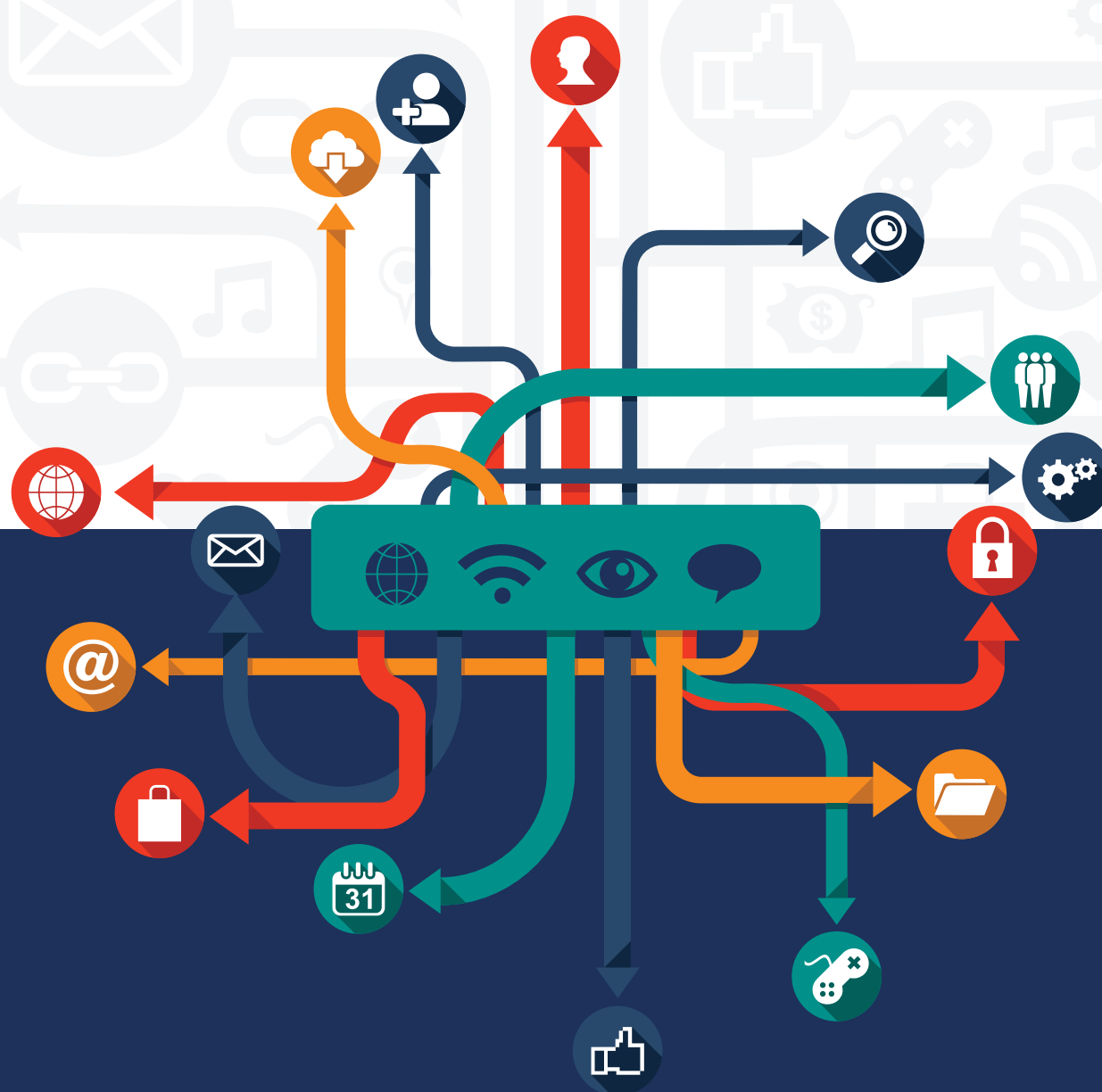


INTERNET GOVERNANCE MULTISTAKEHOLDER CONFERENCE

REPORT 2015



MISA-Zimbabwe Supporting Free & Secure Online
Expression & Access to Information in Zimbabwe

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Thanks also to all the representatives of various Zimbabwe-based internet service and access providers, entrepreneurs, bloggers, startups (on online businesses), members of the Zimbabwean twiterrati, netizens, media freedom and freedom of expression activists, media support organisations and the broader civil society groups represented.

Special thanks to the presenters and session facilitators for stimulating the lively and constructive debates that characterised the conference and the solidarity of our regional participants from Malawi, Zambia, and South Africa.

And last but not least, profound appreciation to our conference partner, HIVOS Regional Office, Southern Africa.

Acronyms

AFIGF- African Internet Governance Forum
AU-African Union
CIC- Community Information Centre
DARPA- Defense Advanced Research Projects Agency
DNS- Domain Name System
EAIGF- East Africa Internet Governance Forum
FGI-CA- Forum de Gouvernance de l'Internet en Afrique Centrale
ICT-Information Communication Technology
IG - Internet Governance
IGC- Internet Governance Conference
IGF-Internet Governance Conference
IXP -Internet Exchange Point
MAG - Multi-stakeholder Advisory Group
MCT-Multi-stakeholder Coordinating Team
MISA-Zimbabwe- Media Institute of Southern Africa
NAIG - North Africa Internet Governance Forum
NEPAD - New Partnership for Africa's Development
POTRAZ - Postal and Telecommunications Regulatory Authority of Zimbabwe
S.A - South Africa
SADC - Southern African Development Community
SAIGF - Southern Africa Internet Governance Forum
UN - United Nations
USA - United States of America
USA - United States of Africa
WAIGF - West Africa Internet Governance Forum
WSIS - World Summit on the Information Society
Zim - ASSET-Zimbabwe Agenda for Sustainable Socio-Economic Transformation
ZESA - Zimbabwe Electricity Supply Authority

INTERNET GOVERNANCE MULTISTAKEHOLDER CONFERENCE REPORT 2015

**Supporting Free and Secure Online Expression and Access
to Information in Zimbabwe**

Conference Report

Jameson Hotel
Harare
Zimbabwe
Friday, 21 August 2015

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About MISA-Zimbabwe

VISION

A Zimbabwe in which every person enjoys their rights to freedom of expression, access to information through all forms of media that are independent from undue political, economic and commercial interests.

MISSION


Lobby and advocate for an environment that fosters the enjoyment of freedom of expression and access to information by every person, through an independent, ethical, sustainable and diverse media.

THE VALUES

The mission and vision of MISA-Zimbabwe are based on values that seek to:

- Advance the aims and objectives of the Windhoek Declaration of 1991
- Promote a self-reliant, non-partisan and independent media that informs, empowers, educates and entertains
- Nurture media freedom in an ethical, competent and professional media environment
- Strengthen and support the development of a vibrant and participatory media sector
- Lobby for access to information in order to ensure transparency and citizen participation in government, judiciary and legislative issues
- Promote democracy, human rights and the advancement of equality, human dignity, freedom and non-discrimination.

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INTRODUCTION

The Media Institute of Southern Africa- Zimbabwe (MISA-Zimbabwe) convened the inaugural multi stakeholder Internet Governance Conference (IGC), at the Jameson Hotel in Harare on 21 August 2015.

Convened under the theme: Supporting Free and Secure Online Expression and Access to Information in Zimbabwe, the conference attracted over 200 stakeholders with the majority of the participants drawn from Zimbabwe including solidarity partners from the SADC region's countries of Malawi, Zambia and South Africa.

Zimbabwean stakeholders included the Ministry of Information and Communication Technology (ICT), Postal and Courier Services and Postal and Telecommunications Regulations Authority of Zimbabwe (POTRAZ). Also in attendance were internet service and access providers, internet business entrepreneurs, civil society organisations, media academics, community, online, mainstream and citizen journalists, media freedom, information and gender activists, bloggers and writers.

The conference sought to enhance national dialogue on internet governance in Zimbabwe pursuant to the World Summit on Information Society (WSIS), Tunis Agenda 2005 that launched the international multi-stakeholder Internet Governance Forum (IGF).

The Zimbabwe Conference was also held subsequent to the launch of the Zimbabwe Internet Governance Forum launched on 17 June, 2015.

The concept of multi-stakeholderism was recommended by the Tunis Agenda 2005 as an integral part of internet governance. At global level WSIS's concern remains the need for global strategies that allow stakeholders to participate and work together in dealing with the new opportunities and threats posed by the digital revolution, particularly the bridging of the digital divide between developed and developing countries.

MISA-Zimbabwe convened the conference in recognition of this call and developments around internet development and governance in the country. In recent years, Zimbabwe has witnessed significant growth of the internet, with statistics showing a penetration rate of 47.5% in 2014. While the growth of the internet has presented some phenomenal opportunities in the country, there are some notable challenges and threats, critical in the governing and regulation of internet use in Zimbabwe that call for dialogue and consultations among stakeholders.

This report outlines key status issues, opportunities, areas of improvement and recommendations raised during presentations and plenary discussions relating to Internet Governance in Zimbabwe.



The Event at a Glance



"It is important that all stakeholders contribute towards the shaping of ICT policies that reflect the aspirations and interests of the people of Zimbabwe... In our contemporary societies, governance is no longer molded in hierarchical control by the state and its agencies, but a more cooperative mode where both state and non-state actors participate and engage in all platforms."

Nhlanhla Ngwenya, MISA- Zimbabwe

MISA Zimbabwe National Director, Nhlanhla Ngwenya's welcome and introductory remarks were centered on the need for an open and inclusive approach to the drawing up of legislation and policy governing Zimbabwe's cyberspace. He noted that 'multi-stakeholderism' was key to internet governance, and that the Internet is a product of and is governed from efforts and contributions from multiple players. Reference was made to the historical launch of the multi-stakeholder approach at the international governance forum launched at the World Summit on the Information Society in Tunis in 2005.

Ngwenya said it is, therefore, impossible for Zimbabwe or any other country to try and govern the Internet without the participation of multiple stakeholders. Deliberations throughout the conference noted the concerns by participants of the likelihood of some stakeholders to domineering, excluding and crowding out others in the process. Participants called for respect, fairness and equal treatment of all stakeholders in coming up with a policy around the use of the internet to allow space for the voices of diverse stakeholders for the common good.

In the keynote address, Principal Director in the Ministry Information Communication Technologies, Postal and Courier Services, Simon Cosmos Chigwamba, outlined the Zimbabwean government's efforts and commitments towards the provision of ICT access infrastructure and e-learning capacities to the whole nation in order

to achieve national development, and economic growth.

He noted that investment by government and private investments in ICT resources and facilities in the country, translated into a significant growth in mobile and internet penetration levels. The Ministry's speech noted that the Zimbabwean government's economic blue print, the Zimbabwe Agenda for Sustainable Socio-Economic Transformation (Zim-ASSET), identifies ICTs and its infrastructure as a key result area for the ICT sector. The government was also keen on ensuring that all citizens are connected and have access to the internet.

Chigwamba also noted government was engaging stakeholders in the sector to participate in the formulation of an infrastructure-sharing policy in order to harmonise and diversify service provision countrywide. Also of significance, as relates to multi-stakeholderism, was the government's launch of the Zimbabwe Internet Governance Forum (ZIGF) in June 2015. The process was expected to facilitate an inclusive public policy dialogue on issues of internet governance.

Further to the Ministry's presentation, participants noted the need for clarity, equity and resolve on matters relating to infrastructure sharing. Participants also raised concern on the current application of the legal framework that infringes on civil liberties noting that the Interception of Communications Act (2007)

needed to be reviewed accordingly. Another key concern was the lack of publicity around the impending cyber crimes bill, which will regulate e-banking and commerce, cyber security and data protection.

Chigwamba also emphasised that the Interception of Communications Act, which is administered under the Office of the President is a national security measure, and is consistent with practices by governments the world over. Consensus was built around the need for peace and security with participants calling for balance and clarity between national security/espionage issues and privacy of civilian communication to ensure protection of civil liberties and avoid wanton application of anti-terrorism laws.

Postal and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ) head of ICT, Tichafa Mujuru, outlined the current structure and mandate of the Zimbabwe Internet Governance Forum (ZIGF). He illustrated how the ZIGF will feed into the regional, continental and global fora as guided by the 2005 World Summit on the Information Society (WSIS) Tunis Agenda. The conference was informed that the ZIGF is coordinated by a Multi-stakeholder Coordinating Team (MCT) that comprises key stakeholders drawn from all sectors in Zimbabwe. Discussions on this topic raised concerns on the perceived monopolisation of the ZIGF by POTRAZ. Some participants felt they had been excluded from the launch of the Forum due to the attendant low publicity.



ICT Consultant, Chris Musodza makes a contribution during the conference

Reuben Gwatidzo, founder of the Information Society Initiatives Trust closed the first session with a presentation on the socio, economic and political impact of the internet in Zimbabwe. He emphasised the need for Zimbabwe and the region as a whole to embrace the internet in advancing local interests, aspirations and living standards and addressing African challenges. Gwatidzo decried the lack of local content on the internet and implored participants to take ownership of the internet and develop content that would make the internet more beneficial to the Zimbabwean citizenry and the African continent as a whole.

In the second session, the conference deliberated on internet content creation, dissemination, use and the environment. In discussing online experiences digital security activist and seasoned blogger Natasha Msonza, who works with feminist blog site, Her Zimbabwe, spoke passionately against cyber bullying and stressed the need for gender inclusivity, sensitivity, awareness and digital security literacy as citizens access online content. She shared women's experiences online underlining the replication of patriarchy online thereby curtailing women's equal right to freedom of expression.

