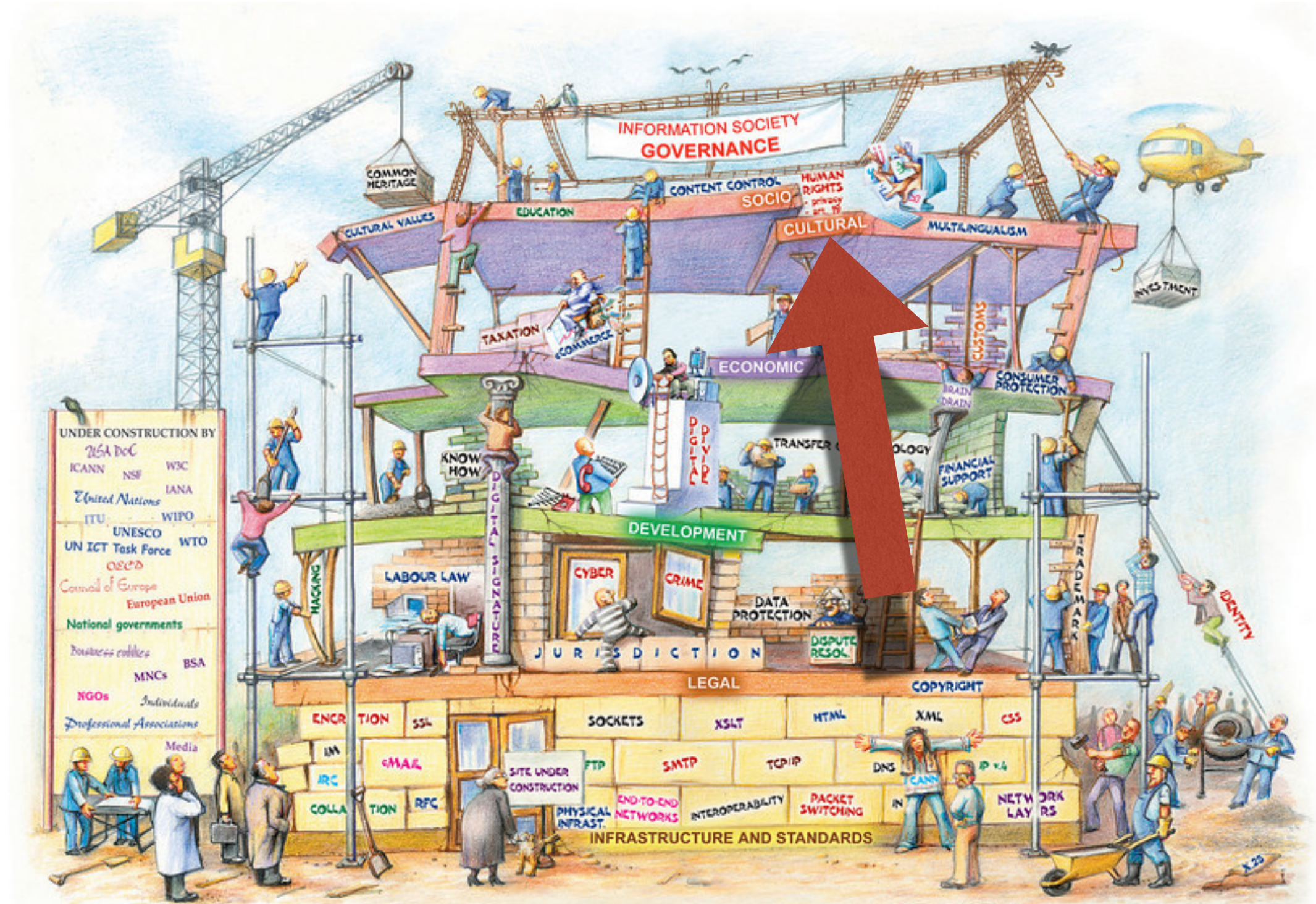# Internet Governance & Human Rights

MEAC-School of Internet Governance
Beirut, Lebanon August 8-12, 2016
Jessica Dheere, Social Media Exchange

Overview of the Session

- Overview of human rights online

- Challenges where rule of law intersects with human rights

- SMEX IG programs & advocacy

Same Rights Online as Offline?

