



Contribution by DotConnectAfrica
Trust to the UNESCO's Conference on
Internet Study (November 2014)



Background

UNESCO works to build peace and sustainable development in the world through education, the sciences, culture, and communication and information. UNESCO is the specialized agency within the United Nations that promotes freedom of expression and associated rights.

Over the past 15 years, UNESCO has been actively involved in all Internet-related areas under its mandate, particularly through advancing the concept of Knowledge Societies at the World Summit on the Information Society (2003, and 2005), and the Internet Governance Forum. The Organization's Member States have adopted positions in favour of:

- Multilingualism and Universal Access to Cyberspace (2003)¹,
- Multistakeholder participation in the Internet-related debates (2011, 2013)²,
- Human rights protection online (2013)³

UNESCO is also active in the UN Group on the Information Society (www.ungis.org), and co-convenor with ITU of the Broadband Commission for Digital Development (www.broadbandcommission.org).

Introduction of DotConnectAfrica

DotConnectAfrica Trust is an independent, non-profit and non-partisan organization that is based in Port Louis, Mauritius (Reg. ID. CT8710DCA90) with its registry operations located in Nairobi, Kenya. Its main charitable objects are: (a) for the advancement of education in information technology to the African society; and (b) in connection with (a) to provide the African society with a continental Internet domain name to have access to Internet services for the people of Africa as a purpose beneficial to the public in general.

As an independent Non-Profit, non-partisan entity, DCA Trust intends to utilize surplus proceeds from the registry operation accruing to the Trust Fund for Charitable projects. Funds will be regularly allocated to different corporate social responsibility programs. Specific projects will be identified, and supported. As the first gTLD for Africa, it will aim at bridging the digital divide that exists between other regions of the Internet community and Africa by

promoting the use of ICT for development. DotAfrica gives a positive branding opportunity for Africa that will benefit all Africans and in the use of technology to power their businesses.

DotConnectAfrica and its Principal and Members have in the past has worked or been advisors with International organizations such as Organization for Africa Union (OAU) aka Africa Union, United Nations Economic Commission for Africa UNECA), and International and regional organizations such as the Corporate Council on Africa (CCA), Internet Corporation of Assigned Names and (ICANN), The International Telecommunication Union (ITU), The Internet Society (ISOC), Internationalized Domain Resolution Union (IDRU), Internet Business Council for Africa (IBCA), and various private sector technology companies in Africa and internationally, with a view to increase synergy that encourages all stakeholders to participate in this dialog, in particular the African Diaspora.

DotConnectAfrica as a concerned stakeholder in the ICT sector of the African continent continually submits comments and recommendations by responding to public call for comment. DCA's contributions have been published at the ITU, ICANN, FCC African Union among others can be found here: <http://www.dotconnectafrica.org/communications/>



Questions related to the field of Freedom of Expression

Introduction

The avenues for freedom of expression online have mainly be provided and enabled though the availability of social media which comprises primarily internet and mobile phone based tools for sharing, discussing and analyzing information of any nature and most importantly current developments that affect daily living. Online platforms for expression combines technology, telecommunications, and social interaction where users are able to communicate via text, pictures, films, and music all these multimedia formats.

Affordable access to the Internet should be a human right, as it represents hope for political freedom and economic prosperity to many around the world, according to a recent survey. The poll was conducted October 7 to November 12 in Australia, Brazil, Canada, China, Egypt, France, Germany, Great Britain, Hong Kong, India, Indonesia, Italy, Japan, Kenya, Mexico, Nigeria, Pakistan,

Poland, South Africa, South Korea, Sweden, Tunisia, Turkey and the United States.¹

Most users however access broadband via the extra service through their phones i.e. 2g/3g services which are readily available yet not quite affordable. The bundles are still quite expensive and these limits use and therefore hamper exploitation of internet services via the mobile phone. The most beneficiaries of the mobile phone services are the intermediaries such as the social media platforms which do not necessarily translate to revenue generation by the users.

The private sector could be commended for heavy investment in bringing the structured fiber optic networks which opened quite a huge bandwidth to attract usage, however these services could still be expensive despite the competition of in many cases more than 3 ISP's within a country like Kenya.

The governments could help the private sector to reduce the cost of accessing broadband further by cutting the taxes, shipping costs and also permit costs for e.g those used to lay fiber optic cables in the cities which are quite high in many countries. If it is expensive to lay broadband infrastructure then the cost of broadband is transferred directly to the users.

Government could also take up the national fiber networks infrastructure set up thereby by leasing these national grids to the local ISP's at a lower cost that then translates to cheaper tariffs.

This will help to increase avenues for freedom of expression online.