Online technology news platform, TechZim founder and managing editor, Limbikani Makani, said the internet presents potential for start-up entrepreneurs at cheaper costs. He identified taxation, copyright and piracy, monopolistic internet control and lack of capacity, as the major

challenges for start-up online entrepreneurs. His presentation attracted debate on net neutrality, a principle that is globally debated as it relates to internet governance. It refers to the principle that internet service providers should enable all content and applications regardless of the source, and without favouring or blocking particular products or websites. This subject has attracted global attention. In Zimbabwe, the issue has equally been debated on social media.

Conference participants decried the monopolistic control of the internet by telecommunications companies stating that it creates unfair competition. The conference noted that Zimbabwe should join the global debate on this issue and consider it as a critical internet governance issue.

Social entertainer, Godknows Homwe of P.O. Box, said in drawing up a governance framework for the country, it is important to have policies that promote the production of online content. Homwe shared his team's positive experiences on distributing content online and demonstrated how the internet provides an alternative source of livelihood outside formal employment. He also noted that P.O. Box has seen an increase in the number and diversity of its audience as WhatsApp and Facebook mobile data bundles have resulted in more traffic on their social media platforms. Participants during this session emphasised the need for Zimbabwe's internet governance framework – in dealing with content production – to recognize the need for the citizenry to enjoy

their rights to freedom of expression. Of note, was the need for the protection of intellectual property against piracy to create a more conducive environment for online content production.

During discussions on the evolution of internet services business models in Zimbabwe, panel discussant and sales and marketing director of the government-owned fixed network operator, TelOne, Joseph Machiva, stated that infrastructure sharing would be beneficial to the sector and cited the high costs of bringing bandwidth to landlocked Zimbabwe being the main operational challenge. Pertinent to this discussion was the absence of local data servers due to prohibitive policies and infrastructure challenges. Participants felt that local hosting is advantageous and the citizenry should be encouraged to appreciate local domain registration and hosting but attempts should be made to allay fears and address issues relating to the security and safety of data in local domains.

Start-ups incubator IZone's Co-founder & Incubation Manager, Kudzai Mubaiwa, described the internet as a means of production that needs to be distributed equitably in Zimbabwe. She noted that internet access, quality of service, prices and links to the market for established online and offline businesses and start-ups are key in the discourse of internet governance.

She emphasised the need for the extension of the internet resource to the whole country, noting

that more effort had been made in the capital city, Harare. Greater emphasis was also placed on the need to ensure, confidence, safety and freedom of business interaction and consumer rights on the internet without fear of backlash.

In her presentation she emphasised the need for regulation that promotes and monitors healthy competition and the need for established businesses to be accommodative of start-ups. There was also need to invest in innovation. The discussion also stirred conversations around emerging monopolies in the sector. Participants called for policies that facilitate the provision of affordable access to the internet by the citizenry without creating monopoly in the sector, but rather more players and healthier competition.

Media and human rights lawyer, Otto Saki's presentation on laws that impact on internet use in Zimbabwe outlined existing statutes that regulate the internet in Zimbabwe as they apply to citizens, government, and the private sector. Outlined were the Interception of Communications Act, Criminal Law (Codification and Reform) Act, Censorship and Entertainment Controls Act, Copyright Right and Neighboring Rights Act, Consumer Contracts Act, Competition Act, Criminal Matters (Mutual Assistance) Act.

He noted that most of the laws, like most media laws in the country, needed to be amended and realigned with the new constitution of Zimbabwe. He also emphasised the need for authorities and civil society to raise awareness on the existing laws and citizenry participation in the formulation of a democratic internet governance framework.

Recommendations from the session included the need to establish the status of the Information Communication Technology Bill that was drafted during the inclusive government (2009-2013); follow up on the Cyber Crimes Bill and/or possibly advocate for the amendment of the Criminal Law (Codification and Reform Act) to include internet related violations and crimes. The session also called for the involvement of stakeholders in the processes of developing the Personal and Privacy Data/Personal Data Protection Bill, Consumer Protection Bill, Electronic Commerce Bill, as well as revision of the National ICT Policy.

In the session that focused on a regional overview of internet democracy, Emilar Vushe- Gandhi of the Association of Progressive Communications (APC), emphasised the need for stakeholders to fully understand the various components of the internet and benefits derived from it from a human rights perspective. She noted the various levels at which threats and human rights violations occur in the use of the internet starting from hardware level, the code or communication protocol level, at the level of applications use and at the level where content is produced, shared and accessed. She also highlighted and identified common restrictions brought about by the governments in the region through surveillance and cited abuse of the internet by civilians to inflame tribal conflicts, as impediments to the democratic use of the internet.

HIVOS Southern Africa's Freedom of Expression programme development manager, Tambudzai Madzimure, outlined the experience of supporting internet governance and policies in the Middle East and North Africa. She noted that HIVOS' support for internet governance in Africa is premised on the understanding that citizens have a role to play in governance. Its initial support was in response to a quest for the citizenry to enjoy greater freedom of expression.

This quest also embraced other players including bloggers, journalists, students, public sector employees and the private sector. This support included activities to increase knowledge on the need for democratic governance, legislation and policies regulating use of the internet. HIVOS noted the need for more coordinated approaches to internet governance in the SADC region and the drawing of experiences from other regions.

Malawi Election Information Center representative and chief executive officer of MHub, Rachel Sibande, shared experiences on the country's internet governance experiences demonstrating progress in the advancement of internet as a resource aided by mobile technology. Malawi set up an Internet Governance Forum in 2014, established an Internet Exchange point to peer and exchange all local traffic. It also has facilities that encourage online innovation access and exploration by women and children.

She also shared Malawi's experiences as a beneficiary of internet.org, through partnerships with six telecommunications companies, Samsung, Ericsson, MediaTek, Opera Software, Nokia and Qualcomm. She noted that although bringing affordable access to selected internet services to less developed countries by increasing efficiency and facilitating the development of new business, the partnership has been criticised for violating net neutrality. She noted that the Malawi IGF has a lot of work to do as some of the challenges facing the country are similar to those in Zimbabwe. These include limited ICT infrastructure due to high investment costs; prohibitive taxation of service providers, high mobile access tariffs and power shortages. She further noted that the country has an outdated ICT law and that both the Electronic Transaction and Electronic Bill (e-Transactions Bill) and access to information bill, are yet to be tabled in parliament. However, there are concerns that both (bills), may infringe on freedom of expression rights and limit access to information. Other focus areas around internet governance in Malawi include, a cyber safety and security framework and the increase in the participation of the youth on the internet.

Zambia's Simunza Muyangana of technology and innovation hub, Bongohive, noted that in terms of internet penetration, Zambia is still lagging behind, with an approximated internet penetration rate of 30 percent, despite having established a dial-up connectivity ahead of Zimbabwe around 1992/3. The conference heard that connectivity has been slow in Zambia, mainly because of the costs associated with it. This could be addressed through the availability of cheaper devices, fiber connectivity, and growth in mobile technology. This has seen the growth and promotion of local content generation. Muyangana said while internet.org launched its partnerships in Zambia, as is the case with Malawi, it is also grappling with backlashes for going against the principle of net neutrality.

Muyangana also emphasised the need to recognise the business value in any online initiatives and that not only the social value of the initiatives is integral to development, but sustainability of the services as well. He cited HIVOS' extension of aid to content developers in the country as of immense value.

He said there is need to raise awareness for the individual African online user on responsible online use and the observance of business ethics by online entrepreneurs in their bid to remain afloat and attract advertising revenue. He also noted the need to look into issues of censorship and domain control by the authorities. Muyangana recommended that open dialogue and multi-stakeholder fora should be core in internet governance activities across the region.

In their resolutions delegates stressed the need for a democratic regulation that is cognisant of principles regulating the internet; access and affordability for all citizens, promotion of government public accountability through the internet, promotion and development of local content and protection of intellectual property through copyright laws.

They also called for decriminalisation of freedom of expression; a clear cyber-security law, curbing of corporate monopolies and censorship and promotion of internet-based entrepreneurship. Also critical is advocacy and public awareness and clearly coordinated efforts as well as regional solidarity in the governance and regulation of internet use in Zimbabwe.

PROGRAMME

SESSION 1: THE FUTURE OF ZIMBABWE'S INTERNET ECOSYSTEM

Session facilitator: Brenda Zulu - Zambian Bloggers Network

- 0830 – 0840HRS** **Zimbabwe's cyber sphere – Why a multi-stakeholder approach?**
Nhlanhla Ngwenya - MISA- Zimbabwe Director
- 0840 -0850HRS** **PLENARY**
- 0850 – 0920HRS** Keynote address: The future of Zimbabwe's Internet Ecosystem – Plans for Reach, Sustainability & Governance
Hon. Supa Mandiwanzira - Minister of ICT, Postal and Courier Services
- 0920 – 0940HRS** **What is the internet? Socio, economic and political impact on Zimbabwe and the region**
Reuben Gwatidzo - Information Society Initiatives Trust
- 0940 -1010HRS** **Zimbabwe's plans on IG**
Mr Tichafa Mujuru – Postal and Telecommunications Regulatory Authority of Zimbabwe
- 1010 -1040HRS** **PLENARY**

SESSION 2: CONTENT CREATION, DISSEMINATION, USE & THE ENVIRONMENT

Panel Moderator: Larry Kwirirayi - 3-mob

- 1110 -1140HRS** **PANEL DISCUSSION: Experiences of 'working' online**
Blogsite – Her Zimbabwe – Natasha Msonza
Online Tech News Company –TechZim – Limbikani Makani
Social Entertainer – P.O Box – Godknows Homwe
- 1140 -1150HRS** **PLENARY**
Panel Moderator: Chris Musodza - Digital Society Zimbabwe
- 1150 -1210HRS** **PANEL DISCUSSION: The evolution of Internet service business models – Opportunities & challenges**
Telone – Fixed Network operator – Joseph Machiva
iZone hub – Kudzai Mubaiwa
- 1210 -1240HRS** **PLENARY**
1200 – 1230HRS **Laws affecting internet use in Zimbabwe**
Otto Saki – Media Lawyer
- 1230 -1240HRS** **PLENARY**

SESSION 3: REGIONAL OUTLOOK

Session Moderator: Verengai Mabika - Internet Society of Zimbabwe representative (TBA)

- 1400 – 1420HRS** **Internet democracy - regional trends, restrictions and limitations of information, communication and internet rights**
Emilar Vushe-Gandhi – Association of Progressive Communications
- 1420 -1430HRS** **Supporting Internet Governance & policy - experiences in the Middle East & Africa**
Hivos representative
- 1440-1520HRS** **REGIONAL OUTLOOK – Realities and opportunities of internet governance**
Rachel Sibande - Malawi Election Information Center
Simunza Muyangana -Bongohive –Zambia

1540 – 1540HRS RESOLUTIONS/WAY FORWARD

Session Moderator: Takura Zhangazha - Independent Consultant

1540 – 1600HRS CLOSING REMARKS

SESSION ONE

THE FUTURE OF ZIMBABWE'S INTERNET ECOSYSTEM

The aim of the introductory session was to outline the conference objectives, define the internet and explain multistakeholderism as the recommended approach to internet governance. It also carried the keynote address profiling the government perspective on internet governance and giving an outline on the structure, functions and plans of the Zimbabwe Internet Governance Forum (ZIGF)

SESSION FACILITATOR

BRENDA ZULU

*ICT Journalist & Founder Africa
Interactive Media Zambia \Bloggers
Network*



Brenda is a content creator, networker and manager, strategic planner and innovative leader. An Award winner in reporting on Information Communication Technologies for development (ICT4D), who has marketing community and public relations experience with computer and Internet skills.

2.1 Why a Multi Stakeholder Approach?

PRESENTED BY

NHLANHLA NGWENYA

*MISA Zimbabwe National
Director & Media Activist*



Nhlanhla is the Media Institute of Southern Africa- Zimbabwean Chapter Director with over fifteen years media experience as a radio journalist, media rights advocate and practitioner. Under his stewardship, MISA-Zimbabwe has grown its membership and campaigns in promoting plurality, professionalism, self-sufficiency and independence from mainstream journalists to ordinary citizens and citizen media.

- The Internet Governance Conference was convened in recognition of and in collaboration with the National Internet Governance Forum (ZIGF). The ZIGF inaugural conference officially opened public policy dialogue on internet governance in Zimbabwe bringing together government, private sector, civil society and the academia.
- Taking a cue from the government processes and in line with its advocacy work on access to information and freedom of expression, MISA- Zimbabwe convened the conference to facilitate dialogue among stakeholders.
- The objectives of the conference, among others, was to open engagement on the

relevance of the internet in Zimbabwe's developmental agenda; exploring the current status of internet use and regulation, particularly who mediates participation on the internet as well as drawing a framework on how it can be used and governed for the public good.

- Zimbabwe has experienced encouraging internet growth in recent years with internet penetration rate having reached close to 50%. This is spurred by the growing adaptation of technology, a relatively freer internet space and a mobile penetration rate of more than 90%.
- The internet opens a huge gateway to improved livelihoods, new and cheaper

learning options, a reduction of latency in commercial transactions and social networking and new forms of entrepreneurship that contribute to national development. While the growth of the internet presents endless possibilities for individuals, commercial companies and governments alike, it also has its downside as well as a set of responsibilities that need to be carefully managed in order to get the most out of the deal. Due to its nature as a public platform, the internet has placed new demands on national governance. It comprises several players from across the globe with various interest groups taking ownership of the spaces it provides.

- The internet is a complex resource that

involves numerous players and benefits from the contributions of various players. It is therefore not possible for a single interest group to control it.

- The WSIS acknowledgement that the challenges and opportunities posed by the internet require global discussion at the highest level, and the Tunis Agenda's adoption of a multi-stakeholders model for internet governance structure informs MISA

Zimbabwe's call for an open and inclusive internet governance framework for Zimbabwe.

