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A. Background

Around the world, the worrying phenomenon of internet shutdowns or network disruptions by governments has been on the rise. According to figures by the US-based digital rights group, *Access Now*, some 75 cases of internet shutdowns were documented in 2016. The number increased to 108 in 2017 and 188 in 2018.¹

Africa has had a fair share of the documented cases of internet shutdowns – 46 incidents from 2016 to 2018. The shutdowns have often included state-sanctioned disruptions or limitations of the internet, social media or other forms of electronic communications.² In 2017, Cameroon recorded the longest internet shutdown on the continent, having cut off internet connection in the Anglophone part of the country for about 93 days.

A significant number of the documented cases of internet shutdowns and network disruptions in Africa have been around public protests and elections. In such instances, members of the public are accused of using the internet to perpetrate acts that threaten national security and public order such as putting out false information, propagating hate speech or inciting the public to violence. In June 2018 for example, some officials of the Nigerian government announced the government's intention to introduce [new laws to regulate social media](#) “because many Nigerians [were] misusing it” and that left unregulated, social media activities could set the country on fire for upcoming national elections.

In other words, the need to preserve national security and maintain public order is often cited as the main reason for internet shutdowns and network disruptions. Such excuses are, at best, a convenient subterfuge as the real reason for the disruptions and shutdowns has often been the desire by incumbent governments to mute dissenting voices and maintain power. This explains why the phenomenon of internet shutdowns on the continent has quite often been during elections or moments of public protests against governments.

Whether in the case of shutdowns in Egypt and Libya in North Africa; Uganda and Burundi in East Africa; Democratic Republic of Congo and Congo Brazzaville in Central Africa; The Gambia and Niger in West Africa; or Zimbabwe in Southern

¹ <https://www.accessnow.org/keepiton/>

² Media Rights Agenda, Media Foundation for West Africa, Kenya ICT Action Network (2017). Don't Hit The Switch: Making the case against network disruptions in Africa

Africa; the reason for internet shutdowns has been the same – incumbent governments seeking to muzzle information flow, retain and perpetuate themselves in government.

The consequences of internet and social media disruptions and shutdowns on the countries that have experienced it have been far reaching – affecting human rights, local economies and even emergency services. They have not abated protests or prevented incumbents from losing power. Rather, they have sometimes escalated public protests as experienced in Sudan and DRC, led to the defeat of incumbents in elections as it happened to Yahya Jammeh in The Gambia, and ousted others in popular revolts as witnessed in the Egypt revolt.

B. Effects of Network Shutdowns in Africa

The growing number of connected people and the increasing reliance on the internet for social, educational, economic and governance issues have made the internet an indispensable aspect of everyday life. It has tremendously transformed the way people communicate and socialise, transact businesses and engage in political and governance processes. The internet has also facilitated creativity, the exercise of rights, and personal growth and development.

Therefore, the shutdowns and disruptions of the internet and social media platforms tend to have severe negative consequences on nearly all spheres of society. When people are denied connection to the internet and other communications technologies, they miss opportunities for economic and personal development; participatory governance; and social support systems as long as the disruption or shutdown lasts. The disruptions and shutdowns also affect businesses, cripple journalism and devastate service delivery.

Blackout of the internet, including social media platforms also gravely impede the exercise of fundamental rights such as freedom of expression. By extension, it denies people the opportunity to hold institutions and duty bearers accountable which make it possible for corrupt practices to go on unchecked. It also cuts off access to information and thus, create a vacuum that makes it possible for state-sponsored repression to go on unreported – a situation that often occurs during elections and public protests. Other challenges associated with internet blackouts during elections and protests include inaccessibility to electoral information,

inability to report electoral challenges in real time for timely interventions; and rumour peddling which sometimes foment public agitations and electoral excesses.

As a result, a network shutdown should not be contemplated let alone carried out, unless and except under rare conditions that are truly necessary and proportionate.

