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## ICTs and Human Rights in Africa

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### 1. Introduction

African countries are extremely diverse in many respects, such as their levels of development, freedoms, government structures, but also in terms of their human rights situations. Whilst some countries are stable and enjoy relatively good human rights records, others have more problematic human rights predicaments. In the Democratic Republic of Congo, the state security forces and militias terrorise communities<sup>1</sup>. In Sierra Leone, mining companies, in complicity with the government, have forcibly relocated families and hampered their access to food<sup>2</sup>. In Zimbabwe, freedom of expression is seriously curtailed. In Egypt, police brutality against Egyptians is endemic. Perpetrators range from governments, the military, paramilitaries, militias, terrorist groups and corporations.

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There have been various continental, regional and national attempts to regulate and promote human rights. One example is the establishment of the African Commission on Human and Peoples' Rights in 1987 by the Organisation of African Unity (OAU), which was tasked with the promotion and protection of human rights across the continent<sup>3</sup>. However there is a disconnect between the majority of Africans and the Commission, as there is not enough awareness of the Commission's existence and responsibilities. This unawareness of the Commission has resulted in a perception of ineffectiveness<sup>4</sup>. Also, in many cases judiciary bodies are not completely independent, people do not have adequate access to recourse and, as mentioned, governments themselves, or their institutions, are in some cases the perpetrators of human rights abuses. In such an environment, it is desirable for people to have tools with which they themselves can promote, protect and monitor human rights. The growth in Internet and Communication Technologies (ICTs) access provides increasing opportunities for citizen engagement in human rights promotion, protection and monitoring.

This brief, drawing on case studies from the Central African Republic (CAR), Egypt, Kenya, Nigeria, Uganda and Zimbabwe, will provide an overview of the usage of ICTs in Africa with reference to human rights. Specifically, it will focus on how individual citizens and societies can be empowered to promote, protect and monitor human rights through the usage of ICTs. The challenges posed to ICTs access and usage in Africa will also be considered. Finally, from the findings, recommendations on how to better harness ICTs for human rights (from the perspective of empowering citizens) will be provided.

The term ICTs, in this report, is used to describe 'technologies that provide an enabling environment for physical infrastructural and services development of applications for generation, transmission, processing, storing and disseminating information in all forms, including voice, text, data, graphics and video<sup>5</sup>. This includes 'electronic platforms' as well as other media forms<sup>6</sup>.

An important concept to be considered under ICTs is new media, which can be defined as ‘a range of applications that merge traditional media (including television, film and newspaper) with digital technology to create interactive and dynamic publications, tools and uses’<sup>7</sup>. Examples of new media include blogging, YouTube, Wikipedia, MySpace, Facebook, Twitter and Podcasting<sup>8</sup>.

## **2. ICTs for human rights in Africa**

### *Overview*

Africa has one of the highest growth rates of Internet access and usage in the world. Approximately 20% of Africans had access to the Internet at the end of 2014<sup>9</sup>. The growth in Internet access and usage has been facilitated by the high growth in mobile-broadband growth with Africa leading the way with a growth rate of over 40% - double the world’s average<sup>10</sup>. Kenya has been identified as being a leader in the African continent in terms of connectivity, bandwidth and low Internet costs<sup>11</sup>. This high growth in Internet penetration and usage should also be considered in relation to Africa’s demographics. The majority of Internet and new media users are the youth - and the African population is a youthful one. It is estimated that by 2050 the median African age will be 25, as compared to 36 for the rest of the world, and that Africa’s under-18 population will number at around 1 billion<sup>12</sup>. Additionally, Africa’s population is urbanising quickly and urbanisation is expected to rise from 40 to 56% by 2050<sup>13</sup>. This combination of increasing ICTs access and usage, the large youth demographic and the growing urbanisation trend has potentially significant implications on the continent. The question posed is whether this combination will have a broader impact on the continent in terms of human rights?

The Internet, it should be noted, provides an alternative space and set of communication tools which give the opportunity to people to exercise their citizen rights. This has led to the rise of the African ‘netizen’<sup>14</sup>.

An important by-product of this greater access to an alternative space and information is citizen journalism. Citizen journalism is the collection and publication of content online by non-professional journalists<sup>15</sup>. This allows netizens to bypass mainstream media and add their views to the local, regional or global debate on certain issues. It also allows for netizens to publish, circulate and provide information on events or issues which are not given attention or are presented in a singular light by mainstream media, governments or other influential actors.

Greater collaboration between people around the continent is also facilitated by the Internet. This has resulted in greater usage of crowdsourcing and opensource software. Crowdsourcing is the process whereby services, ideas, resources and the like are gathered online from a group of people on a voluntary basis.