- The multi-stakeholder approach incorporates stakeholders from the government, civil society, academia, technocrats, the private sector citizens and everyday users and consumers of the internet, among other interested stakeholders. The advantages of using the multi-stakeholder approach are

that diverse views and opinions are gathered in an atmosphere of openness and equality. It also reflects the aspirations and interests of the broader society.

- The multi-stakeholder approach needs to be sustained through continuous dialogue among stakeholders and similar conferences in future.



Internet stakeholders that attended the conference

Panel Discussion Points

Some of the key issues raised during the plenary session include:

- Endorsement by the participants of multi-stakeholder approach as a democratic practice for gathering deep and wide views on internet governance in Zimbabwe and the region as a whole. Participants acknowledged, also, that the multi-stakeholder approach is characteristic of democratic practices which should be sustained throughout the process and extended to dealing with other matters.
- Concern was raised on the possibility of 'bigger' stakeholders such as government and business players exercising more control against the essence of the multi-stakeholder approach. Participants emphasised the need for respect, equality, openness and transparency in drawing up a democratic internet governance framework.
- The conference acknowledged government as the overall facilitator but that there should be representation and participation of all citizens in the process of drawing up internet regulation. There was also need to involve through raising of awareness among the rural populace and children, thereby fostering a culture of engagement with the internet for learning purposes.
- There was a call for the clear mapping of all 'stakeholders' to avoid exclusion. This process would also define 'what is at stake' for each interest group in the process of framing internet governance.

KEYNOTE ADDRESS

Zimbabwe's plans on Internet Governance

PRESENTED BY

SIMON COSMAS CHIGWAMBA

*Ministry of ICTs, Postal and Courier
Services Principal Director*



- The future of Zimbabwe's Internet Ecosystem is very bright owing to the fact that Zimbabwe is part of the global village where information communication technologies (ICTs) are rapidly developing making communication between and among individuals in and around the globe, easier, faster and more efficient. With the growth of the internet in Zimbabwe, interaction among friends, family members and business communities has drastically improved.
- The internet has transformed the way Zimbabweans work, socialise, create and share information and organise the flow of people, ideas and things. With rapid internet infrastructural development, there has been commendable growth in e-services and social network applications that consumers have fully embraced. These services and applications range from e-learning, e-business, mobile money transfer, mobile wireless broadband, WhatsApp, Facebook, Twitter, YouTube and Skype, among others.
- Owing to the growth and development of the internet, Zimbabwe now has an information economy which depends on the production, use and purchase of information, knowledge and technology in one form or the other. The government of Zimbabwe recognises the need to harness this

maturity as experienced in advanced economies correlates with an increase in real per capita GDP of US\$500 on average.

- In embracing these opportunities, the government of Zimbabwe is aware of the need to come up with robust measures to address the various threats and risks to national and citizens security and privacy that the internet brings with it.
- Government and involved stakeholders must strive to develop and nurture a healthy internet ecosystem that boosts infrastructure, access and a competitive environment that benefits consumers. This environment should allow innovators and entrepreneurs to nurture human capital and to thrive in their investments.

Practical actions being undertaken by the government

- Through the Zimbabwe Agenda for Sustainable Social Economic Transformation (Zim-ASSET), government has identified ICTs and infrastructure as one of its key result areas. The Ministry's vision is to have a knowledge-based society that has ubiquitous internet connectivity by the year 2020; thereby connecting citizens anywhere, anytime and anyhow regardless of their geographic location or economic status in society.
- Government is spearheading the development of communications infrastructure by State Owned Enterprises (SOEs) and players in the private sector.
- In the year 2009, the government and some private players embarked on the development of fibre optic infrastructure for broadband connectivity which has seen it facilitate the deployment of fibre optic links to the country's major cities in accordance with the National Communication Fibre Optic Backbone Plan.
- This saw the completion of connection to undersea cables through neighbouring Mozambique, South Africa and Botswana. Currently, the focus is on connecting the whole country to the fibre link. This is aimed at high internet bandwidth; improving regional and global communication; matching global standards;

development as research has shown a correlation between maturity of the internet ecosystem and rising living standards. The increase in internet



increasing GDP through the efficient use of ICTs; improving the country's service delivery both at public and private levels; improving the nation's ICT literacy by having data and information on the web as well as creating a conducive environment for investors.

- Approximately 4 600 mobile base stations have been built across the country by the three main mobile service providers Econet, Telecel and NetOne. This has increased internet penetration from 33.4% in 2012 to 47.5% in 2014 and mobile penetration to 104%, thereby bridging the access gaps in Zimbabwe.
- Through the establishment of Community Information Centers (CICs) in rural areas, government has enabled millions of Zimbabweans living in rural areas to access Internet services and ICTs. The CICs are platforms that bring ICTs and related services such as photocopying, printing, gaming and internet services within affordable reach of the majority rural poor, marginalised and disadvantaged communities. These information centers are set to play a pertinent role towards the full attainment of an information society in Zimbabwe.
- To date, six (6) CICs have been established in Zimbabwe's administrative provinces and have brought about commendable development as well as opening up new opportunities in respective communities.
- Under the National Digital Village Project, government is working to bring broadband access to rural communities with the aim of connecting and digitising Zimbabwe's marginalised rural communities.
- Using VSAT Ka Band, WIMAX and WIFI technologies, these communities would soon be contributing meaningfully to the country's national

development agenda. This should also bridge the digital divide between the information haves and have-nots so that the internet becomes a vehicle to access services such as e-learning, e-health and e-government services among others. Government is set to launch the first Digital Village in one of the country's remote districts in 2015.

- Currently the government is working with some State-Owned Enterprises and academic institutions (i.e. primary, secondary, vocational and tertiary), to successfully implement a programme to establish ICT facilities and have all academic institutions connected to the internet.
- The government of Zimbabwe is currently engaging stakeholders in the telecommunications sector to formulate an infrastructure sharing policy to derive maximum benefit from existing and future infrastructure: this will harmonise infrastructure development at a national level and diversify service provision countrywide.
- In addition, Zimbabwe has a country strategic objective in line with regional and international programmes to optimise information networks by establishing a National Internet Exchange Point (IEP) to improve quality, reduce delays, reduce internet costs and create growth and opportunities for development.
- The government of Zimbabwe remains committed to supporting and protecting the interests of stakeholders in the ICT sector by creating a conducive environment for business.

2.4 What is the Internet ... of Things?

PRESENTED BY

REUBEN GWATIDZO

*Information Society Initiatives
Trust Executive Director*



Reuben is a founding member of the Information Society Initiatives Trust (ISIT) and sits as a member of the Southern Africa IGF Multi-Stakeholder co-ordinating Team. He is an observer participant in the ZIGF-MCT

"The Internet is not an end itself, but a means to an end..."

- The internet should be understood as a 'tool' that people can use to advance specific objectives. As a tool, the effectiveness of the internet, largely depends on who is using it; how one uses it; what they use it for; what benefits or consequences they accrue from using it; and to who the benefits of consequences can be directed. The origins of the internet can be traced to the Defense Advanced Research Projects Agency (DARPA), of the United States of America (USA), where it was first used in the military. Today its uses outreach its original conceptions as it is now used as a tool for social interaction, education and business among many other uses.

What are the socio, economic and political impacts of the internet on Zimbabwe and the region?

- Although the internet was first developed for military purposes, it is apparent today that the internet has outgrown its initial purpose, it now has far reaching consequences in every society that harnesses its power. It is important that here in Zimbabwe, and in the region as a whole, the internet be harnessed as a tool to spearhead collective national and regional development as measured against our socio, economic and political aspirations. For example the internet can generate discourse among citizens

on social issues, such as service delivery, economic and political issues such as economic performance, job markets, business, issues of internet governance and the general politics of the day.

- It is now trite to make claims that by merely using the internet Zimbabwe and the region can achieve varying percentages of economic growth. There is need to physically enquire efforts and progress that translates this potential into actuality, and offer guidance towards securing benefit from the use of the internet. Therefore, to achieve this national and regional development the internet must be accessed and used by everyone without discrimination.
- At regional level, the internet can be used to promote the creation of a United States of Africa (USA). The internet can thus be used to promote and facilitate regional growth through promoting smooth and efficient regional interaction and communication.
- Internet can be used to transform African societies by helping to improve quality of life, shape and promote African narratives as opposed to being at the receiving end of international narratives of development and human rights.

- While the opportunities brought about by the internet in Zimbabwe and the region are vast and commendable; the possible challenges it brings with it are also of concern. The internet brings a host of challenges to issues of peace and security, which are of great concern to governments on the continent.
- Examples of this include the manipulation of the internet by elements and groups in societies to spread terrorism, overthrow governments and commit other forms of atrocities. The Arab spring movements and the insurgencies that occurred in Egypt are classical examples of this. Unlike other communication technologies, the internet is a formidable tool which is very fast and simple to use, and poses serious challenges in terms of monitoring online activity.
- There is therefore a serious need to govern the use of the internet, and unlock its positive developmental opportunities while using it responsibly to advance social, economic and political benefits. It is therefore important that Internet Governance be priority in Zimbabwe and the Southern African Development Community (SADC) region.

2.5 The Internet Governance Forum: Whither Zimbabwe?

PRESENTED BY

Tichafa Rixon Mujuru

Head of ICTs - POTRAZ



Tichafa is a seasoned Information & Communication Technology executive with more than 20 years professional experience in the ICT industry and hands-on experience in IS Strategic Management, Software Development and Project Management. He currently represents POTRAZ on the Zimbabwe Internet Governance Forum (ZIGF) Multi-stakeholder Coordinating Team.

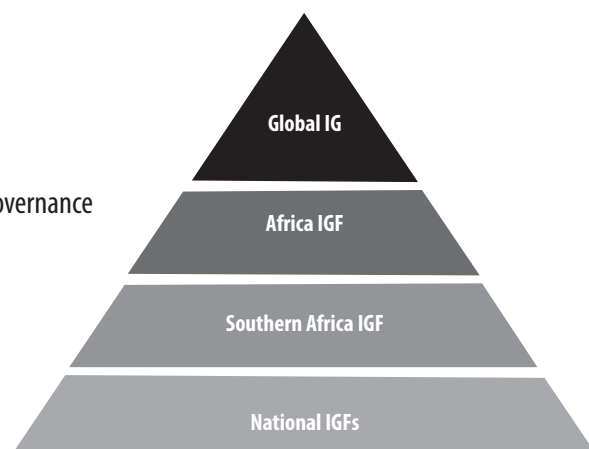
Zimbabwe defines Internet Governance in accordance with the WSIS Tunis Agenda of 2005 that defines it as: the development and application by governments, the private sector, and civil society, in their respective roles, of shared principles, norms, rules, decision making procedures, and programmes that shape the evolution and use of the Internet.

Zimbabwe subscribes to the WSIS Tunis 2005 - established global Internet Governance Forum (IGF). The IGF is a multi-stakeholder forum for public policy dialogue on issues of internet governance. It brings together all stakeholders in

the internet governance debate i.e. those representing the government, private sector, civil society, technical community, and the academic community, on an equal basis through an open and inclusive process.

- The IGF identifies existing and emerging internet-related public policy issues for purposes of bringing them to the attention of the relevant authorities and the general public, and where appropriate, make recommendations to the relevant authorities. The IGF does not have any direct decision-making authority.

• **Conceptual Models for Internet Governance**
The models for Internet Governance can be illustrated on Fig 1.1



Internet governance at a global level

- At international level, the establishment of the IGF was formally announced by the United Nations (UN) Secretary-General in July 2006. The IGF is one of the most successful outcomes of the United Nations World Summit on the Information Society (WSIS). The IGF was a culmination of deliberations that took place at the first and second phases of WSIS held in Geneva in 2003 and Tunis in 2005, respectively.
- The IGF was first convened in October–November 2006 and has held annual meetings since then. The Global IGF comprises an Advisory Group (known as the Multi-stakeholder Advisory Group (MAG)), and a Secretariat, as the main institutional bodies of the IGF.

Mandate of the global IGF

- Discuss public policy issues related to internet governance to foster sustainability, robustness, security, stability and development of the Internet.
- Facilitate discourse between bodies dealing with different cross-cutting international public policies regarding the internet and discuss issues that do not fall within the scope of any existing body.
- Interface with appropriate inter-governmental organisations and other institutions on matters under their purview.
- Facilitate the exchange of information and best practices, and in this regard make full use of the expertise of the academic, scientific and technical communities.
- Advise all stakeholders in proposing ways and means to accelerate the availability and affordability of the Internet in the developing world.
- Strengthen and enhance the engagement of stakeholders in existing and/or future Internet Governance mechanisms, particularly those from developing countries.
- Identify emerging issues, bring them to the attention of the relevant bodies and the general public, and, where appropriate, make recommendations.
- Contribute to capacity building for Internet Governance in developing countries, drawing fully on local sources of knowledge and expertise.
- Promote and assess, on an ongoing basis, the embodiment of WSIS principles in Internet Governance processes.
- Discuss, inter alia, issues relating to critical Internet resources.
- Help to find solutions to the issues arising from the use and misuse of the Internet.
- Publish its proceedings.

Funding Options for the Global IGF

- At the global level the secretariat is funded through voluntary contributions from various stakeholders. In addition, the IGF Support Association (IGFSA), was formed in September 2014 to assist with mobilising resources for the global IGF.
- The goal of the IGFSA is to provide stable and sustainable support for the IGF Secretariat and to fund related activities.
- IGFSA includes a membership component where individuals and corporates pay a membership fee.