Same Rights Online & Off

in promoting and protecting human rights and fundamental freedoms online,

1.   *Affirms* that the same rights that people have offline must also be protected online, in particular freedom of expression, which is applicable regardless of frontiers and through any media of one's choice, in accordance with articles 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;

2.   *Recognizes* the global and open nature of the Internet as a driving force in
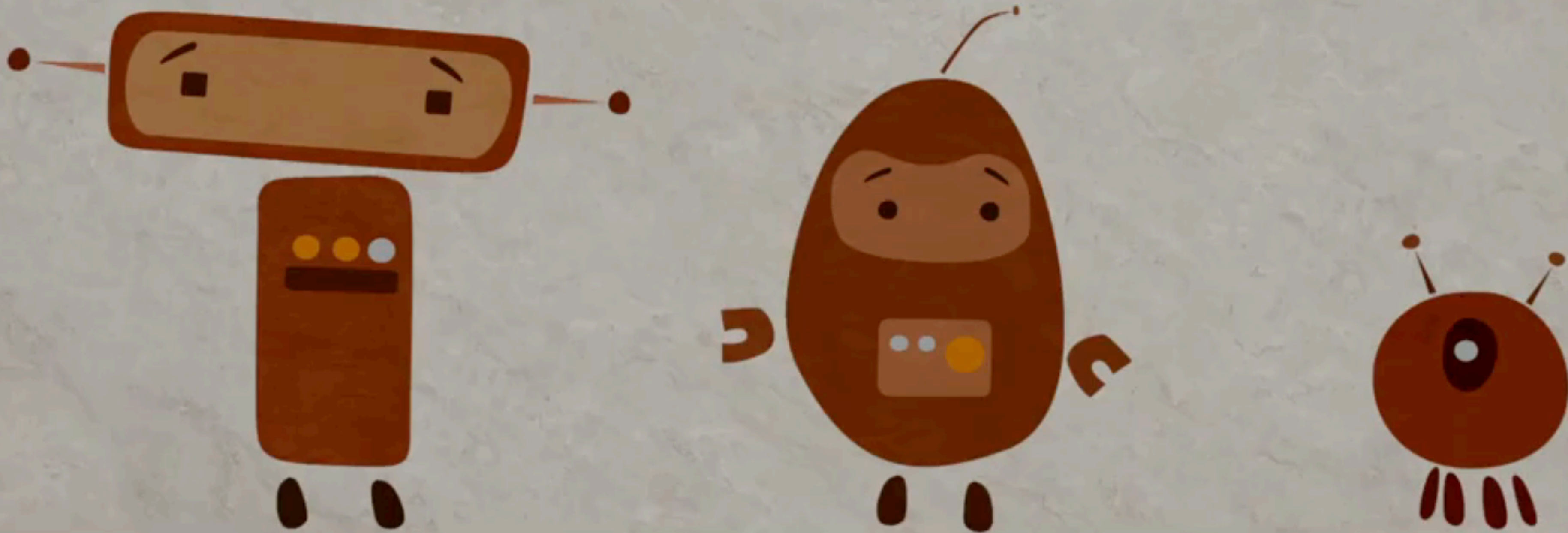
Related Links
- https://www.accessnow.org/un-passes-resolution-condemning-internet-shutdowns/

Where do digital rights come from?

In the past..

Prevention of Electronic Crimes Bill in Pakistan

6. CAPT. (RETD) MUHAMMAD SAFDAR, Chairman Standing Committee on Information Technology and Telecommunication to move that the delay in the presentation of the report of the Standing Committee on the Bill to make provisions for prevention of electronic crimes [The Prevention of Electronic Crimes Bill, 2015], till today be condoned.

REPORT OF THE STANDING COMMITTEE – PRESENTATION OF

7. CAPT. (RETD) MUHAMMAD SAFDAR, Chairman Standing Committee on Information Technology and Telecommunication to present the report of the Standing Committee on the Bill to make provisions for prevention of electronic crimes [The Prevention of Electronic Crimes Bill, 2015].

when the future of the youth of Pakistan stands threatened. What is that threat? The Prevention of Electronic Crimes Bill, which is on today's orders of the day of the National Assembly, set to receive the approval of parliament and become law.

For over a year, not just I, but many citizens and professionals fought long and hard to fix this bill. We engaged with the government and opposition. Provided input to make the law better. We never said there shouldn't be a law but that the law needed to respect fundamental rights and due process. While we found many allies among you - parliamentarians without whose efforts it would have been an even more difficult struggle – there were many part of the same system who labelled us as agents and propagandists. On one occasion, the doors of parliament house were shut upon us. Stack loads of written input was disregarded and we were told we were just noise-makers who'd given nothing at all.