### *ICT policies in Africa*

There are a number of initiatives and policies in Africa with regard to ICTs. The African Union (AU) has established a curriculum geared at promoting growth and facilitation of change within education, human resource development and innovation. The curriculum encourages the sharing of knowledge across the African countries<sup>16</sup>.

The AU has also established an 'Open Access' approach which allows for all African member states to have equal access to ICT platforms<sup>17</sup>. As of May 2012, when the Open Access approach was launched, there has been harmonisation of ICTs policies within Sub-Saharan Africa<sup>18</sup>.

The New Partnership for Africa's Development (NEPAD) has established a protocol aimed at providing a framework for the use and structure of ICTs. This protocol, 'Protocol for Policy and Regulatory Framework for NEPAD ICT Broadband Infrastructure Network for Africa', aims to promote high-speed, high-quality and reliable ICTs platforms and networks. This framework intends to promote a technological revolution and increased competitiveness

within the African market<sup>19</sup>. However, despite these policies, African states have been noted to be too slow in passing and implementing laws on guidelines about the development and usage of ICTs. The main challenges faced by African states include security and privacy issues<sup>20</sup>. There has been a move towards drafting cyber security laws by the AU, namely, the Convention on Cyber- Security (AUCC) of 2011.

However, this has been met with heavy resistance from civil society as it poses an infringement on some human rights: freedom of expression and privacy<sup>21</sup>. Analysts have also noted that a deregulation of policies would allow for more creativity and ‘effective communication’ in terms of human rights<sup>22</sup>.

### *Challenges*

Although the ICT landscape and access to its tools are growing across Africa, these technologies are not immune to various challenges. Some challenges arise from specific conditions found on the continent, whilst others are inherent in the nature of ICTs. Considering the challenges arising from the African context, one of the major ones comes in the form of infrastructure bottlenecks in terms of access, availability, operational capacity and maintenance<sup>23</sup>.

Currently, ICT infrastructures are unevenly distributed across Africa and the inequality is found both between and within African countries. This digital divide is felt strongly between urban and rural areas. As most ICT infrastructures are concentrated in urban areas, many people in rural areas do not have the same opportunities to access information or engage online<sup>24</sup>. Moreover, where the infrastructure is available, their use is often constrained by the lack of adequate supportive infrastructure, in particular electricity and transport services which often are lacking or unreliable. In CAR, most ICT infrastructure is concentrated around the capital, Bangui, leaving much of the rest of the country in the virtual dark. This lack of ICTs infrastructure (in addition to the lack of other infrastructures and physical access) has

exacerbated the relative information blackout and understanding of the extent of the humanitarian crisis there.

Uganda, however, has undertaken steps to try bridge the urban/rural divide. The Uganda Communications Commission (UCC), through its Rural Communications Development Fund, has set up strategies to advance ICTs across the country to ensure that more coverage is provided to the large rural population of Uganda (of Uganda's 35.9 million inhabitants, only 15.6% live in urban areas). These expansion strategies focus on developing Internet points of service, Internet cafes and training centres, district web portals, public pay phones, GSM Network, school ICTs laboratories, e-health and postal and telecommunication incentives<sup>25</sup>. One of the problems contributing to the lack of adequate infrastructure is the insufficient allocation of resources and investment in key programs that stimulate the development and maintenance of ICT infrastructures<sup>26</sup>. Policy development is usually slow and not tailored to changing circumstances. Much of the time this is due to the low level of awareness or understanding of the potential and nature of these new technologies. Such conditions have rendered accessing ICTs expensive and thus holds many back from participating.

Other political challenges include<sup>27</sup>:

- A lack of attention to the capacity of institutions to deliver;
- Unrealistic objectives, timeframes and targets;
- Inadequate implementation strategies and long-term action plans;
- A resistance to change and revision of outdated policies;
- Poor integration agenda across the various sectors that stimulate the ICTs sector.
- The lack of will or resistance to revise outdated Government websites which often are not interactive.

The lack of widespread ICT infrastructure and accessibility, coupled with low education levels in some areas and a level of distrust and understanding of new technologies mean that there

is a significant gap in IT skills. Thus, many Africans are simply unaware of how to use ICTs and the opportunities that ICTs present.

Language and literacy barriers are another obstacle to widespread usage of ICTs on the continent. Low literacy levels, especially in rural areas, mean that the ability to have dialogue or discussions via these ICT platforms, much of which is conducted in textformat, is very limited for many Africans. In addition to the literacy barrier, ICTs contents and services are often not available in local languages<sup>28</sup>. There is a real hindrance experienced with regard to the usage of English, French, and Portuguese as the sole interface languages on many of these platforms<sup>29</sup>. Even when information is sent in other languages, it is often translated into English or French, defeating the purpose of being able to communicate in one's own language<sup>30</sup>.