Internet Governance at a continental level

- The African Internet Governance Forum (AFIGF) has five regional initiatives and these include the:
 - West Africa Internet Governance Forum (WAIGF)
 - East Africa Internet Governance Forum (EAIGF)
 - Forum de Gouvernance de l'Internet en Afrique Centrale (FGI-CA)
 - North Africa Internet Governance Forum (NAIGF)
 - Southern Africa Internet Governance Forum (SAIGF)

The Southern Africa Internet Governance Forum (SAIGF)

- The SAIGF was inaugurated in September 2011 (South Africa) with the specific objectives to:
 - Increase awareness of Internet Governance issues in SADC member states.
 - Facilitating informed dialogue on policy issues and related matters between stakeholders (government, private sector, civil society, academia and technical).
 - Facilitating the participation of a broad range of SADC stakeholders in regional and global IGF processes.
 - Creating a systematic, bottom up, national, regional and global Internet Governance policy dialogue process in SADC.

Conveners of the SAIGF

- The SAIGF is co-convened by the following organizations under the auspices of the SADC Secretariat:
 - The New Partnership for Africa's Development (NEPAD);
 - The Association for Progressive Communications (APC);
 - The Southern Africa NGO Network (SANGONET);
 - The outcomes from the Forum are captured in a communiqué, which is presented to the Africa IGF and the global IGF.

Establishing National IGFs – AU Mandate

- The African Union (AU) ICT Ministers (CITMC-4, Khartoum 2012) "...REQUEST MEMBER STATES TO PROMOTE the organization of national Internet Governance Forums (IGF) aimed at facilitating dialogue between all stakeholders on ICT for development issues and facilitate the participation of their respective countries in regional and African IGF (AFIGF) activities as well as in the global IGF."

Establishing National IGFs – SADC Mandate

- The SADC ICT Ministers (2012) – "Ministers urged Member States to set up their National Internet Governance Forums and contribute their input by participating in the SAIGF."
- During their meeting in Mangochi, Malawi (November 2014), the same Ministers set 30 June 2015 as the deadline for the remaining 11 SADC member states to establish their NIGFs.

Status of National IGFs in the SADC Region

Within the SADC Region, only 5 out of 15 member states have national IGFs namely:

- Malawi;
- Mozambique;
- United Republic of Tanzania;
- South Africa; and
- Zimbabwe (Zimbabwe launched in IGF on 17 June 2015).

Conveners of Internet Governance in other SADC countries

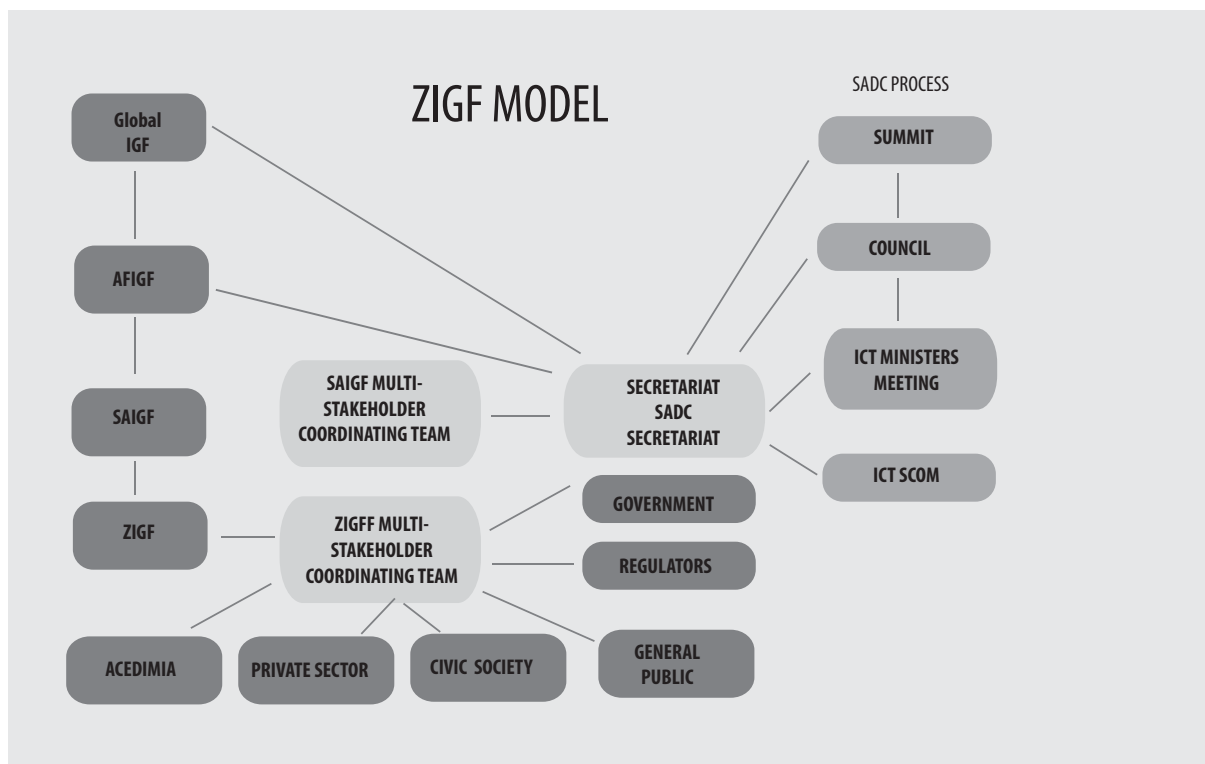
The conveners of the IGF in other SADC countries include:

- Malawi – Department of e-government in the President's Office;
- Tanzania – civil society (Union of Tanzania Press Clubs); and
- South Africa - Internet Society Gauteng Chapter, in collaboration with the ZA Central Registry and Google S.A.

Launch of the Zimbabwe Internet Governance Forum (ZIGF)

- The ZIGF was launched on 17 June 2015 by the Secretary for Information Communication Technology, Postal and Courier Services, Dr. Eng. S. Kundishora at a multi-stakeholder workshop that was held at the Rainbow Towers Hotel, in Harare attended by 159 representatives of different stakeholders groups that included the Government, Private Sector, Civil Society, Academia and Technical Communities.

The Zimbabwe Internet Governance Model can be illustrated on Fig 1.2 below:



Communiqué of the multi-stakeholder workshop

Among other things the multi-stakeholder workshop resolved:

- To establish the Zimbabwe Internet Governance Forum (ZIGF), with effect from June 2015;
- To set up a Multi-stakeholder Coordinating Team (MCT) with interim membership to facilitate the finalisation of the founding documents for the operationalisation of the ZIGF; and
- That POTRAZ serves as the secretariat and enabler for ZIGF.

Objectives of the ZIGF

The objectives of ZIGF are:

- To advance Internet Governance issues in Zimbabwe through a multi-stakeholder framework;
- Facilitating partnerships and coalitions that deliver coordinated domestic responses, initiatives, and synergies that best promote and protect the nation's position on the internet ecosystem.
- To increase awareness and build capacity on Internet Governance issues in Zimbabwe so as to ensure informed dialogue on policy and related matters between and among all stakeholders;
- To establish a coordinated and coherent framework for dealing with Internet Governance issues in Zimbabwe;
- To facilitate the participation of a broad range of stakeholders in Internet Governance issue; and
- To ensure Zimbabwe's views are represented in the SAIGF, African Internet Governance Forum (AfIGF), ICANN and Global IGF.

ZIGF Vision

The vision of the ZIGF is to have:

- A sustainable, secure, stable, open and robust internet in Zimbabwe.

ZIGF Mission

The mission of the ZIGF is:

- To be a Zimbabwean world-class platform for multi-stakeholder policy dialogue on prevailing and emerging issues on Internet Governance.

Structure of ZIGF

The ZIGF comprises:

- The Public Forum.
- An Advisory Group (known as the Multi-stakeholder Coordinating Team, or MCT) and a Secretariat - as the main institutional bodies.

The Multi-stakeholder Co-coordinating Team (MCT)

The MCT draws its membership from the following stakeholder groups:

- Government
- Private Sector
- Civil Society
- Academia
- Technical Communities

The composition of each stakeholder group representation

- Representation for government will be drawn from government ministries; regulatory authorities; legislature; and defence, security and law enforcement agencies.
- Private sector representation will come from the ICT industry groups, commerce, manufacturing, banker associations and SMEs.
- Civil Society representation will come from consumer groups; people with disabilities, youth, women, religious, legal, media, children and rights groups, etc.
- Academia representation will come from scholars and research scientists.
- Technical representation will come from mobile network operators; fixed network operators; Internet Access Providers; Internet Service Providers; Domain Name System (DNS) managers; and Internet Exchange Point (IXP) operators.

Functions of the Multi-stakeholder Coordinating Team (MCT)

Functions of the MCT:

- Oversee, facilitate, coordinate and ensure smooth and effective organization convening and follow up of all activities related to the ZIGF.

- Promote, encourage and strengthen dialogue and communication between all Internet stakeholders in Zimbabwe.
- Explore the mobilisation of resources necessary to promote participation in and convening of the ZIGF.
- Promote awareness of the ZIGF.
- Prepare, publish and disseminate the proceedings of the ZIGF and maintain good flow of information among all parties
- Serve as a vital link between the ZIGF, SAIGF, AfIGF, the Global IGF and other relevant regional, continental and international structures.
- Establish and maintain good working relations with other national IGFs and regional actors.
- Facilitate participation by Zimbabweans in the regional, international and global IGF activities.
- Review the terms of reference for the ZIGF Multi-Stakeholder Coordinating Team in every two year cycle of the ZIGF and as and when it may be required.
- Convene ZIGF meetings; and develop and maintain active email lists and a website to provide updated ZIGF related information
- Establish a dispute resolution mechanism.

Functions of the Zimbabwe Internet Governance

Forum (ZIGF) Secretariat

Functions of the ZIGF secretariat:

- Provide administrative, logistical and organisational support to the ZIGF.
- Assist the MCT develop strategies on sustaining the ZIGF process.
- Act as a knowledge management hub of the ZIGF experiences, best practices, knowledge, expertise, needs and resources; and
- Convene ZIGF meetings; and develop and maintain active email lists and website to provide updated ZIGF related information.

National Internet Governance Forum (IGF) Funding Options

The National Internet Governance Forum's (IGF) funding options includes:

- Government
- Regulatory agencies
- Private sector (local and international)
- Grants from organisations active in the internet space
- Individuals

Panel Discussion Points

- Participants commended the Government of Zimbabwe for its establishment of the Zimbabwe Internet Governance Forum as well as efforts to advance the growth of the internet in Zimbabwe. There is need to raise public awareness on the ZIGF activities to dispel the perception that POTRAZ who are hosting the secretariat, are not perceived as monopolising the space.
- Access to information via the internet can be enhanced by making the internet and ICTs in general more affordable by citizens by ensuring that the tariffs, which are currently prohibitive, are reviewed downwards. Key to this is ensuring that schools, particularly teachers, are fully capacitated and supported to provide effective internet based learning. This also includes having power back-ups at schools to ensure the facilities are utilised effectively.
- Stakeholders also reached a consensus on the need for governments to regulate the internet for purposes of national security and safety of citizens, but remain cognisant of the need to balance the citizens rights to express themselves freely and access information without fear. A key recommendation was that there should be clarity in the difference between espionage and communication laws in the current Interception of Communication Act and proposed Cyber Security Bill, to ensure protection of freedom of expression and association, privacy and other civil liberties.
- Public awareness on the Cyber Security Bill in the spirit of multi-stakeholderism as it will be key to internet governance.

SESSION TWO:

CONTENT CREATION, DISSEMINATION, USE & THE ENVIRONMENT

This panel discussion focused on local content production, identification of topics and audiences and the importance of related issues such as multilingualism given that Zimbabwe has 16 official languages, including sign language. The session also explored how local content generation, freedom of expression and digital rights relate to current regulation.

PANEL MODERATOR

LARRY KWIRIRAYI

Blogger & Digital Strategist



Larry Kwirirayi is the founding editor of Three Men On a Boat (3-mob.com) and hosts the long-running podcast #Kwiricast.

3.1 PANEL DISCUSSION:

'Working' Online in Zimbabwe: Practical Experiences

PRESENTED BY

LIMBIKANI MAKANI

TechZim Founder and CEO



Limbikani Makani is the founder and CEO of Techzim, an online based technology news company founded in 2010 that has grown to become an authoritative voice on technology, Internet & digital media matters in Zimbabwe.

TechZim is a news blog focusing on covering information technology news, views and reviews about products/services in Zimbabwe and the region with a leaning towards connectivity and ICT start-ups.

- Working online in Zimbabwe presents its own set of opportunities and challenges. In Zimbabwe people who work online include bloggers, social entertainers and online technology and news businesses. While experiences may not be similar across the divide, they remain pertinent to an overall understanding of the challenges and opportunities of content generation online.
- TechZim for instance, has benefited immensely from the growing mobile phone penetration that has increased internet connectivity and access in many parts of Zimbabwe to market their content. In general, Zimbabwean online content producers have a larger audience, which acts as a ready market that can consume online products. However, while there is a larger online audience that can consume products, this does not always translate into hard cash returns.
- Zimbabwe's current economic environment is not conducive for start-up businesses, particularly the prohibitive invoice based

rather than receipt-based tax regime.

- Lack of observance of Copyright also remains a challenge for online content producers. For Zimbabwe it is particularly so with the emergence of online news sites, such as Bulawayo24 and Nehanda Radio, that thrive on news pirated from other sites. This has negatively affected content producers who invest time and resources to source news for their websites.
- Failure to recognise the need for net neutrality is one of the major challenges for content producers. Within the Zimbabwean context a few private players own and control the largest percentage of the mobile and internet network. This translates to limited consumer choice on use of the internet as decisions are made based on what they can afford. Mobile network operators effectively dictate what consumers can get for their money. A classic demonstration of this is the classification of data-bundles for social media for Econet subscribers. This presents major challenges for emerging businesses in Zimbabwe.