BOLO BHI
Advocacy - Policy - Research

#KeepItOn

THE PROBLEM | THE CAMPAIGN | TAKE ACTION | RESOURCES

in·ter·net shut·down
noun | /ˈin(t)ərˌnet ˈSHətˌdoun/

An intentional disruption of internet or electronic communications, rendering them inaccessible or effectively unusable, for a specific population or within a location, often to exert control over the flow of information.

Internet shutdowns happen when governments order companies to cut off access to communications tools — like Twitter, SMS, or Facebook. Unfortunately, companies often comply with these government orders, even when they happen during elections.

KEEP CALM AND #KeepItOn

THIS MACHINE FIGHTS INTERNET SHUTDOWNS
#KeepItOn

Who's pushing back

Acceso Libre
Access Now
ACI Participa
Arab World Internet Institute
Asociacion por los Derechos Civiles
Association Djiboutienne des Droits de l'Homme
Association for Progressive Communications
Baaroo
Bahrain Center for Human Rights
Bahrain Watch
Bangladesh NGOs Network for Radio and Communications
Bits of Freedom
Bloggers Association of Kenya
Blueprint for Free Speech
Bolo Bhi
Bytes for All

Foundation for Media Alternatives
Freemuse
Free Press
Fundacja ePaństwo
Fundacion Via Libre
GetUp!
Hack the Climate
Heliopolis Institute
Hiperderecho
Hivos
Human Rights Foundation
Human Rights Watch
ifreedom Uganda
Icelandic Modern Media Initiative
Index on Censorship
Internet Lab

La Quadrature du Net
Media Institute of Southern Africa
Media Matters for Democracy
Media Rights Agenda
Open Observatory of Network Interference
Open Democracy Advice Centre
OpenMedia
Open State Foundation
Open Technology Instititute
Namibia Media Trust
NYC Mesh
Paradigm Initiative Nigeria
Pacific Freedom Forum
PEN America
PEN Melbourne
PenPlusBytes
Projet d'action pour une

Related Links
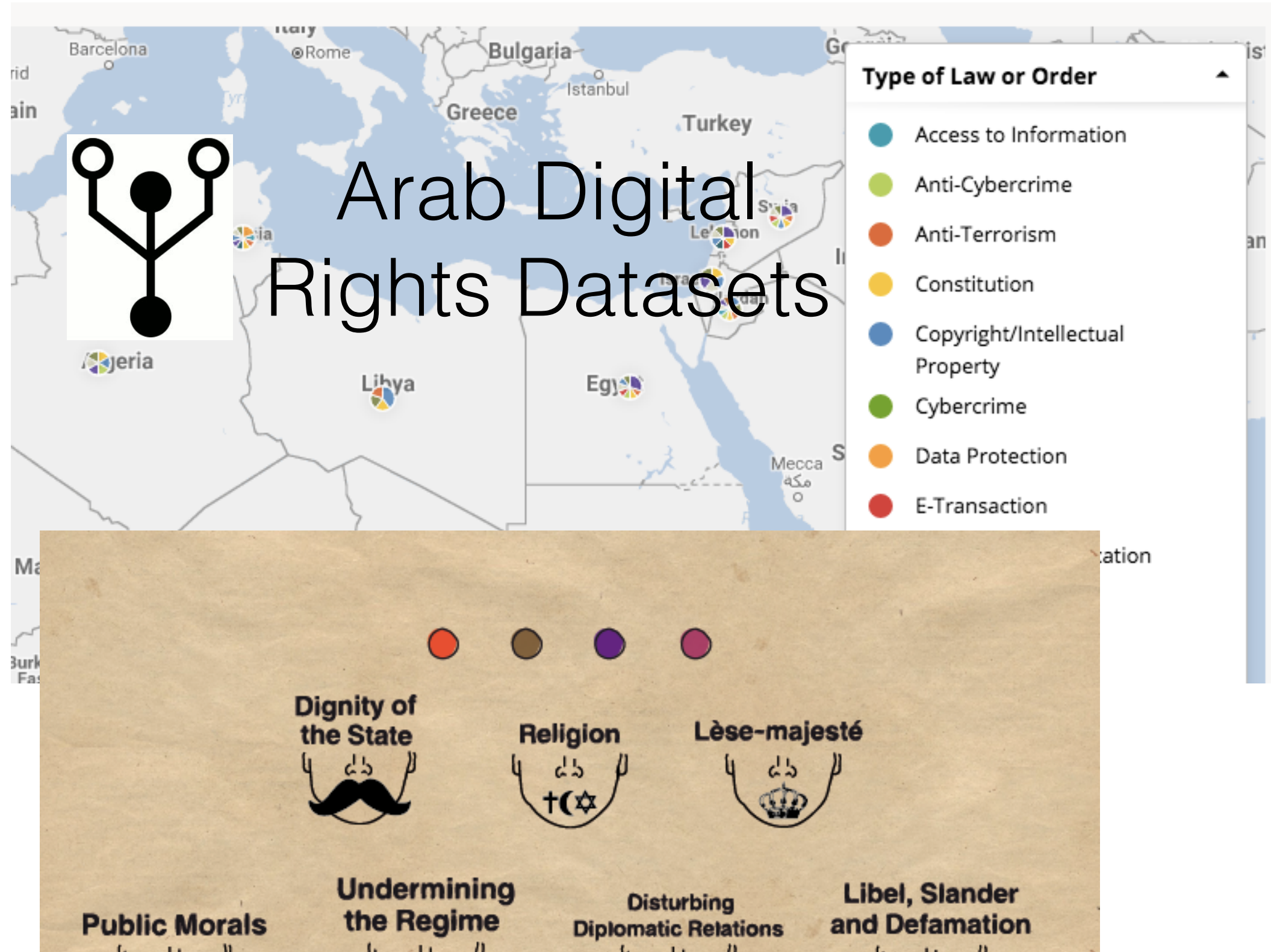· https://www.accessnow.org/keepiton/

