

GNI Submission to UN Report on Internet Shutdowns and Human Rights

Introduction

The Global Network Initiative (GNI) welcomes this opportunity to provide input to UN Human Rights on the preparation of the thematic report on Internet shutdowns and human rights, as requested in Human Rights Council resolution 47/22, "to study the trend in Internet shutdowns, analysing their causes, their legal implications and their impact on a range of human rights, including economic, social and cultural rights."

GNI is a multistakeholder group of academic institutions and individuals, civil society organizations, information and communications technology (ICT) companies, and investors collaborating to forge a common approach to freedom of expression and privacy in the ICT sector. Members share a commitment to the GNI Principles, which provide high-level guidance to the ICT industry on how to respect, protect, and advance user rights to freedom of expression and privacy, including when faced with government demands for censorship and network disruption.¹

GNI and its members have been engaging on Internet shutdowns for a decade and are pleased to see evidence that the international community is paying more attention to this issue. In this submission, we summarize the various resources and reports that GNI has developed on Internet shutdowns, as well as our ongoing work on the same, which we hope will help inform UN Human Rights' report. We stand ready to continue to support multistakeholder efforts to document, measure the impacts of, and push back against future shutdowns, including through cooperation with UN Human Rights and other relevant multilateral bodies.

Impacts of Network Disruptions

GNI believes that Internet shutdowns, also referred to as "network shutdowns," "network disruptions," or "network restrictions," almost always violate the principles of proportionality and necessity, as outlined in our seminal [2016 statement on network restrictions](#). Although many still view Internet access as a luxury or convenience, the Internet is increasingly essential for the fulfillment of day-to-day commercial, cultural, educational, political, and social activities. As the primary tool for communication and accessing essential public services, Internet access has become a basic necessity. These concerns have only become more acute [in the context of the pandemic](#). GNI highlights the

¹ The full set of GNI members' core commitments are available here: <https://globalnetworkinitiative.org/core-commitments-2/>

wide variety of harms that network disruptions can cause to human rights, economic activity, public safety, and emergency services, among others in our [one-page guide for policymakers](#) on network disruptions, which is thus far available in twelve languages.

Increasingly, Internet shutdowns coincide with politically sensitive moments such as during election periods and in response to protests or civil unrest. These shutdowns are sometimes affected with the intention to curb dissent, but may also be implemented to cover up human rights violations. As an Internet shutdown may cut off the entire population of an area, it becomes virtually impossible for individuals in that area to report out to others about the conditions they are facing, which prevents organization by civil society. Cases where shutdowns are implemented in an effort by the government to silence dissent have especially notable impacts on freedom of expression, given the increasingly important role of the Internet and social media in political participation. These shutdowns can often have the [opposite effect](#), causing a greater degree of unrest and violence, as well as drawing global scrutiny. GNI has often responded to such cases with coordinated statements, such as in [Sudan](#) and [Uganda](#).

In addition to highlighting the civil and political impacts of network disruptions, GNI has worked to identify and call attention to their economic, social, and cultural impacts. In 2016, we put out “[The Economic Impact of Disruptions to Internet Connectivity](#),” the first report to set out a framework for measuring the costs of shutdowns in terms of the daily gross domestic product lost in countries with varying levels of Internet connectivity. In “[Disconnected: A Human Rights-Based Approach to Network Disruptions](#),” GNI Fellow Jan Rydzak documented the full range of human rights impacts of network disruptions, in particular for vulnerable groups, as well as the circumstances that facilitate shutdowns and the challenges of resisting shutdown orders. Last year, GNI commissioned a report by Tomiwa Ilori, “[Life Interrupted: Centering the Social Impacts of Network Disruptions in Advocacy in Africa](#),” through which the author conducted interviews with victims of over 1144 days of network disruption in 11 African countries from 2011–2020, in order to understand their broad impacts and inform recommendations for advocacy strategies tailored to the region.

Stakeholder Responses

Our framework helps companies, in particular, [push for greater transparency and accountability around such activities](#). Almost all Internet shutdowns result from government demands made to Internet and telecommunications service providers. Unfortunately, many countries’ legal frameworks provide insufficient clarity about how and when governments may legally request network disruptions, or how officials can be held accountable for making improper requests. Furthermore, network shutdown orders may or may not cite legal justifications, are often issued together with gag orders, and at times are accompanied by threats to the safety of local employees if the company refuses to comply. As a result, when faced with shutdown orders, companies are often put in the challenging

position of attempting to avoid government sanctions and threats, while upholding their human rights responsibilities.

GNI provides a safe space for information sharing, including that of sensitive information, between stakeholders around network disruptions. This happens both through our unique [accountability mechanism](#) and via structured, shared learning events. The trust and understanding built through these processes helps facilitate deeper understanding of and collaboration on, as well as joint [policy engagement](#) around, network disruptions.

Efforts to document Internet shutdowns remain fragmented, and shutdowns are difficult to verify in real time, both logistically and because shutdown orders are often accompanied by gag orders that prevent the company from disclosing the order. This makes shutdowns and their impacts difficult to verify. It also underscores the importance of multistakeholder coordination and cooperation.

To that effect, GNI, together with Access Now and the United States State Department, is co-chairing the [Task Force on Internet Shutdowns](#) (TFIS), a new initiative launched in December 2021, under the umbrella of the Freedom Online Coalition. TFIS will provide a much needed opportunity for international and multistakeholder coordination on responses to and advocacy around shutdowns, as well as a repository of resources and a mechanism for exchanging lessons learned.

Conclusion

The number and duration of Internet shutdowns across the world has only increased in the past decade, and governmental methods to disconnect citizens have become more sophisticated. As a result, it is important that states, civil society, and ICT companies continue to work together to address this issue. It would also be wise for those working on Internet shutdowns to continue reaching out to other actors who are impacted by shutdowns, including those working to deliver educational, health, humanitarian, and other critical services. GNI stands ready to work with UN Human Rights and others toward these ends moving forward.