PRESENTED BY
GODKNOWS HOMWE

*P.O. Box Marketing Evangelist &
Social Media Commentator*



P.O.Box is a start-up filmmaking project that produces social and political commentary in comic video skits and distributes them via social media platforms such as WhatsApp, Facebook and YouTube.

Online content generation is an alternative source of livelihood outside formal employment and young Zimbabweans must explore the internet as the alternative or complementing their innovation.

- For producing social commentary online, careful selection of topical issues and package it into skits, mockumentaries and tabloid news formats and distributed through social media tools depending on which is affordable to audiences, is a viable option.
- Generating content online platforms allows for feedback and participation on your platform by audiences on your production and issues raised.
- In general P.O. Box content users access content through mobile devices and special data-bundles give audiences the choice to select the platform to access your content based on what they can afford. Some may argue that the bundle system goes against net-neutrality, but data-bundles have to some extent boosted the reach of P.O. Box content.
- Mobile tariff charges do have a significant effect on market access levels. Charges for data must be reviewed realistically based on our

economic reality. This is because they also affect the sustainability of online content platforms. For instance, the charges for WhatsApp bundles for an Econet subscriber cost US\$3 which is still very high, when you consider that your content has to compete with bread and butter issues.

- Dealing with social issues has not spared P.O.Box from fear of being censored or found in the wrong. This has meant that in production there is need for one to exercise due caution on how to present an issue.
- There is general lack of awareness of laws relating to data protection, intellectual property and copyright by content producers. It is important that content producers are conscientised on copyrights and neighbouring rights law.



A screen shot of a POBox Production. Picture taken from POBox Youtube Channel

PRESENTED BY

NATASHA MSONZA

Her Zimbabwe Operations
Manager & Volunteer Digital
Security Trainer



Natasha currently manages operations within Her Zimbabwe, a non-profit women's rights organization that uses alternative media to comment on women's issues and promotes women's activism using ICT-based and digital media.

- The internet undoubtedly offers a space for women to amplify their voices in a patriarchal society where their issues occupy the backbench, particularly in the mainstream media that is increasingly pre-occupied with the politics of the day.
- Women's platforms such as Her Zimbabwe are a space where difficult conversations that relate to women or women's opinions can be heard. To an extent, this is achievable. Women still have their fears online as demonstrated by the fact that while others are emboldened to contribute by the mere fact that they are on a platform that is for women, others still feel hindered. Very often women will contribute to a conversation via the inbox rather than publicly own that opinion on a comment section, a social dynamic obtaining in our everyday lives. The online space is not devoid of sexism and patriarchal attitudes that permeate society today, while invalidating women.
- When supposedly empowered women still feel subjugated and still cannot publicly have an opinion on potentially controversial issues, it opens your eyes to the fact that for instance, the Internet, while providing many opportunities, can also be a very cruel space, presenting many subtle obstacles to participation.
- It is not just a place where one is confronted by threats of hacking, identity theft, privacy invasion or surveillance. It is a place where cyber bullies, trolls and misogynists assume avatar like powers and behind the veneer of their screens, hog all conversations and silence others.
- Open Internet, as is the case with 'open society', does not mean equal, or neutral, hence the need for mechanisms that address inequalities that exist in the web's architecture, while reinforcing human rights of all.

Ethics (copyright), freedom of expression, and digital rights

- With user-generated content – it is difficult to realistically expect adherence to journalistic standards such as accuracy and fairness. The reality is that people are more concerned about meeting the terms and conditions of contributing than the actual ethics around what they produce. It is important in conversations around internet governance to agree on how to ensure that all content producers are subject to some general standards e.g. protecting children from harmful content, and protecting their identity.
- The ability to share information and communicate freely using the Internet is vital to the realisation of human rights as enshrined in the Universal Declaration of Human Rights (UDHR) (1948). The Internet and

other (ICTs) in general are powerful tools for social mobilisation and development and resistance to injustices and promoting freedom of expression.

- Article 19 UDHR: Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers.
- The moment there is a threat to such freedoms – either through internet-based content, or by illegitimate surveillance, or limitations on freedoms of expression, and self-censorship, this undermines enjoyment of fundamental rights, including freedom of expression, association, and political participation.
- All these rights naturally require or need people to be able to communicate freely, without the chilling effect of being under the microscope. It then boils down to finding that balance between national security and observing the right to privacy.

Key considerations for the regulation of online content production and audiences online.

- Internet content regulation means any kind of widespread content restriction or monitoring as mandated by government or regulatory authorities. The reasons for the need to regulate the internet range from social values to political objectives, including national security and preventing cybercrimes. This regulation of the Internet is achieved through different means such as: policy, Internet Protocol (IP) blocks, state directed content filtering schemes and blocking technologies and induced self-censorship among users.



Her Zimbabwe founder member, Fungai Machirori (in head scarf) attended the conference

- The increasing growth in utilisation and relevance of the Internet certainly necessitates the creation of legal and policy measures to regulate its use or help to deter crime, in order to enhance confidence and security in the cyberspace. Her Zimbabwe has established that the internet is to a large extent, an extension of offline social interactions and norms, which in some quarters then necessitates some form of social content regulation as well.
- Attempting to regulate online spaces comes with its own challenges. There are risks of far reaching implications as seen for instance with the ongoing 'right to be forgotten' debate. When a European high court recently ruled that search engines were required to grant the right to be forgotten online, it brought up a lot of questions about the implications of altering historical records and making information that was lawfully public no longer accessible, and how then to balance that with a fundamental right to access to information. Then there is the question of jurisdiction. That is, whether or not to define borders based on where a technology company is headquartered. Where servers are hosted. Or where the end users are.
- This potentially sets dangerous precedence wherein some governments can push for their own de-linking rules and demand for things to be deleted. This can then potentially lead to the lowering of standards.
- There have been numerous cases of disappearance of evidence from some online spaces, almost in ways that makes the internet seemingly beyond legal reach. Apart from this, the ever-evolving technologies of freedom enable informed internet users to assume full anonymity, evade detection or circumvent censorship using freely available and open

source tools. Even in countries where government regulation is heavy, there is a massive wave of tools aimed at circumventing these barriers such as virtual private networks that are especially popular and widely used in China. There are also proxies that act as intermediaries between user's computer and end site Web platforms such as Tor that aim to protect users identity by erasing tracks of where users have been.

Key considerations in regulating online content production and audiences:

- Foremost, in the design of policies and strategies regarding the Internet, it is important to recognise the importance of multi-stakeholder approaches, as well as ensuring broad and diverse consultation with and participation of civil society and other actors working in the public interest. Such actors bring to the table, concrete human rights and civil liberties concerns that should be considered at the inception of any Internet related policy effort. Responsibility for cyber security should be distributed and power should not be concentrated too much in one particular place.
- Reference should be made on the need to protect human rights online and offline as embodied in international human rights instruments; and commitment to this should be unequivocal.

Necessary and proportionate principles:

- i) Surveillance should be limited to specific known users for lawful purposes, and should not undertake bulk data collection of Internet communications..
- ii) Ensure that intelligence agencies collect information under a clear legal framework in which executive powers are subject to strong checks and balances.

Panel Discussion Points

Gender

- The challenge of bringing gender balance into the cyberspace is real. Women still remain the 'subjects' for online content and not the producers and sources of this content.
- There is need to protect women's rights online within the internet governance framework. Women themselves should organise themselves and ensure that they participate in the process of drawing up regulation for the internet.
- Cyberspace presents opportunities for women to participate in multi-stakeholder forums.
- Women should be made aware of their digital rights and also learn about safe ways of identifying themselves especially those that may be in fear of victimisation.
- Digital awareness and literacy are key in the internet governance processes.

Content generation and start-ups

- The challenge that advertisers often bring for people working online, like any other business that relies on advertising revenue, is the controlling effect on content. Advertisers continue to shun certain websites because of certain content that they deem contrary to their business values. This means that content creators and disseminators

will have to bend to the whims of advertisers to remain viable.

- The need to have a clearer local content policy for Zimbabwe is also an integral part of the internet governance conversation. A policy for the sector will ensure that content creators and disseminators can be both innovative and remain viable in a highly competitive environment.
- Most people who use the internet are not professional journalists and therefore they do not have strict adherence to journalistic norms and conventions. There are a lot of online violations and abuses owing to the proliferation of citizen journalism. There is therefore need to establish some degree of standards for online communications.
- The cost of social bundles and mobile data should be lowered in order to improve citizens' access to the internet.

Ethics and data protection

- There is little regard for journalistic principles and ethics, particularly with user-generated content. Consensus must be reached on a standard that is acceptable and accessible to individual online content producers.
- There is need for strategies on raising awareness on the copyright laws and sterner measures against those who violate intellectual property rights online.

3.3 PANEL DISCUSSION:

The Evolution of Internet Service Business Models- Challenges and Opportunities

This panel discussion explored the legal environment, opportunities and challenges in running internet service businesses in Zimbabwe.

PANEL MODERATOR

CHRIS MUSODZA

Blogger & Digital Strategist



Christopher is a certified ICT professional, ethical hacker and trainer. Christopher works with Civil society organisations, helping enhance digital security practices. A passionate digital security blogger with secureitzim.com, Chris is an advocate for people driven Cyber security policies, open Internet and net neutrality.

PRESENTED BY

JOSEPH MACHIVA

*Telone Sales and Marketing
Director*



Joseph is a marketing professional with over 10 years' experience in brand management, sales, business development and customer services. He has worked extensively in the telecommunications industry both locally and regionally.

- There is need for internet service providers to explore opportunities of developing content and influencing uses of that content. This means investing in content and ensuring it is available. TelOne is currently developing a strategy that will enable it to move from being only a network provider to trying to influence the content that is carried through its network.
- One of the major challenges to the operations of telecommunications companies is the cost of making bandwidth available to the citizenry.

This is due to expenses incurred in carrying bandwidth from overseas and the costs of setting up internet infrastructure. This is what has prompted the Government of Zimbabwe to engage in the current debate of shared infrastructure by operators.

- The development and promotion of local content and sharing of infrastructure are important steps towards reducing costs for the end user.

PRESENTED BY

KUDZAI MUBAIWA

Co-founder & Incubation
Manager at iZone



Kudzai is the co-founder and incubator manager for iZone, a pre-incubation program that provides a platform for capacity building of enterprise owners in the digital age.

She has participated in and presented at economic development, innovation and technology platforms in East and Southern Africa, Asia, North America and Europe. She writes regularly on incubation and innovation spaces.

- The internet, like land, should be considered, as a critical means or factor of production, which should be made available without discrimination to the citizenry.
- There is need to promote enterprise development in the digital world and support young Zimbabweans to build online and offline businesses. In that respect financial and digital literacy are of essence.
- The internet should be a safe space that promotes the ability to interact freely and promote start-ups. Zimbabwean start-ups are more often than not, taken advantage of by the 'bigger' players, who are most of the time, the mobile network operators or internet service providers. It is important that the governance framework ensures that it protects and promotes start-ups to allow space for the start-ups to incubate, nurture and grow.
- Zimbabwe needs to create an environment that promotes crowd-sourcing business without users fearing victimisation.

Panel Discussion Points

- Monopolistic internet control has been transferred from government to the private sector. Internet governance policies should ensure that this is dealt with to allow for innovation and the development and sustainability of start-ups.
 - There is need for government to make the internet more accessible to the general public by building more free WI FI points in and around the country as well as ensure that access is backed by constant supply of electricity as power cuts are an impediment to connectivity.
 - Participants generally felt that infrastructure sharing policy would be a step forward in ensuring universal access to broadband by the citizenry.
- The government position is that infrastructure must be opened up and conversations with relevant stakeholders on modalities are underway.
- There is a need for service providers to consider taking up local web hosting services. In general the citizenry feel safer hosting their sites from outside Zimbabwe. TelOne is exploring the opportunities that local web hosting brings with it. The current experience is that hosting websites outside is cheaper, but poses challenges on data storage agreements.

3.5 Laws Affecting Internet Use in Zimbabwe

PRESENTED BY

OTTO SAKI

Otto Saki-A Zimbabwe- based Media Lawyer

Otto is a lawyer, with a keen interest in human rights law, health, policy, telecommunications, governance, regional economic communities, civil society and supra national human rights mechanisms.