Difficulties of Enforcing Human Rights Online

Difficulties of Enforcing Human Rights Online

1. Reconciling rule of law with international human rights regimes/ norms

2. Assertions and conflicts of sovereignty and jurisdiction

3. Corporate integration of human rights and transparency

4. Securitization

Reconciling ROL with human rights

Arab Digital
Rights Datasets

Type of Law or Order

- Access to Information
- Anti-Cybercrime
- Anti-Terrorism
- Constitution
- Copyright/Intellectual Property
- Cybercrime
- Data Protection
- E-Transaction

Dignity of the State
Religion
Lèse-majesté

Public Morals
Undermining the Regime
Disturbing Diplomatic Relations
Libel, Slander and Defamation

The Crime of Speech

to Silence

ILA

Related Links
- http://smex.silk.co
- 7iber.com/2013/11/infographic-legislative-limits-on-freedom-of-expression-in-jordan/#.V6wdMJN96-E
- www.slideshare.net/SMEXbeirut/legal-framework-of-online-media-a-perspective-for-online-journalists-online-activists-and-other-netizens-in-arab-countries
- www.smex.org/working-drafts-series-intro/
- https://www.eff.org/deeplinks/2016/04/crime-speech
- www.internetlegislationatlas.org

Asserting Sovereignty & Jurisdiction

INTERNET & JURISDICTION

A GLOBAL MULTISTAKEHOLDER POLICY NETWORK

0:05 / 1:27

Internet & Jurisdiction - A Global Multistakeholder Policy Network

Internet & Jurisdiction

Subscribe 32

29 views

Safe Harbor Provisions for Data Privacy & Protection

MUTUAL LEGAL ASSISTANCE TREATIES

WORLD MAP   POLICY ANALYSIS   MLAT INDEX

FREQUENTLY ASKED QUESTIONS

WHAT ARE MLATS?
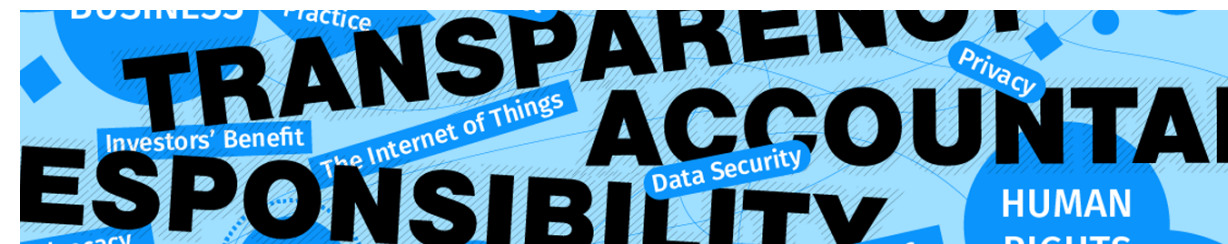
Mutual Legal Assistance Treaties (MLATs) are agreements betwee another in criminal investigations and prosecutions. Law enforcem jurisdiction.