Types of Social Media that give users access to express their freedoms online

In a study in the classification of platforms that avail avenues for freedom of expression Shishir Tiwari and Gitanjali Ghosh the Social Media could be broadly divided into following categories²

¹ AFP Survey concludes Internet access should be a human right <http://news.yahoo.com/survey-concludes-internet-access-human-193644586.html>

² Social Media and Freedom of Speech and Expression: Challenges before the Indian law By Shishir Tiwari and Gitanjali Ghosh
http://www.academia.edu/4117408/Social_Media_and_Freedom_of_Speech_and_Expression_Challenges_before_the_Indian_law

1. Social networking

Social networking is an online service that enables its users to create virtual networks with likeminded people. It offers facilities such as chat, instant messaging, photo sharing, video sharing, updates etc. The most popular are Facebook and LinkedIn.

2. Blogs.

Blogs are descriptive content created and maintained by individual users and may contain text, photos and links to other websites. The interactive feature of blogs is the ability of readers to leave comments and the comment trail can be followed.

3. Micro blogs.

Micro blogs are similar to blogs with a typical restriction of 140 characters or less, which allows users to write and share content. Twitter is a micro blogging site that enables its users to send and read 'tweets'.

4. Vlogs and Video Sharing sites.

Video blogs (Vlogs) are blogging sites that mainly use video as the main form of content supported by text. You Tube is the world's largest video sharing site. You Tube is a video live casting and video sharing site where users can view, upload, share videos and even leave comments.

5. Wikis

Wiki is a collaborative website that allows multiple users to create and update pages on particular or interlinked subjects. While a single page is referred to as 'wiki page', the entire related content on that topic is called a 'Wiki'. These multiple pages are linked through hyperlinks and allow users to interact in a complex and non-linear manner.

6. Social Book marking.

These services allow one to save, organize and manage links to various websites and resources around the internet. Interaction is by tagging websites and searching through websites bookmarked by other people. The most popular are Delicious and Stumble Upon.

7. Social News and updates.

These services allow one to post various news items or links to outside articles. Interaction takes place by voting for the items and commenting on them.

Voting is the core aspect as the items that get the most votes are prominently displayed. Some of the most popular are Digg, Reddit among others.

8. Media Sharing These services allow one to upload and share photos or videos. Interaction is by sharing and commenting on user submissions. The most popular are YouTube and Flickr.

1. What are the current and emerging challenges relevant to freedom of expression online?

The emerging challenges to freedom of expression have existed in several forms

Infrastructural Challenges:

This is the first and foremost greatest challenge, the availability of internet to everybody is not yet an achievement, developed countries boast of ready and cheap broadband connection both through the last mile fiber optics and also wireless, however developing countries like Africa still suffer greatly from low connectivity and also expensive tariffs

Africa is rated as the most promising continent with the widest adoption of the mobile technologies; this has enabled users to take advantage of the smart devices and applications to express themselves online. Such adoption has provided

Most prevalent or extreme cases of suppressing freedom of expression online (and offline) have been experienced in say oppressive governments and regimes who could be viewed as intolerant to opinions, and methods to curtail these online freedoms have been censoring and also outright blocking of particular internet services providing the avenues and in extreme cases cutting connectivity from the back bone.

Legislative Challenges

Regions or countries that allow and encourage the freedoms online are not very many, yet even in these open societies there are still individuals or users online who abuse these FOE's. Setting legislations that at least state the unacceptable

forms abuse of the FOE's could be enough to manage these abuses, however there is not the best formula of policing these abuses.

Circumstances exist where there are legitimate need to circumscribe the availability of FOE's yet finding the balance is very difficult, almost controversial. The best way to reconcile these needs is by handling situations and scenarios on case by case basis, but again what is right and how far is far, government or the seekers of these freedoms? we are compelled to ask!

Awareness Challenges

This kind of challenge has to do with the users not understanding their rights to freedoms of expression online and therefore will not find it best to subscribe and utilize these problems. This notwithstanding however, other users may be aware of these freedoms but then are not aware of the laws that govern the fair use of these resources online too express themselves, this then creates a situation of abuse of resources.

2. How can legislation in a diverse range of fields which impact on the Internet respect freedom of expression in line with international standards?

Setting legislations that will strike a balance may not be an easy talk, however the need for a multistakeholder approach is important in preparing these laws. Most legislations around the issue of freedom of expression and privacy have more often than not originated from the government or the authorities. However building a good platform where awareness and call for comments and contributions to the laws being created is paramount.

Best compromises and fine tuning is made when the users are aware of the laws being created to govern freedom of expression, this will involve the media companies, academic institutions, civil society groups, legal fraternity and many more relevant stakeholders.

3. Is there a need for specific protections for freedom of expression for the Internet?

Certain sets of specific protections could be set as fundamental, this will be important in determining the very basic forms of freedom of expression. Without

these specific protections the users will not be able to define where their freedom becomes against the set rules.

4. To what extent do laws protect digitally interfaced journalism and journalistic sources?

Most laws protect against plagiarism and the sources of information, however there is still rampant misuse of the journalistic sources and therefore the users who invest huge amounts of funds to setup systems, train their personnel and also define their terms of service and privacy policies online.