Trends in Internet usage in Zimbabwe

- As of 14 September 2014, POTRAZ stated that of the 6 759 032 Zimbabwean internet users, 47.5% of them are adults.
- According to the ITU (2014 Report) Zimbabwe had 11 798 652 mobile phone subscribers, being 80.82 subscribers per 100 inhabitants.
- Facebook is the most popular platform in Zimbabwe, the most popular

Facebook accounts include:

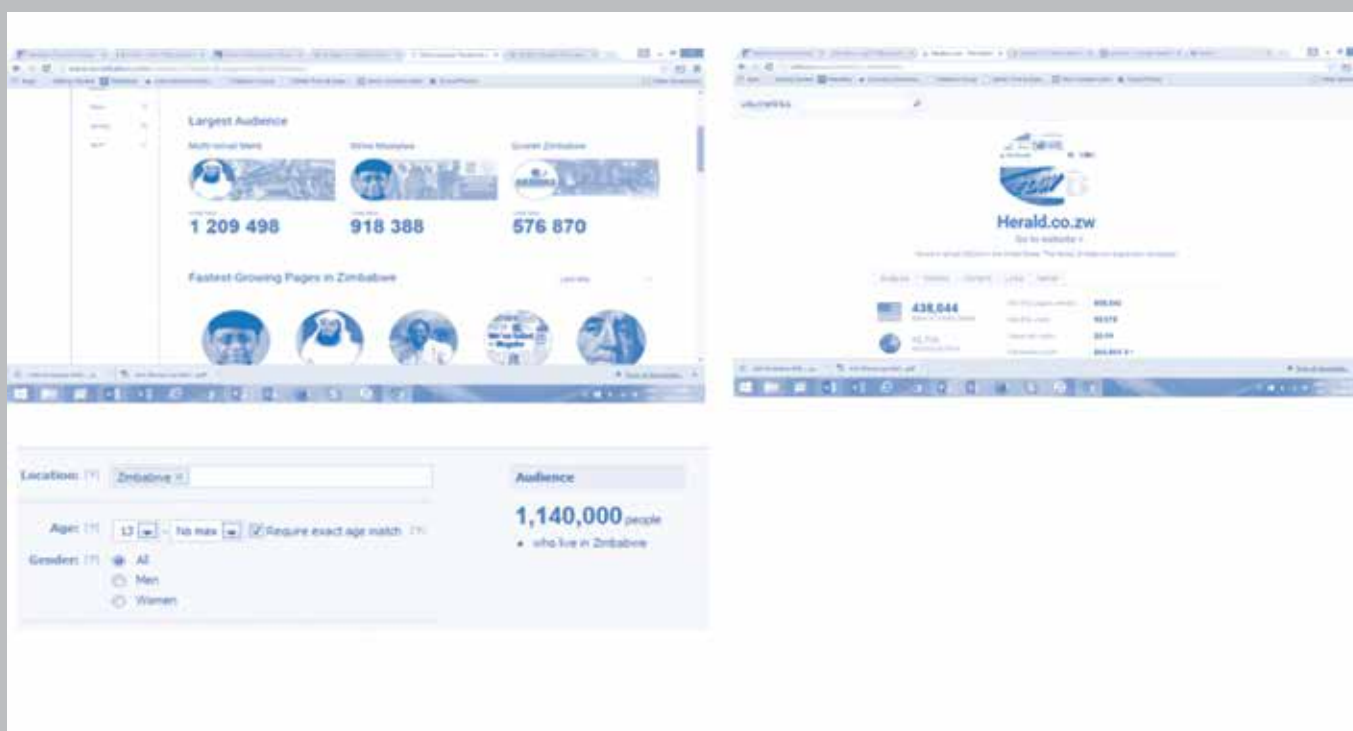
- 1) Mufti Ismail Menk -1 196 000 likes
- 2) Strive Masiyiwa- 899 171 followers
- 3) Econet – 575 122 likes

- 4) Newsday, 469, 545 and The Herald, 153 381
(www.socialbakers.com A0 statistics 18 July 2015).

Twitter is also slowly gaining momentum, with some of the most popular Twitter accounts with the highest following in Zimbabwe being:

- 1) Mufti Ismail Menk – 575 366 followers
- 2) Danai Gurira - 123 233 followers
- 3) Bishop Tudor Bismark - 92,160 followers
- 4) NewsDay 91 739 followers
- 5) Econet with 76,363 followers
(www.socialbakers.com A0 statistics 18 July 2015).

Trends in internet usage trends in Zimbabwe can be demonstrated in Fig 1.3 below:



Who should be interested in Internet Governance (IG)?

Who should be interested in Internet Governance (IG)

Individual

Individuals should be interested in IG because of:

- The high risk of encountering spam, identity theft and other cyber related violations
- There are also critical issues related to accessing the internet, such as cost at individual or commercial level, protection of intellectual property and consumer protection in general.
- Individual rights issues that should be upheld online that include child protection, in relation to pornography as well hate speech and civil defamation online.
- The need to be aware of and observe security and privacy online
- The need to be aware of unfair practises online such as blocking, throttling prioritisation of some online services.

Government

Government should be interested in IG because of:

- The role it is expected to play in ensuring safety and security online for its citizens by curbing cybercrimes and raising awareness on cyber security issues.
- Its obligations on child online safety and privacy of its citizens online
- The role it is expected to play insuring the development of infrastructure, its security and access to the internet by the citizens
- It is mandated to manage critical Internet resources, ensure the availability of funding for various forums and research
- The emergence of electronic money services, that includes e-commerce, e-money and e- banking.

Private Sector

The private sector and civil society should be interested in IG because:

- In many jurisdictions private sector constitutes a significant enabler, active participant and an equal threat to actual enjoyment of rights and freedoms associated with the internet more than the state.
- In restrictive environments, internet service providers (ISPs), are proactive in censoring or filtering information on websites and traffic. An appropriate example of such is China, where several companies were actively supporting the government in censorship, these include Yahoo Inc!, Google, Inc, Microsoft Corporation and Skype.
- Debates on Intellectual property in relation to business and profit are central to the sector.

Existing Laws and regulatory frameworks that govern the Internet

Currently the laws that are in place that govern the internet in Zimbabwe include the following:

- Postal Telecommunications Act, which is administered by POTRAZ.
- Interception of Communications Act (ICA) and in particular the existence and operations of the Monitoring and interception and Communications Centre (MICC). In terms of the ICA the monitoring centre shall be manned, controlled and operated by technical experts designated by the agency. It will among others functions of intercepting and monitoring give technical advice to authorised persons; and service providers on the interception of communications in terms of ICA. This mandate of the MICC is wide and equally unchecked as the enabling provisions of the ICA.
- Criminal Law (Codification and Reform) Act as it has several provisions that may apply to use on the internet platforms. Already Zimbabwe has a precedent cases which include Vikazi Mavhudzi who went through trial over a Facebook post on former Prime Minister Morgan Tsvangirai and that of the Edmund and Philip Kudzayi who were accused of trying to overthrow the government by using the Facebook Muckracking character Baba Jukwas page. In both cases the two were not persecuted as the state failed to bring evidence against, and withdrew the charges, respectively

- Broadcasting Services Act and in particular, the role of the Broadcasting Authority of Zimbabwe. The act assigns the role and responsibility of BAZ in “the advancement of appropriate technology relating to broadcasting systems and services.” Broadcasting services means any service which delivers television or radio programmes to persons having equipment appropriate for receiving that service, whether the delivery is effected by means of or uses the radiofrequency spectrum, cable, optical fibre, satellite or any other means or a combination of those means. BAZ is also responsible for oversight on datacasting and web casting services this effectively creates synergies with POTRAZ or possible confusion on roles and responsibilities of these institutions.
- Censorship and Entertainment Controls Act. This act is in need of review because its relevance and applicability with the digital world is very much limited.
- Consumer Contracts Act (CCA) Because of increased competition and need to maximise on services, consumers are vulnerable to anti-competition behaviour from service providers and even false misleading and misrepresentation of services available. As currently framed the CCA is insufficient for purposes of addressing potential threats posed by expansion of technologies and internet usage, critically undermining internet governance framework. In the absence of interest to adopt/produce a revised Consumer Protection Bill, there is need for inclusion of provisions on consumer protection in one of the major laws regulating electronic based transactions.
- Copyright Right and Neighbouring Rights Act (CRNR). The CRNR Act restricts the reproduction or dissemination of copyright material on the internet without the exclusive approval of the copyright owner (s20). Broadcasting on the internet is prohibited (s21). The ability for the tribunals under the CRNR Act and courts to enforce these provisions and the copyright owners is very limited.

Non-Legal and Voluntary

- Zimbabwe Association of Internet Service Providers
With a membership of about 28 as of 2013, ZISPA is the private sector association of ISPs in Zimbabwe. The Ministry of Information Communication Technology, Postal and Courier Services regulate internet use in Zimbabwe through POTRAZ. Internet Service Providers in Zimbabwe are organized under an independent and voluntary association named Zimbabwe Internet Service Providers Association (ZISPA)
- Consumer Council of Zimbabwe
The Consumer Council of Zimbabwe (CCZ) is a voluntary organisation that has recognition in statute through the Consumer Contracts Act, which recommends the relevant minister to consult on regulations and reforms. The CCZ will require some level of statutory powers including formation of Consumer Protection Commission under a revised consumer protection law.
- Zimbabwe Internet Governance Forum
Zimbabwe Internet Governance Forum (ZIGF), was established through a consultative workshop with stakeholders. The workshop established a fifteen-member interim vCoordinating Team (MCT) comprising of three (3) members nominated from five (5) clusters, being, Government, Technical (service providers), Academic, Private Sector, and Civil Society. POTRAZ shall continue to provide Secretariat services until ZIGF is full established.

Companies that disclose Government Requests

- AOL, AT&Tapple, Cheezburger, Cloudflar Comcast, Credo Mobile
- CyberGhost, DaumKakao, Deutsche Telekom, Dropbox
- Facebook, Hong Kong Transparency Report, Kickstarter
- Korea Internet Transparency Report, LeaseWeb
- LinkedIn, Lookout, Microsoft, Pinterest, Rogers, SaskTel, Snapchat
- Sonic.net, SpiderOak, TELUS, TekSavvy, TeliaSonera, Telstra
- Time Warner Cable, Tumblr, Twitter, University of California, Berkeley,

- Verizon, Vodafone
- Wickr, Wikimedia Foundation, WordPress, Yahoo!, reddit

See example below from <https://govtrequests.facebook.com>



Recommendations: Laws

- The Personal and Privacy Data/Personal Data Protection Bill, which are still in the offing but have not yet officially been made available need to be debated further. This Bill should take into account the constitutional provisions on right to privacy, international standards, guidance from various internet forum resolutions and declarations.
- There is need for clarity and follow up on the Information Communication Technology Bill, which was being crafted during the inclusive government. An ICT Bill is required for purposes of clearly defining what Zimbabwe is lacking in terms of policy and statutory regulation. Civil society demands for such reforms should include how a clear framework can allow for business, economic growth, increased information reach and diversity.
- The Cyber Crimes Bill can be looked at in relation to the Criminal Law (Codification and Reform) Act (Code). There is need to amend or expand the Code if there is reluctance to come up with a new bill. Current laws have proved ineffective in deterring and prosecuting actual criminality through ICT. Unfortunately the Code has been targeting perceived critics of the state. If the cyber crimes bill is crafted, there is need for open and inclusive training that includes private sector involvement and civil society. Consumer associations will also need to increase their efforts to assist citizens in familiarisation with such laws and what is protected.
- Consumer Protection Bill must be amended to include internet related consumer rights. There is need to have holistic protection of internet users in respect of fraudulent marketing that involves get rich quick schemes, chain emails, cure for illnesses over the net which are likely to increase in Zimbabwe, as technology replaces ordinary commercial transactions that

have a physical verification ability.

- Electronic Commerce Bill – a mix of communication and banking laws, which were designed for ‘brick and mortar’ retail banking, currently regulates Zimbabwe’s electronic transactions. The increasing shift to internet banking and online transactions through the use of web, Point of Sales (POS), and emergence of Mobile Point of Sales (MPOS), increases exposure and risk of transaction interception.
- The finalisation of the National ICT Policy through revision and implementation is more critical at this stage. Despite the work conducted by the private sector and civil society in crafting a policy, the country is currently using a 2005 ICT policy, which is insufficient. Issues such as an open government, open data initiative, and internet universal access are not covered in the 2005 policy.

Recommendations: Practice

- The launch of ZIGF is a positive step, however, there appears to be concerns already on legitimacy, inclusivity and ownership.
- Civil society should clearly propose alternatives to strengthening this platform and inclusion of other actors not represented.
- Provision of research in respect of the roles, functions and mandate of the ZIGF will assist in measuring its effectiveness and efficacy.
- If legitimately constituted, ZIGF can play a convening role and address the multi-faceted interests of stakeholders.
- There is need to establish Civil Society Internet Rights Watch/Forum
- Online Regulatory Policy – there should be a consultative process to develop this policy- it should not be shrouded in secrecy.
- Regulatory Institutions are a one-stop facility. There should be clarity of roles/mandates of the regulatory institutions.

Recommendations: Law + Practice

- There is need to take note that some cybercrimes will be multi-jurisdictional and government should be prepared for such cases.
- The commercialisation of the internet is apparent and there is need for policies and laws to ensure affordability of access to the internet to the citizenry.
- To ensure accountability online and responsible use by individuals and organisations there should be a process to draw up either self-regulatory or statutory mechanisms
- There is need for the relevant authorities, which include POTRAZ and the Consumer Council of Zimbabwe (CCZ), to raise more consumer rights awareness in the citizenry.

Panel Discussion Points

- The current copyright laws are not comprehensive on take down notices of information uploaded on the web to deal with copycats or pirates.
- Concerns were raised on the application of the Interception of Communications Act in that a warrant for interception is issued on the simple belief that a crime is about to be committed rather than on reasonable grounds. Other problematic areas discussed the broad definition of communication.
- The Consumer Contracts Act is critical to internet governance. There is little awareness on the basic consumer rights by the ordinary citizenry. Civil society and the CCZ should increase work on awareness of the consumer in Zimbabwe.
- Regulation of ‘competition’ is also critical. Concerns were raised on the increasing ‘bullying’ tendencies in the telecoms sector in contravention of

the Competition Act. These include restrictive trade practices, which have slowly crept into insurance, education, and the e-banking sectors. The Tariffs and Competition Commission needs to be more visible.

- Criminal Matters (Mutual Assistance) Act, usually enforced when there are cases that have occurred where evidence is beyond Zimbabwe’s jurisdiction. In the case of internet related cases, the Baba Jukwa and the Mavhudzi cases, there was no official requests by the Zimbabwean government to Google or Facebook.
- The Consumer Council of Zimbabwe is proposing a new Consumer Protection Bill and Zimbabweans are encouraged to get involved in that conversation in so far as internet consumer rights are concerned.