The uneven distribution of ICT infrastructure and access around the continent, in addition to the lingual exclusion of certain people, can contribute to the perpetuation of certain power relationships such as between the global North/South, rural/urban areas or between genders. It may result in less exposure for the issues pertaining to more marginalised groups resulting in certain biases, which possibly hamper the development of adequate solutions and implementation thereof on those issues.

Furthermore, many platforms are short-lived. They are developed prior to important events, for example for purposes such as reporting election malpractices and violence. However, shortly after these events, these platforms become inactive, and yet they could be harnessed for further use to monitor the aftermath of the events or to promote human rights in other spheres. This phenomenon is not specific to the African continent, though, but is seen globally and can be attributed to the information overload of the digital age, amongst other things.

In addition to these developmental pains posing a challenge to ICTs, the potential of ICTs with regards to communication and information flows have not been received warmly by

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some governments. Certain governments who wish to maintain their monopoly on information or control over public participation have taken measures against the ICT tools and their users. In Uganda, the Computer Misuse Bill allows the government to intercept communication of any ICT users they suspect to be abusing the system and this exception of the bill, arguably, infringes on the right to privacy and access to information of citizens.

In Egypt, the government harassed, arrested and even tortured dissident netizens, a prominent example being the detention of Wael Ghonim<sup>31</sup>. During the uprising in 2011, the government even blocked access to social media sites and shut down then Internet so to prevent Egyptians from mobilising online. The Egyptian example also highlights the collusion of some service providers who agreed to stop the delivery of services via these technologies at the request of the government<sup>32</sup>. In other cases the service providers are asked to provide information on citizens taking part in communication or sharing of information via these platforms. This infringes on the privacy of the citizens and does away with the anonymity necessary to encourage free expression.

Although technology in itself is neutral, peoples' ambitions might not always be. These new technologies can be used to incite violence and propagate hate speech and misinformation. An example is of Boko Haram in Nigeria, which has launched its own Twitter feed to spread its propaganda<sup>33</sup>. Others risks include<sup>34</sup>:

- The inability to manage information and electronic records;
- The threats to privacy;
- The loss of control over data;
- The difficulty to guarantee accuracy of information, especially when they are provided by inexperienced citizens and from anonymous source;
- The vulnerability of ICT networks to cybercrimes;
- The exclusion of disabled people when implementing these tools
- The difficulty to quantify the effect and impact of the use of these new technologies

- The lack of knowledge of the existence of many of these platforms.

Last but not least, using new technologies in the promotion of human rights does not guarantee a positive outcome. ICTs are ultimately tools subject to the use and intentions of people. Even if information is forwarded to the right channel and authority, this does not guarantee government responses, actions, or concrete outcomes. Oftentimes information will be forwarded to the “right” channels but no further action is taken<sup>35</sup>.

### **Usage of ICTs for promotion, protection and monitoring of human rights around the continent**

Despite the challenges mentioned, there are many efforts around the continent by Africans to promote, protect and monitor human rights using ICTs. African netizens are blogging, using social media, engaging in citizen journalism, creating mapping systems and more with the aim of promoting, protecting and monitoring human rights.

#### *Awareness building*

Activists and citizens across Africa are using ICTs to promote human rights and raise awareness of their abuses. Bloggers in Egypt, such as Noha Atef through the *Torture in Egypt*<sup>36</sup> blog or Wael Abbas through the *Misr Digital*<sup>37</sup> blog, documented and posted videos of abuses and maltreatment by the police, of election irregularities and harassment of women. The blogs provided a platform for people to share their experiences and also to learn more about such abuses. They also helped to increase awareness that police brutality was a wider, structural issue, and not only a series of isolated events. More recently, audio-clip recordings of conversations between president Abdel Fattah al-Sisi, high military officials, members of the judiciary and ministers have been leaked and circulated via YouTube and Facebook further exposing corruption and interference in judicial systems<sup>38</sup>.

#### *Documentation and mapping*

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The documentation of information gathered by individuals and civil society organisations (CSOs) on social networking platforms has enabled the development of conflict monitoring and mapping applications. One such application is the Lord's Resistance Army (LRA) Crisis Tracker, which enables people from across the globe to keep track of the incidents happening in Uganda<sup>39</sup>. The exposure managed to elicit global support which manifested in the 2012 worldwide hunt for Joseph Kony and calls for humanitarian assistance to be channelled to Uganda in the form of food, shelter and other essential resources<sup>40</sup>.

During the election violence in Kenya in 2008, where over 1,200 people died and 600,000 were displaced<sup>41</sup>, concerned bloggers formed a platform called Ushahidi to crowd-source and present a graphic representation ("crisis mapping") of the violence. Through planned collaborative efforts, the Ushahidi team and Kenyan citizen journalists were able to gather data with the use of mobile and Internet technologies for documentation and for global awareness of the horrific incident<sup>42</sup>. Essentially, this aided the open account of what transpired after the 2007 general elections in Kenya, enabling the citizens to reclaim some of the narrative that had been hijacked by leaders<sup>43</sup>.