WHAT ARE THE BENEFITS OF MLATS?

MLATs create a predictable process for sharing information across court, or informal requests are used, but they lack predictability a

Many MLATs also include protections to ensure respect for interna

Corporate HR Policy & Transparency
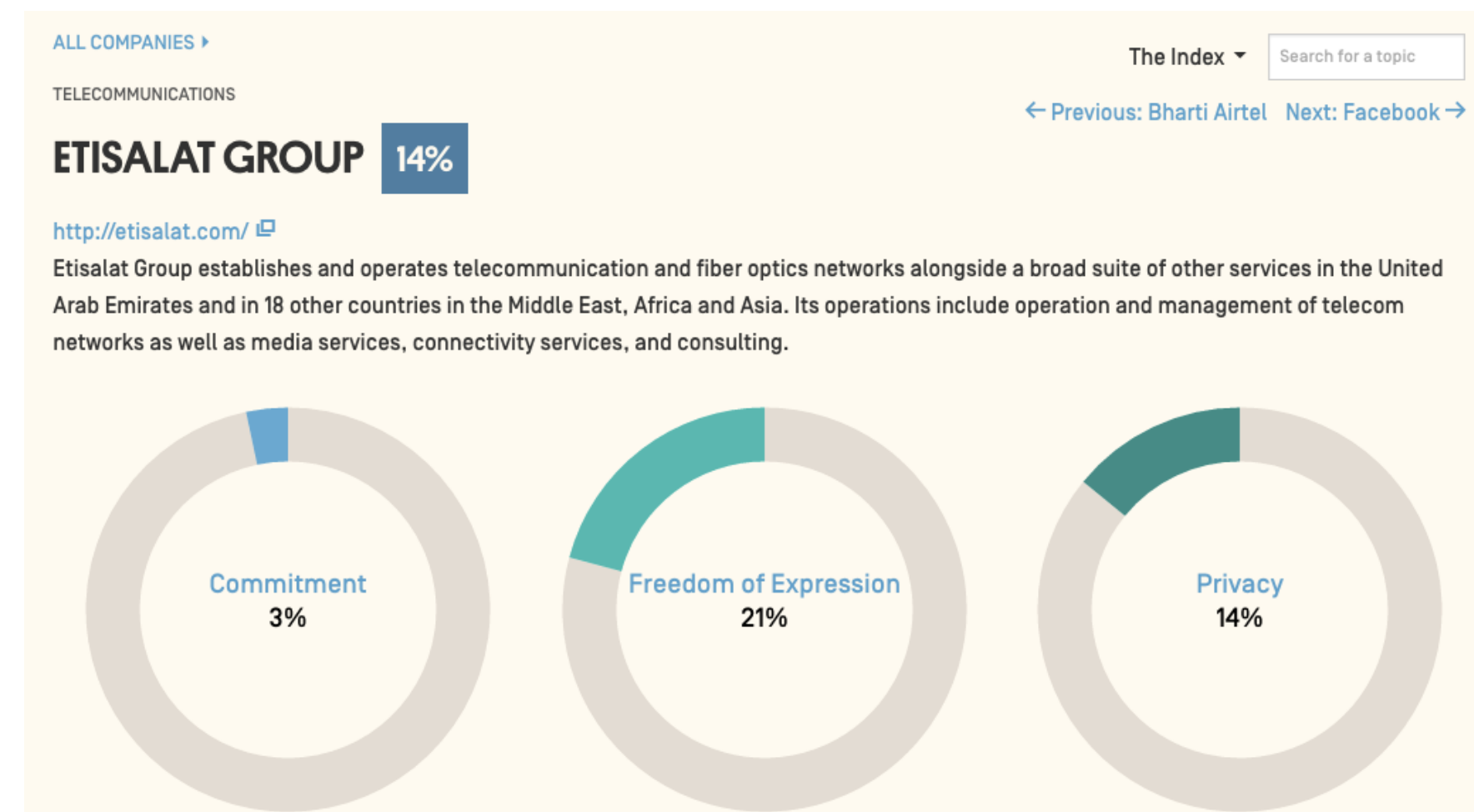
TRANSPARENCY REPORTING INDEX

Transparency reporting is one of the strongest ways for technology companies to disclose threats to user privacy and free expression. Such reports educate the public about company policies and safeguards against government abuses, and contribute to an understanding of the scope and scale of online surveillance, network disruptions, content removal, and a host of other practices impacting our fundamental rights.

