports from national and regional IGFs as well as other interested individuals and organisations.

The matrix below is a collation of issues of interest to Kenyans who attended the IGF. Local opportunities where applicable are also indicated.

Sub themes	Sessions and Take Outs	Local actions/opportunities
Cyber Security and trust	<p><u>Privacy and data protection</u></p> <p>There is a big challenge in creating a balance between human rights, freedom of expression on one hand and online privacy on the other hand;</p> <p>Most discussions supported a collaborative approach between Governments, private sector and regulators in assuring cyber security</p> <p>The challenges posed globally by new emerging issues such as radicalization and terrorism were discussed</p>	<p>The Privacy and Data Protection Bill(s) have not been released for public participation, although it is indicated that they are in the National Assembly.</p> <p>The Access to Information Bill (Private by Hon Nyokabi) is a bill about access to public information. However, its processing did not get enough public attention and therefore some members of the public missed the opportunity to comment</p>
	<p><u>Death and Digital Legacies</u></p> <p>Do we have policies that determine where ones digital property goes to after their death? Who are the right persons/ bodies to archive and use digital legacies? Government? Family members?</p>	
	<p><u>Multistakeholder and human rights approach to cyber security</u></p>	<p>From KIGF, we need to establish the current status of Kenya's cyber security</p>

	<p>An interesting perspective given by the youth is that current cyber security strategies focus narrowly on technology and infrastructure. They wondered why cyber security was not taught in schools or why we had never approached cyber security from a psychologist's perspective</p> <p>See one report here and another here</p>	<p>strategy.</p> <p>How can we quantify real economic cost of cyber-attacks in Kenya so as to inform appropriate action?</p>
	<p><u>Jurisdiction</u></p> <p>There was an interesting discussion on how countries are co-operating in enforcing and bringing to justice cybercrimes. The discussion concluded that while countries may not have the same cybercrime (For instance, what is pornographic and outlawed content varies) countries needed to harmonies processes for handling of cross border crimes.</p> <p>Discussions also featured on how the Mutual Legal Assistance Treaty (MLAT) requests were being handled. Most MLAT requests are to the US government and therefore participants urged the US to streamline the request handling process.</p> <p>See report.</p>	<p>Regional initiatives on harmonized cybercrime laws at both EAC and AU level could benefit from some of the experiences shared especially by India and other practitioners from emerging economies.</p>

<p>Critical Internet resources</p>	<p><u>IANA Transition</u></p> <p>It was noted that the south was not contributing proportionately to ICANN activities. This was due to historical reasons (Internet developed in the US), time differences, modes of participation (requires good Internet to do conference calls and time to read the massive documentation)</p> <p>See report.</p>	<p>One suggestion was to have ICANN work with local organizations that could cascade ICANN issues downwards to local communities.</p> <p>Having an ICANN officer who meets community face to face as is the case with Bob Ochieng was lauded as a best practice</p>
	<p><u>Ensuring sustainability for IXPs</u></p> <p>The question of commercial viability of IXPs featured.</p> <p>See report</p>	
	<p><u>Other observations</u></p> <ul style="list-style-type: none"> • Development of software for spectrum management was at an advanced stage • New technologies such as drones that were putting pressure on spectrum 	

<p>The Internet Economy</p>	<p><u>Big data and development</u></p> <p>Emphasized on the importance of promoting trust and transparency for the usability of data for development. Too much restriction would discourage the usage of data even for public good.</p> <p><u>Internet and economy for sustainable development</u></p> <p>The Internet promotes the immersion of an inclusive digital economy where production, distribution and consumption are highly dependent on access and broadband growth.</p> <p>We still at a disadvantage because of dearth of local content. The internet is still dominated by a few giants and few languages, none of them come from Kenya or Africa as a whole. The challenge on local content production as well as equal opportunities for our participation in the global digital economy remains.</p>	<p>Taking a closer look into how the Internet has facilitated the creation of jobs and equal opportunities for citizens. We have IFMIS and e-citizen portals that government introduced for transparency and efficiency. What contributions do they have to the digital economy?</p> <p>How affordable are internet access devices such as smart phones and laptops. During previous regimes, taxation of laptops was intentionally low and incentives such as discounts for students were effective in ensuring that most students were able to own these devices to facilitate learning. Should this practice that should be revived?</p>
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<p>Internet and human rights</p>	<p><u>African declaration on Internet Rights</u></p> <p>This is a set of principles developed by a coalition of African organization during the 2013 Global IGF. The Declaration is timely as the rate of internet penetration in the continent continues to grow and citizens are finding platforms to express themselves and engage more in governance. Some observations:</p> <ol style="list-style-type: none"> 1. We need to hold our governments accountable to the commitments they make at the international fora as many a times governments sign on to important agreements but there are no measurable implementation platforms. More collaboration is also needed from other players in making sure the rights in the declarations become a reality. 2. Internet Access in Africa is still an issue. 3. How do you fight for rights that you've never had and what language would be most effective when fighting for these rights? 	<p>The Internet is a tool that empowers more from the ends rather than from the centre. How do we make ordinary citizens participate in achieving their Internet rights? Can we have our law makers provide for these rights not because they are enshrined in the Constitution, but also because they see them important?</p> <p>What is the nexus between Africa Internet governance and sustainable development? How do we translate these aspirations in our local situation?</p>