C. Mitigating Shutdowns During Elections – The Ghana Example

The benefits and potential of the internet, arguably, far outweigh the potential harm associated with it. So far, not much evidence exists to suggest that the use of internet shutdowns and network disruptions are indeed effective in resolving ‘supposed’ national security and public order threats they are meant to address. On the contrary, evidence abound on the havoc internet and network blackouts have wreaked to relationships and social support systems; businesses (corporate, SMEs, start-ups, table-top setups, etc.); education; e-health and other emergency services; just to mention a few. It is, therefore, important to harness conventional and innovative ways to prevent internet shutdowns to ensure uninterrupted access and use of the internet.

Although a number of African countries shut down the internet and/or disrupt social media during elections, others have held successful and peaceful elections without blocking social media and/or the internet. One such example is Ghana. Even though there had been a threat of social media ban ahead of Ghana’s 2016 elections, Ghanaians went to the polls without social media or internet blackout or disruption. A careful analysis of the pre-election pronouncements and how the relevant stakeholders proactively acted can give some indications on how to tackle network disruptions and shutdowns before, during and after elections in Africa and beyond.

The Ghana Case

In May 2016, ahead of the general elections in Ghana that was scheduled for December the same year, the Inspector General of Police (IGP) of Ghana announced that the Ghana Police Service (GPS) was considering a social media blockage across the country on the day of the elections (December 7, 2016) “as

other countries have done.”³ The reason cited for the said action was the fear of potential misuse of social media during the elections which could threaten national security on the day of the polls.

Although a handful of Ghanaians appeared to be in favour of the police intention – to ban social media on elections’ day to ensure peace and public order – the announcement was, largely, met with uproar and condemnation from almost all sectors of society - political parties, pressure groups, legal experts, civil society groups, the media, and the general public (especially internet users). While some of these groups challenged the constitutionality of such a move, others challenged the GPS to rather channel their efforts into capitalising on the ability of social media platforms to reach wider and more diverse publics to engage and sensitise people about responsible use.

Following the public’s reaction to the announcement, strategic engagements, and civil society and media advocacy, the police administration rescinded the decision⁴ and government assured the voting public that social media was not going to be banned. Below, some of the specific activities taken by the different stakeholder groups that helped in averting an internet blackout during Ghana’s 2016 elections are presented to guide other countries due for elections on the continent.

Strategic Engagements

Following the announcement, a number of strategic meetings were held with the GPS about the intended action and a need for reconsideration. Some of the groups that engaged the police administration included the diplomatic corps (including a joint group from the UN, African Union, ECOWAS), governance analysts, civil society organisations and the media. Largely, the engagements focused on highlighting the benefits of keeping an open internet throughout the electioneering process and how the GPS could rather take opportunity of the possibilities of social media and internet as a whole for civic education and promotion of peace. The engagements also made it clear to the GPS and the government that international bodies were not in support of any such move.⁵

³ <https://www.myjoyonline.com/news/2016/May-26th/igp-considers-blocking-social-media-on-election-day.php>

⁴ <https://www.graphic.com.gh/news/general-news/police-service-rescinds-decision-to-ban-social-media.html>

⁵ <https://www.myjoyonline.com/news/2016/August-11th/govt-has-no-plans-to-block-social-media-bani-assures.php>

Civil Society Advocacy

Beyond strategic face-to-face engagements, civil society groups and individuals also took to traditional and social media to discuss the issue. While some simply condemned the announcement, others called on the police to do broader consultations with relevant stakeholders on the way forward rather than blocking out access to social media on elections day. Other civil society organisations, such as the Media Foundation for West Africa (MFWA), campaigned about responsible use of social media through public forums and town hall meetings.

Media Advocacy

The media regulator, the National Media Commission (NMC), and media groups and associations joined media houses and journalists to demand the GPS to reverse its plan. The NMC in particular argued that a shutdown would infringe the fundamental right to free speech as guaranteed under the 1992 Constitution.