Most users who consume the journalistic data online do not care to reference their sources properly in order to acknowledge the source and therefore the original sources of carefully prepared digital sources. Laws exist but the portals for digitally interfaced journalism and journalistic sources are not properly protected from plagiarism.

Awareness is needed and this will include prominent display of disclaimers and terms of services of website use and access so that if there is misuse the user can claim damage and be compensated.

5. What are the optimum ways to deal with online hate speech? How can Media and Information Literacy empower users to understand and exercise freedom of expression on the Internet?

Online hate speech is a serious problem that makes the internet space a very dangerous platforms especially in situation where people have had their reputation damaged or even in serious cases people lost their lives due to online hate speech. Defining "hate speech" is a classic eye-of-the-beholder problem: It is almost difficult to define the term, at what point does heated speech become hate speech and who should be in charge of drawing the line between the two? The main problem is that definitions differ from region to region, what may be considered hate speech in one part of the world or continent may not be the hate speech in another.

According to [Computers, Freedom, and Privacy](http://cfp.wikia.com) (<http://cfp.wikia.com>) there exists definitions of hate speech, flaming, and trolls^{3,4}

Definitions

Trolling: An Internet troll, or simply troll in Internet slang, is someone who posts controversial and usually irrelevant or off-topic messages in an online community, such as an online discussion forum, with the intention of baiting other users into an emotional response or to generally disrupt normal on-topic discussion. (source: Wikipedia) Some 'trolls' have been known to introduce racial terms to otherwise agreeable conversations as an apparent attempt to incite others to respond in similar fashion, sometimes resulting in the responder's removal. They can often be found to use multiple accounts, which has inspired various websites dedicated to identifying and tracking them across social networks.

Flaming is the hostile and insulting interaction between Internet users.... Occasionally, flammers wish to upset and offend other members of the forum, in which case they can be called "trolls". Most often however, flames are angry or insulting messages transmitted by people who have strong feelings about a subject. (source: Wikipedia)

Hate speech: Hate speech is a term for speech intended to degrade, intimidate, or incite violence or prejudicial action against a person or group of people based on their race, gender, age, ethnicity, nationality, religion, sexual orientation, gender identity, disability, language ability, moral or political views, socioeconomic class, occupation or appearance (such as height, weight, and hair color), mental capacity and any other distinction-liability. (source: Wikipedia)

Basic ways of dealing with online hate speech

The fundamental modes of dealing with online hate speech could be put in the

³ The Constructive Way to Combat Online Hate Speech: Thoughts on "Viral Hate" by Foxman & Wolf
<http://techliberation.com/2013/06/24/the-constructive-way-to-combat-online-hate-speech-thoughts-on-viral-hate-by-foxman-wolf/>

⁴ Definitions http://cfp.wikia.com/wiki/Dealing_with_hate_speech,_flaming,_and_trolls

below ways

User education and empowerment:

This is a very key part of fighting hate speech. The user digital and e-literacy is educating online citizen's respectful and acceptable levels of online behavior. This will involve deliberate efforts for users to accept that they will respect and follow set up guidelines of using the website resources.

Intermediary Policing

This is an expensive but important step in making sure that the online environment continually remains sanitized and safe for users. Collaborating with the online industry to fight online hate speech is an important factor since they provide these platforms that become spaces for self expression.

Some of these steps for intermediary policing include, creating and enforcing clear online hate speech policies in the Terms of Service and mechanisms for enforcing them; Providing mechanisms for users to identify and flag hate speech, rate, expose them and to speak out against it; encouraging and promoting continuous awareness and best practices through the multi-stakeholder approaches; and lastly creating mechanisms that encourage limiting anonymity and moving to "real-name" policies to identify speakers, this is a difficult mechanism to enforce since there is need to create a balance of protecting online users while fighting hate speech that is more often than not done anonymously.

6. What are the optimum systems for independent self-regulation by journalistic actors and intermediaries in cyberspace?

Training is the first important hurdle to cross by ensuring any self respecting journalist or intermediary is properly and continually imparted with proper industry knowledge to ensure that they are careful to stick to the acceptable ethic of the profession at all times. Such also issues as Editorial Independence must also be defined, protected and reinforced at all times.

The most important way for an industry to thrive is through continuous self regulation, without this accountability audit, the industry risks going beyond its

acceptable codes and ethics. There should be created a deep seated desire and assertiveness by quality-conscious journalists and media to correct their mistakes and to make them accountable to the public

Self regulation is therefore an important part of ensuring that the internet remains a safe space for users. Self-regulation based on a set and agreed code of ethics is important and therefore media fraternity is required to needs to develop a system of effective self-regulation which is continually audited and modified these should be based on an industry wide formulated and accepted code of ethics. This therefore includes clearly define mechanisms to receive and respond to complaints, for instance through an ombudsman or a media council.

The idea of self-regulation springs out of the desire by quality-conscious journalists and media to correct their mistakes and to make them accountable to the public. One purpose is to develop ethical principles which would protect individuals or groups from unacceptable abuse in the media.