SESSION THREE

THE REGIONAL OUTLOOK

This session provided a regional perspective on trends, restrictions and limitations of information, communication and internet rights on the continent. Representatives from Zambia and Malawi shared the realities and opportunities for internet governance in their respective countries, while HIVOS, shared experiences on supporting internet governance and policy- in the Middle East and Africa.

PANEL MODERATOR

VERENGAI MABIKA

*Internet Society of
Zimbabwe Chairperson*



Verengai is the founding Chairman of Internet Society- Zimbabwe Chapter, the world's independent source of leadership for Internet policy, technology standards, and future development. He is also co-founder of Bitfinance, a crypto currency African start-up.

4.1. Internet democracy - regional trends, restrictions and limitations of information, communication and internet rights

PRESENTED BY

EMILAR VUSHE- GANDHI

*Association for Progressive
Communications , (APC) Resource
Mobilization Coordinator*



Emilar leads the policy work in Africa for the APC, an international network of organizations working with Information and Communications Technologies (ICT) to support social justice and development. She continues to advocate for innovative approaches to spectrum use and management as a means of extending affordable access and securing and defending fundamental human rights on the internet.

- The internet is a defining technology - presenting new ways of organising in education and learning, shopping and online monetary transacting. It also presents new channels for expression especially for the socially excluded groups. It is therefore shifting power relationships in our everyday lives.
- With these shifts come new opportunities in the field of human rights and also new threats such as censorship and surveillance. Personal privacy is fundamentally at risk.
- The internet empowers people by placing the means to access and disseminate information directly in their hands. An example of this is the shift in African elections. The Senegal elections held in 2012 and

the Malawi elections held in 2014 saw citizens accessing information to facilitate their vote.

Regional trends - key trends in SADC in relation to Internet Democracy

1. Enactment of piecemeal cybercrime legislation – The enactment of cyber crime legislation in Africa is perhaps in reaction to various activities such as protests or perceived threats. This trend is likely to increase after the adoption of the new African Union Convention on Cyber Security and Personal Data Protection.

Unfortunately, the convention also has weak provisions that are open to abuse. e.g. Article 29 bans using data that was not obtained using



Misa Zimbabwe Programmes Officer - Broadcasting and ICT's makes a presentation during the conference

the right legal processes, this can be interpreted to prevent the use of data obtained by whistle-blowers and investigative journalists.

2. *State security laws* - National security discourse can be abused to directly threaten internet freedom through ICT regulation. There have been attempts in some African countries to introduce vague state security laws in response to real or perceived threats. Where a legal framework has been created, it has frequently been geared towards legalising and abetting surveillance under the guise of national security protection, and tended to disregard the effect of such surveillance on the security of citizens particularly the right to privacy.

In South Africa, for example, the emphasis on national security led to the introduction of the Protection of State Information Bill – legislation that would severely threaten access to information by the public and the media through the broad classification of records, with stiff criminal repercussions.

3. *Criminalising legitimate free speech*—In 2011, the Zimbabwean police made their first facebook arrest after a Bulawayo man, Vikazi Mavhudzi, was charged with “subverting a constitutional government” over a post he made on the social networking site on the wall of then Prime Minister, Morgan Tsvangirai.
4. *Internet Intermediary Liability* -Intermediaries are key in the development of the internet. They host, locate and search for content and facilitate its distribution. Because of their technical capabilities, internet intermediaries are under increasing pressure from governments and interest groups to police online content.
5. *Lack of adequate legal protection for whistle-blowers in many African countries.* The internet presents opportunities both for anonymous disclosures and for tracking those who make them, as well as making it difficult to ascertain the authenticity of information and its sources. In 2015, activists launched Afrileaks (www.afrileaks.org), an African-specific portal to facilitate anonymous disclosures between journalists and sources.

Emerging issues

1. *Privatisation of Censorship*- Those acting to censor content online are usually private companies doing it on behalf of the government (s) or

according to their own terms and conditions. Censorship maybe codified at law or the result of informal codes of conduct – e.g. website blocking or website filtering through the use of key words and network shutdowns. For some groups e.g. LGBT withdrawal of access to information about sexuality becomes part of a broader picture of oppression.

2. *Surveillance*— The technological and political capabilities of governments are combining to create techno-legal frameworks with the potential to fatally undermine the right to privacy as well as the rights to free expression, freedom of association and other rights.
3. *Digital divide* - The social, political and economic potential of the internet can only be realised by people who have access to it. A digital divide exists between different populations rich vs poor, young vs. old, men vs women. The lack of physical infrastructure is the primary barrier faced by governments. Governments have tended to rely heavily on private sector investment. Other challenges include: affordability, quality and speed, literacy and ICT skills. Internet access should be moved beyond simple provision of access to the web.

Some trends:

- Authoritarian leaders are able to limit the empowering effects of technology by cracking down on civil space.
- Democratic empowerment enabled by technology is happening at a local and individual level and it may be difficult to measure.
- Technology is not delivering increasing democracy because governance is shaped by many different factors that may be non-technological- including human factors. ICTs are definitely empowering, but do not only empower individuals to do democratic things. For instance, they may also be used to advance hate speech or discrimination based on race, sexual orientation, gender e.tc.
- Dictators have also upped their game significantly to monitor, or even silencing dissenting voices.
- It is Important for internet governance stakeholders not to lose sight of the fact that there are still large numbers of people who still do not have access to the internet.

4.2 Supporting internet governance and policy: Experiences in the Middle East and North Africa (MENA)

PRESENTATION BY

TAMBUDZAI MADZIMURE

*Freedom of Expression
Programme Development Manager
Hivos in Southern Africa*



Hivos is an international organisation that seeks new solutions to persistent global issues. It cooperates with innovative businesses, citizens and their organisations and shares with them a dream of sustainable economies and inclusive societies.

- HIVOS has a long history of involvement with Internet governance issues beginning with its participation in the preparatory meetings for the World Summit on Information Society (WSIS) around 2000/1 as well as the WSIS Geneva 2003 and Tunis 2005. As a member of Working Groups on Internet Governance, HIVOS recognises that while the term “governance” is normally associated with governments, under IG this is broadly used to include participation and influence of other players beyond governments. HIVOS’ support on internet governance is therefore premised on the fact that citizens have a critical role to play.
- Some of the areas supported by HIVOS under the IG programme in the MENA region include knowledge building; capacity building of stakeholders through online and onsite activities; empowering stakeholders to engage with policy development, legislation, awareness and multi-stakeholder involvement and participation.
- HIVOS’ support to Internet governance in the MENA region was initiated as a result of the popular uprisings of 2011 in the Middle East. Support was

granted in response to a call to support citizens in their quest for freedom of expression and freedom of information.

- Through the HIVOS programme in the region, citizens became active stakeholders in matters of internet governance policy as opposed to being passive receivers of policy matters.
- Actors engaging in the IG MENA programme include bloggers, journalists, students, public sector employees and the private sector contrary to the perception by some stakeholders that HIVOS only supports civil society.
- Through the HIVOS programme citizens are now active stakeholders as opposed to being passive observers in matters related to Internet Governance Policy. However, a vacuum still exists in the policy environment: Some laws are still vague and ambiguous thereby posing a threat to freedom of expression and freedom of information.



4.3 PANEL DISCUSSION:

Regional Outlook-Realities and Opportunities of Internet Governance

This was a panel discussion consisting of speakers from Malawi and Zambia, who shared the two countries' experiences with internet governance and drew some parallels with experiences in Zimbabwe from the earlier sessions.

MISA-Zimbabwe will partner with the two countries to strengthen its work around internet governance. This will be done through strategic experience sharing and networking.

MALAWI

PRESENTATION BY RACHEL SIBANDE

Malawi Information Election Centre,
Lead Technology Advisor



Rachel is CEO and founder of Malawi's first technology hub; mHub. She was the lead person on the SMS citizen engagement platform hosted by the Malawi Electoral Support Network (MESN) during Malawi's 2014 elections.

- Malawi has an ICT policy that provides a framework for deployment, exploitation and development of ICT. Malawi Communications Regulatory Authority regulates Telecommunications, Broadcasting and Postal services. Issues of the internet are now being integrated into some of the country's legal instruments that had become outdated.
- While there is adequate infrastructure in Malawi the issue of access still remains a challenge.

Legal framework in Malawi

Legal framework that governs the internet in Malawi include:

- The Malawi Communications Act- has been reviewed to accommodate emerging trends in technology;
- The Electronic Transactions Bill and Access to Information bills are yet to be tabled in parliament.

- E-bill to regulate online communications; use of internet, social media, is also yet to be tabled in parliament.

Internet Governance in Malawi

- Malawi set up a multi-stakeholder Internet Governance Forum in 2014- ahead of Zimbabwe.
- It established an Internet Exchange point to peer and exchange all local traffic- again ahead of Zimbabwe. The establishment of an Internet Exchange Point (IXP) resulted in the speeding up of local searches on the internet.
- A Google cache server lowered the latency of all Google traffic. Using local Google speeds up searches.

Mobile telephony and the internet statistics in Malawi

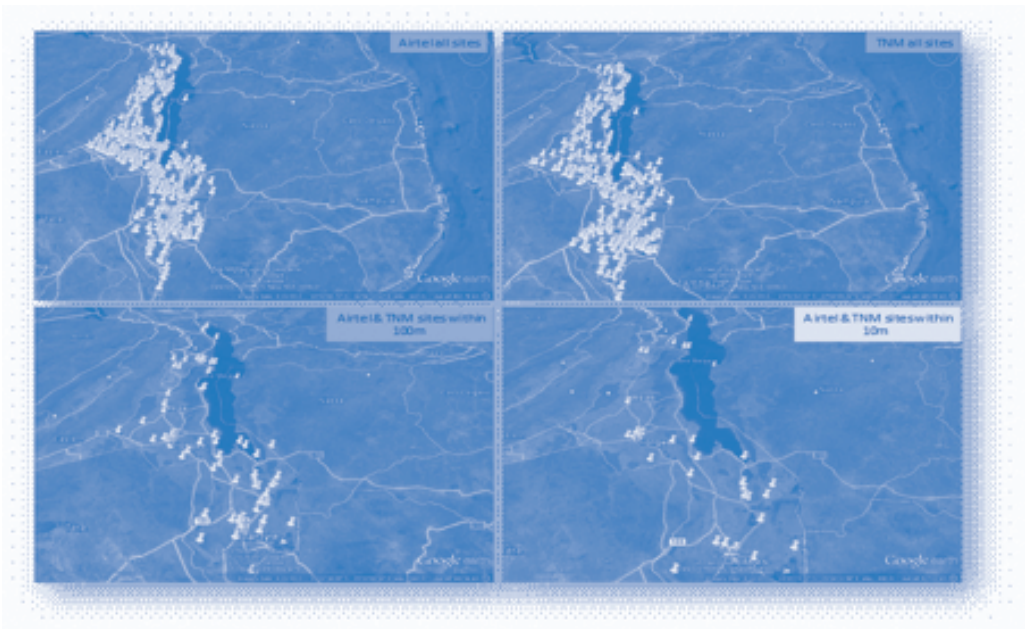
Number	Statistic	Indicator	Year
1	Telephone Operators	5 (4 operational)	2013
2	Television/Radio broadcasters	77	2013
3	Internet/Data operators	46 (22 operational)	2013
4	Postal/Couriers Operators	13	2013
5	Tele density/Telephone	39.8	2014

Mobile Statistics

Mobile phones are the most pervasive tool in Africa and Malawi is of no exception. There are approximately 5 143 911 mobile phone subscribers in Malawi as of the year 2014.

Mobile telephony and the internet statistics in Malawi					
	2010	2011	2012	2013	2014
M o b i l e subscribers	2 374 513	3 037 469	3 878 260	4 646 989	5 143 911
F i x e d subscribers	11 133	160 108	173 481	227 295	123 083
M o b i l e penetration	23.1	28.7	33.2	33.6	38.3
F i x e d penetration	1.2	1.3	1.36	1.5	1.5
I n t e r n e t subscribers	305 000	450 000	630 000	870 000	934 000
I n t e r n e t penetration	2.26%	3.33%	4.5%	5.7%	6.7 %

Internet coverage can be illustrated on Fig 2.3 below:



Internet service providers in Malawi

- Sky band ISP has approximately 65% internet coverage within 15km radius of District centers.
- Airtel has approximately 98% land coverage.
- TNM has approximately 93% of land coverage.
- MTL has approximately 70% land coverage.
- Less than 20% of the land is covered by ACCESS.

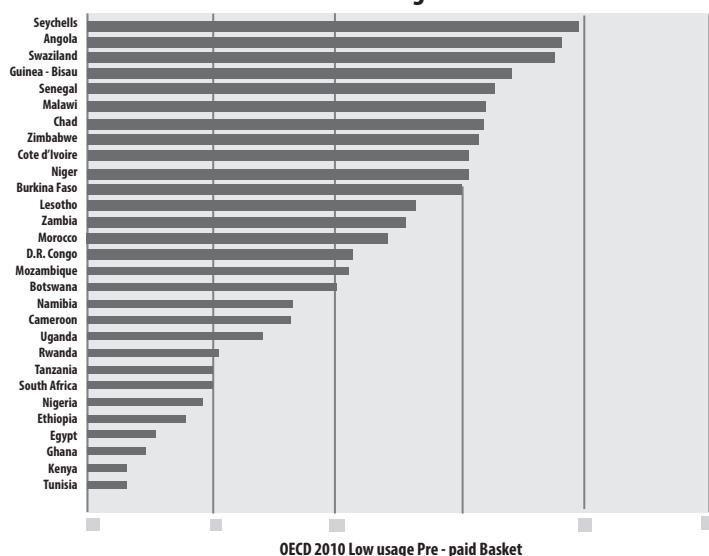
Network neutrality vs. Internet.org

- Internet and applications should be accessible to all, regardless of the source, without favoring or blocking any particular content or websites. Citizen consumers should be left to do what they want with the amount of internet they can afford.