#### *Mobilisation and coordination*

ICTs have also been used for mobilisation. In CAR in June 2014, a group known as the Collectif Centrafrique Debout was planning a general strike and sent SMS messages to urge people to stay at home and demand for complete disarmament of the militias which were accused of human rights abuses and atrocities. This was in response to growing anger towards the interim president Samba- Panza and the French peacekeepers as they were perceived as doing too little to stop the violence and were failing at the disarmament mission. The government reacted by banning SMS services and cited that it was doing so to prevent further violence<sup>44</sup>.

#### *Collaboration*

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Groups across the continent are collaborating (although there is much room for growth). The Kenyan Ushahidi used crowd-sourcing and has collaborated with an Egyptian group and the open source software Frontline SMS to develop an anonymous reporting and mapping system to map sexual harassment in Egypt, *HarassMap*<sup>45</sup>. Ushahidi has also forged ahead to develop early warning mechanisms for conflict prevention as well as collaborative innovation with other cross sector partners on participatory governance<sup>46</sup>. The team has helped various humanitarian situations including the disaster mapping in Haiti and epidemic crisis mapping in the DRC<sup>47</sup>.

### *Internationalisation*

On an international level, people are able to contribute to the global debate and influence reactions. In Zimbabwe, where freedom of expression is curtailed and communication is monitored, the Internet provided an alternative space for expression and gathering of information. Through blogs such as Kubatana.net, Sokwanele, Letters, and the Zimbabwean Pundit, Zimbabweans could expose human rights abuses. The easy access to online information and monitoring of events by CSOs during the 2005 Operation Murambatsvina attracted the intervention of the international community through public condemnation of the human rights violations. US Secretary of State, Condoleezza Rice, was one of the international leaders who condemned the violations and whose efforts led to the immediate halt of property demolitions by government security forces<sup>48</sup>.

The #BringBackOurGirls campaign is another example of social media being used successfully to raise international awareness and support. Many people from around the world were outraged by the kidnapping of the Nigerian school girls by Boko Haram and posted photos of themselves with signs bearing the hashtag #BringBackOurGirls on the social media sites. The international media also covered the incident and the US and Chinese governments even mentioned that they would help to track down and return the girls. However, the international attention raised on the issue has since waned and the girls are still missing<sup>49</sup>.

This case highlights the challenge of maintaining international attention, of slacktivism, where online activism fails to transform into physical activism<sup>50</sup>, and the necessity to engage with a core group of activists, human rights organisations or similar that can maintain focus on a certain issue.

### *Accountability politics*

Through the exposure of human rights abuses, netizens can force perpetrators to confront their crimes. In Nigeria, netizens were circulating online the footage of gross violations of human rights and extra-judicial killings of civilians by the Nigerian state security agents, many of whom acted with impunity and justified their actions by framing them within the 'fight against Boko Haram' narrative<sup>51</sup>. The footage raised questions of authenticity. However, groups like Amnesty International checked the footage, verified it, presented it to a larger audience and called on the Nigerian government to investigate the crimes. The government was then forced to respond and condemn the violations.

### **3. Conclusion and recommendations**

Traditionally, the state has been seen as the protector and conveyor of communication and information. The state has also traditionally had control over the mass media<sup>52</sup>. In many African countries, this included music, film, radio and television<sup>53</sup>. However with the advent of ICTs, alternative avenues have begun to challenge the state's monopoly over communication and information. People have a greater ability to interact with each other, to find alternative sources of information and also to publish content themselves. Africans have a chance to present their narratives and experiences. This also empowers them to directly tackle certain issues. This information and interaction can provide a more informed understanding of situations and thus guide better tailored approaches to the protection of human rights in Africa.

### *Recommendations*

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- Efforts at increasing ICTs access should correspond with efforts to increase literacy and IT skills
- Collaboration with community leaders so that they may introduce the technologies – helps to build trust and understanding of ICTs, provides a central point which people can approach to engage online if they individually do not have access and can provide more African perspective on ICTs
- Increase partnerships with local organisations able to respond to information flows so that more suitable solutions and actions may be developed to human rights violations
- Greater collaboration with translators and platforms such as Global Voices<sup>54</sup> which give a global platform and audience to citizen journalism from around the world
- Development of local language interfaces
- Build verification mechanisms for online content – consider crowdsourced verification platforms
- Encourage and support intra-African collaboration so to avoid online perpetuation of North/South power relations
- As Africa has one of the fastest growing mobile markets, special attention should be given to that medium for possible applications and platforms to be used for human rights abuse mapping, dissemination of information and mobilization.

These recommendations are generalist and a more custom approach should be undertaken for each case on the continent.

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