The traditional media (radio, TV and print) also actively used their platforms and media products, as well as social media, to discuss the issue and make recommendations on the way forward. Many national-level radio and TV stations used their talk shows to discuss the issue while the print media published a number of articles on the issue. Some media houses, such as the Multimedia Group, also organised special events to engage stakeholders on the issue and the way forward. Some of the media products also focused on the dangers of social media blackout on the country's touted democracy and freedom of expression credentials.

Public Involvement

The Ghanaian public (online users especially) was also actively engaged on the issue. The thought of being disconnected for a day, especially on elections day, simply meant denying them access to information. The realisation of this, coupled with civil society and media discussion on the implications a shutdown could have on their communications, relationships, businesses and their following of the elections, automatically resulted in an outcry. People took to social media, phone-in segments of radio and TV programmes, as well as the comments section of some news websites to register their displeasure and call on the police administration to reconsider its decision and rather take advantage of the internet for civic education. Some individuals, mainly legal experts and parliamentarians, also questioned the constitutionality of the intended action through opinion write-ups and media interviews and called on the GPS to reconsider its decision.

Outcome

Through the concerted efforts of the stakeholders mentioned, the Ghana Police Service later rescinded its intention. The government of the day also assured the public that social media was not going to be banned. The GPS did not only drop the planned blackout, but also began using social media more actively to engage and inform the public. During the elections, the GPS Twitter account (@GhPoliceService) was one of the reliable sources of public safety information.⁶

D. Conclusion and Recommendations (based on the Ghana actions)

So far, the literature available do not suggest that network disruptions and shutdowns have yielded positive results in maintaining public order. A typical example of the ineffectiveness of such a strategy is the case of Togo where the use of network disruptions and shutdown to suppress protests and ‘maintain public order’ did not deter protestors from hitting the streets to register their displeasure to the government.

Instead, network disruptions and shutdowns adversely affect the enjoyment of freedom of expression and access to information rights, demand for transparency and accountability, and participation in governance processes. They also badly impact businesses, personal development and the delivery of critical services.

Therefore, while it is important to promote and protect national cohesion, governments should not hide under the pretext of national security and public order to sacrifice and comprise peoples’ rights, kill businesses and disrupt critical services. Since network disruptions affect many sectors of society, a multistakeholder approach through dialogue will most likely yield positive result as experienced in Ghana.

Elections can indeed be held without internet disruptions or blackout as it happened in Ghana, Kenya and other African countries. Even where the threat

⁶ <https://www.myjoyonline.com/opinion/2017/January-10th/yes-elections-can-be-held-in-africa-without-shutting-down-the-internet.php>

looms, the approach used in Ghana can always serve as a guide. In view of the learnings from Ghana, the following are recommended:

Governments

- Always ensure that social media, internet and media spaces are open and free for unimpeded flow of information, especially during elections.
- Always engage stakeholders to address perceived challenges in the internet and media environment rather than resorting to bans and shutdowns.
- Always protect the democratic credentials of your country by protecting and respecting freedom of expression, access to information, and assembly rights of individuals online and offline.

Regional and International Bodies

- Proactively engage African governments to keep social media, the internet and other media spaces open and free for all, especially during elections.
- Enforce stricter sanctions against countries that ban or shutdown social media, the internet or media outlets.

Civil Society

- Proactively engage government and other stakeholders way ahead of elections to highlight the benefits the internet and social media could offer to the entire process – before, during and after elections – to assuage fears of misuse of the technology during elections.
- Educate and sensitise the public about responsible use of social media and the internet as a whole before, during and after elections.
- Build the capacity of security agencies and other stakeholders in the elections process on how to deploy social media to map out possible danger zones, issues that could spark off electoral violence, etc.
- Embark on #NoInternetShutdown campaigns way ahead of elections in traditional media and on social media tagging the appropriate agencies and authorities – particularly in countries that have previously suffered disruptions and/or shutdowns or where such intentions have been declared.



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