Challenges

- Inadequate ICT Infrastructure, power and high investment costs for ICT infrastructure.
- Outdated ICT laws and proposition of bills that may infringe on freedom of expression and limit access to information.
- Lack of local, relevant Internet content and e-services.
High Mobile Tariff Charges- Malawi is among the countries with some of the highest mobile phone tariffs in Africa ahead of Zimbabwe and Zambia

Selected Pre-Paid Mobile Pricing



Solutions currently being implemented in Malawi

Infrastructure and access

- TV white spaces project to afford internet access to rural communities using TV and broadcast spectrum.
- TV white spaces have better propagating characteristics than Wi-Fi.

Innovation and content development

- The setting up of Malawi's first technology hub (MHub). Its mandate is to identify, nurture and incubate young innovators to develop local technology solutions for local problems.

Mobile App development competition

Mobile apps for:

- Health, agriculture, education, democracy and governance, culture, entertainment.

- Developments that seek to promote the use of the internet include children's coding club and competitions to promote female web developers.

Going forward

There is need for communities to harness the power of the internet, by promoting access and use of the internet in Malawi. This can be achieved in the following manner:

- Increase investment in infrastructure to enhance access and reduce costs.
- Modern legal instruments that cater for freedom of expression online and enforce cyber safety.
- More local content developed for the internet.
- Facilitate discussion on net neutrality.

ZAMBIA

PRESENTATION BY SIMUNZA MUYANGANA

Bongohive Innovations, Co-founder



Simunza is the co-founder of Bongohive Innovations based in Zambia and plays a big part in Startup Mentorship, Business Development and Public Speaking / Presentations on African Technology and Innovation. He is also experienced in Strategy Development and Production; Social Media, Content Management Systems, and Online Content Planning.

- Zambia was first connected to the internet in 1992/3. Currently mobile internet penetration in Zambia stands close to 30% as of the year 2011. However, Zambia has had dial up internet for the longest time in the region, only upgrading to 3G connection in 2011. Zambia now has fixed line and fibre internet that connects to people's homes and offices. This has enhanced access and speed of the internet in Zambia.

- Zambia's connectivity progress has been hampered mainly by high costs of infrastructure as in other countries in the region and cheaper devices such as mobile phones are now improving connectivity in Zambia.
- Zambia is prioritising the production and circulation of local content and making this content relevant to Zambians. This has seen more Zambian entrepreneurs going into the production of local content though blogging,

video production and news services. There has been a number of blogs and websites that focus on fashion and lifestyle, opinions, analysis and news among others. Local content and local hosting is one way of reducing the access costs.

The Zambian government has also introduced a free internet service, internet.org which provides free access to 10 selected websites that facebook hosts. Some of these websites include job-seeking services, easy library which provides access to the constitution of Zambia and women rights issues among others. Despite the negative implications of internet.org on net neutrality Zambia has embraced it as a springboard for access.

- Aid has the potential to distort business but it is not necessarily a bad financing option because the work that goes into online content generation should be paid for. There simply have to be parameters to ensure that aid does not interfere with or disrupt business. For example the platforms that Zambians are accessing for free under internet.org had to be supported by HIVOS and that sort of support is necessary and welcome.
- It still remains difficult for Zambian online entrepreneurs for example those involved in online news businesses to make money. There is also a need for stakeholder engagement on issues of Internet Governance in Zambia and make sure that people make profit online. Zambia did not have a payment gateway for online transactions until recently when Barclays Bank introduced the visa payment system. There is need therefore to invest in good, quality and ethical and investigative journalism that attracts the support of advertisers from where the bulk of revenue for online businesses comes from. This has worked well for those websites that are credible and objective in their businesses, which appeals to advertisers.

- Zambians consider themselves as fairly democratic among most post-colonial states in the SADC Region. However, they also experience challenges with democratic challenges. Freedom of expression is essential and should not be blocked by state censorship and surveillance unnecessarily.
- Domain control and censorship that is against the principle of freedom of expression should be challenged. The Zambian government sometimes jails journalists and media practitioners who would have stepped on its toes. The Zambia Information and Communication Technology Authority (ZICTA) at some point blocked access to some websites. However, these websites have re-emerged possibly because the government could not sustain the costs of blocking the sites.
- However, there is a need to promote ethical and objective journalism among journalists to maintain high standards of journalism and those practicing irresponsible journalism should be brought to book.
- Zambians need to accept that the internet is beginning to show who we are. The internet simply mirrors societies. There is therefore need to address the human issues and not blame the internet for racism, tribalism, exclusion or corruption.
- Going forward, stakeholder engagement is also necessary in Zambia. There is need for Zambians to be in continuous dialogue in order to improve connectivity and to boost online commerce. Zambia is looking forward to some movement relating to an internet governance forum by the end of the year.

Panel Discussion Points

- It is important not to lose sight of the fact that there are still large numbers of people in Africa who still do not have access to the internet, noting that reports that internet penetration in Africa stands at 20% (Internet Society 2015).
- Infrastructure development still remains a challenge in most African countries- there is therefore need to invest in infrastructure development. Only 17 % of the Sub-Saharan Africa's population was covered by at least 3G internet connection as of 2010 (Internet Society 2015). There is a strong need for stakeholders to be actively involved in matters of Internet

Governance starting at local district levels in all African countries. As at 2014, 27 countries had launched an Internet Governance Forum at national levels (Internet Society 2015). There are only five countries that have launched IGF at national level in the SADC region as at 2015 (POTRAZ).

- The regions' ICT laws need to be updated and bills that infringe on freedom of expression and limit access to information need to be amended to make these provisions a reality.

NATIONAL INTERNET GOVERNANCE CONFERENCE RESOLUTIONS



We, participants to the MISA-Zimbabwe facilitated National Internet Governance Conference held on 21 August 2015 in Harare, Zimbabwe, agreed and resolved to be guided by the following principles and actions on internet governance in Zimbabwe.

1. Internet Regulation Principles

That internet regulation must be guided by the following key principles:

- Protecting the democratic rights of all citizens to freedom of expression, access to information, privacy and protection of intellectual property.*
- Ensuring that all Zimbabweans have unhindered access to the internet.*
- Access to the internet must be affordable and predicated on net-neutrality*
- Infrastructure development and competition must be friendly to the environment and predicated on environmental sustainability.*
- Competition between telecommunications corporations, internet service providers, content providers and other ancillary services be fairly regulated in the interest of promoting access, diversity and affordability and respect for human rights*

2. Access and Affordability For All

That the internet being a cornerstone tool/mechanism for the enjoyment of the rights of all Zimbabweans to freedom of expression, access to information, right to privacy, and media freedom as outlined in the new constitution, must be accessible and affordable for all of our country's citizens regardless of gender, race and class.

3. The Internet of Things

That we contextualise the emergent 'internet of things' in our context to our national development needs in a manner that is inclusive, affordable and accessible for all Zimbabweans.

4. Promotion of Government Public Accountability

That the internet remains a key tool through which citizens can interact with their governments in pursuit of accountable democracy and national development.

5. Promotion and Development of Local Content

That there be active encouragement and investment in the production and development of local content that is gender sensitive and focused on our national context.

6. Copyright

That copyright on the internet be a priority for policy makers and all internet stakeholders in order to protect intellectual property rights.

7. Decriminalisation of Freedom of Expression

That in order for the internet to reach its fullest potential of allowing Zimbabweans to enjoy their human rights, stakeholders actively embrace the decriminalisation of freedom of expression.

8. Democratic Regulation

That regulation of the internet must be undertaken by the state in a democratic, participatory, accountable and independent manner and in consultation with all stakeholders and civil society.

9. Cyber-security

That there be a democratic cyber-security framework in relation to national and regional security, protection of privacy and private property, which remains true to the right of all citizens to freedom of expression, media freedom and access to information.

10. Corporate Monopolies and Censorship

That there be engagement with corporate entities in internet service provision and telecommunications on all

issues to do with censorship and respect for human rights as well as further engagement with the public on issues of internet governance.

11. Internet-Based Entrepreneurship

Government and stakeholders should value the internet as a key mechanism for innovation, investment, entrepreneurship, access to new markets and employment for Zimbabweans.

12. Advocacy and Public Awareness

That government, relevant stakeholders and civil society organisations should intensify their public awareness campaigns on the importance of the internet as not only a developmental and entrepreneurial tool, but also as an emerging and inevitable technological cornerstone of freedom of expression, access to information and media freedom.

13. Coordination of Efforts

That there be greater coordination of efforts between various initiatives around internet governance frameworks.

14. Regional Solidarity and Lessons Learnt

That Zimbabweans continue interacting and learning from our neighboring countries in the Southern African, African and broader international community on key developments, success stories and democratic regulatory frameworks around internet governance.

THE CONFERENCE ONLINE

MISA ZIMBABWE INTERNET GOVERNANCE ONLINE DISCUSSION FORUM

<http://www.misazim.com/index.php/forum>



Q Social media platforms should be regulated and government should oversee private conversations. Would you agree?

Constitution-wise, no, it shouldn't but people need to take a look at the situation realistically. The government might get BILLIONS and TRILLIONS of texts, emails, and IMs every day and logically chances are low, if not none, that the government may be able to manually sift through loads of information, as such it would be mainly automated. So people should not be bothered as long as their conversations don't threaten national security.

Well if government is now "overseeing" private conversations then where is the privacy there?? It's a tricky one but one way or the other government should be able to strike a balance between safeguarding people's right to privacy and state security which is one of the reasons why governments push for the regulation of social media and other online platforms

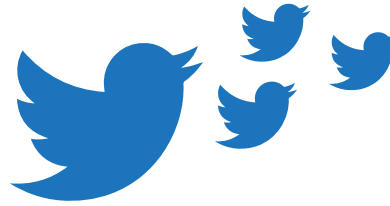
I don't think that they should be regulated. Why? Because it is simply too much censorship on the part of the government and it is, in a way, tyrannical. Section 57 of Zimbabwe's constitution says 'everyone has the right not to have their privacy which includes the right to have their communication,

including electronic and telephonic communication infringed...' .If social media platforms are to be regulated and the government overseeing private conversation, I think the right to privacy will be violated. Overseeing of private conversations by the government exposes citizens to victimization.

I think we should observe online ethics, respect other people's privacy on social platforms. Lately in Zimbabwe social media is characterized by too much pornography, gruesome murder pictures, vulgar language and hate speech. However, I feel that we should be allowed to have open conversations on our national political, economic and social issues without restriction and fear.

Regulation of social media is already there in a sense. In order to use certain apps you have to abide by certain rules. And obviously there is the ethics that have to be observed. But Government overseeing people's communication in general is a violation of their privacy.

WHAT THE TWITTERATI SAID ...



@misazimbabwe/#ZIG

[@misazimbabwe@emilaryushe](#) Technology is an enabler, not a driver. People need to use the opportunities

How much do you self censor on social media? [@misazimbabwe#zig](#)

[@tawmug](#) -lets not confuse issues of ethics and piracy.#ZIG

[@simunza](#) accuracy Ethics & Investigative Journalism is what we need to improve on and try to be better at #ZIG

[@simunza](#) local content must b made relevant 2 e local people e less intl content u consume e lower e pricin in long run #ZIG@misazimbabwe

#ZIGinternet is an expression of freedom' but technology alone is not enough [@263Chat@costadisa@TakuraZhangazha@misazimbabwe](#). Or is it?

[@madzimuret](#), it's time to write that book on ICT Evolution & Revolution in Southern Africa. I'll edit it. #ZIG@misazimbabwe

[@hivosrosarecognises](#) importance if citizens in framing ideal policies related to their use of thw internet [@misazimbabwe#ZIG](#)

[@madzimuret@hivosrosa](#)-highlights the need for awareness raising programes on key issues that will help policy makers. #ZIG

We need continued efforts for a free, open, public internet. [#zig@misazimbabwe](#)

Startups need policy to speak to Freedom. E.g a review site can only take off if there is liberty to speak without fear of harm #ZIG

[#Twimbos#ZIG@misazimbabwe@emilaryushe](#) Surveillance is not only by Gov, Social media is busy watching you & friends

[#Twimbos#ZIG@misazimbabwe@emilaryushe](#) Censorship is now being outsourced from private companies by Governments

[#Twimbos#ZIG@misazimbabwe@emilaryushe](#) Credibility is key, No matter how loud you shout on Twitter

[@ChiefKMsimba@misazimbabwe](#) Indeed but in Zim one will be risking having her/his hands chopped off

[#Twimbos #ZIG @misazimbabwe @emilaryushe](#) Gvnt can impede democracy by cracking down use of internet to air views

[#Twimbos#ZIG@misazimbabwe@ottosaki](#) Private sector currently controlling the internet and access to it.

[#Twimbos#ZIG@misazimbabwe@iZoneZw@kumub](#) The internet is land, a means of production. We dont want small tsaonas
If it wasn't for monopolistic internet control, entrepreneurship in Zim would have grown.Is this an argument as far as IG is concerned? #ZIG
[misazimbabwe](#) retweeted4d

[@ntshuni@misazimbabwe](#) can you afford the data plan on your mobile ?

[#Twimbos#ZIG@misazimbabwe@TelOneZW](#) Bandwidth is like tomatoes. If you dont use it within a period, it goes bad.

Online copyrights should only be limited to those who pay for the protection of their work. Your opinion?[@technomag@emilaryushe#ZIG](#)