IN 2010
Google released the first transparency report

61
companies have released transparency reports to date

90+
countries are covered in all released reports

6000% increase in the number of reports over the past six years

... and more regional diversity in transparency reporting

Related Links
- https://www.accessnow.org/transparency-reporting-index
- www.rankingdigitalrights.org
- https://rankingdigitalrights.org/index2015/companies/etisalat/
- www.onlinecensorship.org
- https://govtrequests.facebook.com/
- www.smex.org/twitter-transparency-arab-govts/

Ranking Digital Rights

ALL COMPANIES ▸

TELECOMMUNICATIONS

The Index ▾   Search for a topic

← Previous: Bharti Airtel   Next: Facebook →

ETISALAT GROUP 14%

http://etisalat.com/

Etisalat Group establishes and operates telecommunication and fiber optics networks alongside a broad suite of other services in the United Arab Emirates and in 18 other countries in the Middle East, Africa and Asia. Its operations include operation and management of telecom networks as well as media services, connectivity services, and consulting.

Commitment
3%

Freedom of Expression
21%

Privacy
14%

online CENSORSHIP.org

Facebook Govt Requests

SMEX Analysis of Twitter Transparency Report

Securitization

Securitization: Countering Violent Extremism

Conclusions & Recommendations

1. More research and comparative analysis, including by those who are most affected by treats to human rights online

2. New definitions/approaches to sovereignty/jurisdictional questions on the Internet

3. More interoperability of data on human rights and internet governance

4. More strategic advocacy and coalitions, especially that incorporate multistakeholderism

5. Reframing of securitized issues

Social Media Exchange (SMEX)

www.smex.org

Established in 2008, Social Media Exchange (SMEX) is a registered Lebanese NGO that works to advance self-regulating information societies in the Middle East and North Africa (MENA).

Based in Beirut, we design and implement highly contextualized media development and digital rights programs and events that leverage online learning, applied research, social networks, policy advocacy, and open technology for sustainable social change in the Arab region.

SMEX Theory of Change

We improve media and information literacy among agents of change.

We protect the digital enabling environment in which those agents advocate in the Arab region.

By doing these two things, we aim to:

- Identify new levers of advocacy for an open, self-regulating Internet, and

- Boost the level of civic awareness and engagement needed to create sustainable shifts toward policies and practices that uphold social and economic justice, government accountability, and human rights.

SMEX Projects & Programs

- Blog coverage

- Reactive Campaigning, Proactive Agenda-Setting

- "Policy to Play" — Pre-Arab IGF 2014, 2015

- School of Internet Governance

- Research on Surveillance in Lebanon

- Program for Digital Economy & Digital Rights

- Expanding the Digital Rights Legislative Dataset

- Hosting Research and Advocacy Fellows

Related Links:
www.smex.org/smex-projects/

Additional Links

- http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf

- https://necessaryandproportionate.org/

- https://en.wikipedia.org/wiki/International_Covenant_on_Economic,_Social_and_Cultural_Rights

- http://gulfnews.com/news/uae/society/understanding-uae-s-cybercrime-law-and-penalties-1.1564565

- http://www.internetjurisdiction.net/

- http://www.smex.org/twitter-transparency-arab-govts/

- http://www.smex.org/working-drafts-series-intro/

- https://www.apc.org/en/pubs/digital-rights-advocacy-arab-world-and-universal-p

- http://www.smex.org/lebanon-its-time-to-turn-your-international-position-on-privacy-into-action-at-the-national-level/

- https://www.accessnow.org/access-now-welcomes-statement-shutdowns-global-network-initiative-industry-dialogue/

- https://www.accessnow.org/access-nows-digital-rights-agenda-32nd-session-u-n-human-rights-council/

Thank You

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