	<p><u>Online abuse and gender based violence against women</u></p> <p>Gender based violence was one of the broader topics on best practice forums. BPFs considered the different modes applied successfully in various regions in tackling Internet governance issues. Some observations:</p> <ol style="list-style-type: none"> 1. Sometimes the community guidelines of global social media platforms like Facebook and Twitter don't take into account the difference in social contexts between communities when dealing with online violence 2. Children whose parents have never been online don't know where to report when they suffer violence online. Sometimes the mechanisms put in place are not that effective. 	<p>Collaboration between ISPs, Authorities and the technical community in enhancing mechanisms for protection of violence especially against children are much needed.</p> <p>Local studies and reflection on reported cases of Techviolence indicate that online gender based violence continues to hinder women and other vulnerable groups full enjoyment of the Internet. There is need for targeted interventions to tackle techviolence and more importantly, to increase quality access to ICTs by all genders.</p> <p>There is also need for increased capacity building among law enforcement and judicial officers for better handling of techviolence cases.</p> <p>Education on safe use of the Internet remains paramount and existing campaigns such as CA's child online protection campaign should be enhanced.</p>
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	<p>3. Jurisdiction and most social media companies being based in the US compounds the challenge in enforcing protection against technological violence</p>	
<p>Enhancing multistakeholder cooperation</p>	<p>Best Practices Forum</p> <p>The IGF secretariat released a report of a survey it conducted this year on the Local and regional IGFs.</p> <p>Can local IGFs shape the global IG landscape?</p> <p>How do we ensure sustainability and transparency of the local and regional IGFs?</p>	<p>How do we ensure continuity as we progress to the regional and global IGF. How often do they influence discussions at the global level?</p>
<p>Openness</p>	<p><u>Zero rating and Net Neutrality</u></p> <p>Much of the argument on zero rating were based on the ability to maintain a healthy competition for new and existing businesses and the misinformed perception of the internet to the new users using zero rated services as their first entry point to the internet.</p>	<p>What impact does zero rating have on the local Internet innovators, freedom of online expression and information, Open Net principles?</p> <p>Discussion on zero rating/net neutrality in Kenya needed. All stakeholders need to understand the benefits and consequences</p>

	<p>Different models of zero rating have been used in different countries and different carriers. Most of them are seen as marketing tools to increase mobile subscriptions and revenue.</p> <p>Some countries with Net neutrality laws have provided for exemptions such as emergency lines.</p> <p>Zero rating services are mostly being offered in developing countries with very low Investment on Internet infrastructure.</p>	<p>even as players make entry into the market.</p> <p>Most people from the developing countries especially in Africa raised the issues on panel composition since this is an issue that mostly affects countries with high costs to broadband and little investments on infrastructure. Above the Africa IGF, we should take advantage of the workshop application window to ensure more participation both nationally and regionally in highlighting issues of interest to the region</p>
	<p><u>Connecting the Next Billion</u></p> <p>One of the workshops under this theme was Universal acceptability which addressed the issues of compatibility of platforms hosted both locally and internationally to the changing internet systems including the new gTLDs from both the domain names and the Numbering systems.</p>	<p>We have parts of the country that have 3G Networks but the subscriptions are still low. How do we make the Internet relevant and attractive to those with access to infrastructure but are yet to be online, especially in the rural areas.</p> <p>An update/critique on the Universal Service</p>

	<p>This session can also expand to the usage of social media platforms and other local websites, especially on unpopular</p>	<p>Fund needed</p>
<p>Inclusiveness and diversity</p>	<p><u>“Free/Open Source Software and a Free, Open Internet: Synergies for Development”</u></p> <p>The discussants touched upon several important contemporary matters, including the use of crowd-sourced, client-side/browser-based image annotations to help make websites more accessible; the new pattern of ownership of code and the role of FOSS; role of open standards, particularly W3C standards; on-line Surveillance, Censorship and lock-in practices such as Zero Rating. Some observations:</p> <ol style="list-style-type: none"> 1. Open Standards make the web accessible and are a key proponent of the growth of the Internet. The welfare of both the user and creator must be upheld without discrimination. e.g we cannot afford to move everything to the cloud and force everyone to use online services that are not accessibility friendly. 2. During the 2005 World Summit on Information 	<p>The Open Knowledge movement discussions offer alternative solutions to some of the challenges faced in Kenya, for instance in implementation of the Free Laptops Initiative.</p>

	<p>Societies in Tunis, the Geneva declaration explicitly referenced free software. Unfortunately, the WSIS+10 outcome document does not mention free software, open standards, open access, or access to knowledge. Urgent advocacy is required i to protect this space of freedom, innovation and creativity.</p> <p>3. As part of the IANA transition process that is currently ongoing, the diversity of free software around DNS management is an important factor for the security and stability of the Internet.</p> <p>4. There was discussion on change of curricular for schools and universities to introduce young people to free software. Governments are continually being challenged to use their market power in procurement to promote open and free software.</p> <p>5. Other views were that proprietary software could not be trusted as it could not be read. The case of Volkswagen where the proprietary software on 11 million of its diesel cars around the world had been tampered with so that they could “pass” emissions test while in fact they were emitting higher levels of smog was cited.</p>	
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	<p><u>Youth at IGF</u></p> <p>In this IGF, ISOC and local partners had supported a large delegation of young people from Latin America to attend the IGF.</p> <p>Most were digital natives. They brought in a (very) different perspective and raw thoughts that likely represent the ordinary Internet user’s point of view.</p>	<p>KIFG 2015 had many new young faces. A best practice learnt from Youth at IGF is that it helps to train the youth on Internet governance issues prior to the IGF.</p>
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Appreciation goes to contributors and collators of the report.

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