



United Nations Office of the High Commissioner for Human Rights Call for Input: U.N. Human Rights Council 50th Session report on Internet Shutdowns and Human Rights

10 February 2022

Introduction

Access Now welcomes this opportunity to provide relevant information to the United Nations (U.N.) Office of the High Commissioner for Human Rights to inform the High Commissioner's report on internet shutdowns and human rights to be presented to the U.N. Human Rights Council at its 50th session in June 2022.¹ As an ECOSOC accredited organization, Access Now routinely engages with U.N. Special Procedures in support of our mission to extend and defend digital rights of users at risk around the world.²

Internet shutdowns are used as a tool for repression worldwide. In 2016, Access Now launched the **#KeepItOn campaign** to help unite and organize the efforts of activists and organizations across the world.³ It now **unites 270 organizations from 105 countries worldwide**. The coalition continues the fight to end internet shutdowns using a wide range of approaches, including grassroots advocacy, direct policy-maker engagement, technical support, corporate accountability, and legal intervention.

This submission is therefore informed by the advocacy undertaken through Access Now and the #KeepItOn campaign. The campaign recognizes that internet shutdowns violate fundamental rights to freedom of opinion and expression, access to information, and freedom of assembly, among many other rights. Internet shutdowns also have a devastating impact on people's daily lives, education, work, access to health care and emergency services, financial transactions, as well as the economy, more. By disrupting the free flow of information, shutdowns polarize groups and exacerbate existing tensions in society, increasing the likelihood of unrest, while concealing potential violence and human rights violations perpetrated by both state and non-state actors against people. Moreover, internet shutdowns cut off access to vital, timely, and life-saving information, plunging whole communities into fear and confusion.

¹ United Nations, Office of the High Commissioner for Human Rights, Call for comments: Report on internet shutdowns and human rights to the fiftieth session of the Human Rights Council in June 2022, available at: <https://www.ohchr.org/EN/Issues/CivicSpace/Pages/cfi-report-hrc-50.aspx>, January 2022.

² Access Now, About Us, 2021, available at: <https://www.accessnow.org/>. Access Now provides thought leadership and policy recommendations to the public and private sectors to ensure the continued openness of the internet and the protection of fundamental rights. Access Now works to defend and extend the digital rights of users at risk around the world through policy, advocacy, technology support, grants, legal interventions, and global convenings like RightsCon.

³ Access Now, #KeepItOn FAQ, available at: <https://www.accessnow.org/keepiton-faq>, 2022.

It is important to note that while this submission draws upon examples from various regions worldwide, these examples are non-exhaustive, and do not represent the lived experiences of all persons at risk. More information is required to take into full account the intersecting forms of oppression of those who are directly targeted.

I. The occurrence of mandated disruptions of communications

1. Experts have defined an internet shutdown as 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.” It is typically governments that order them, and types of shutdown include “blanket” shutdowns (cutting access entirely), slow access (“throttling”), and blocking real-time communications platforms like messaging apps. People also refer to shutdowns as “blackouts,” “kill switches,” or “network disruptions.”⁴ It is important to note that this definition is non-exhaustive⁵ and should be amenable to change as we are made more aware of the trends and impacts of internet shutdowns worldwide.
2. Access Now has a robust working methodology that guides our data collection, verification, and confirmation process. To identify shutdown incidents, we closely monitor news and media reporting about shutdowns, protests, and other events that generally trigger repressive government responses. We also use the #KeepItOn coalition mailing list to alert the community about impending shutdowns. To verify initial shutdown reports, we coordinate with various platforms that host user traffic data to see if they have also identified a dip in traffic. We take the same information to local civil society actors to see if they have documented the same shutdown events and to inquire about the context that triggered the disruption. After we verify the incident and understand the context, we input the data into our **Shutdown Tracker Optimization Project (STOP)**. We regularly update our STOP **methodology** documentation as we update our sources and data points. Access Now publishes an annual #KeepItOn report sharing the data we have collected and analyzing key trends.⁶ The information and data relied upon in this submission is rooted in our methodology.
3. Internet shutdowns have occurred on every continent during this period, under a wide and ever-expanding set of justifications – or, often, no justification at all. We fear this extreme tactic becoming a go-to measure for policymakers and security authorities, presaging a “new normal” where connectivity becomes a privilege, rather than a human right and universal development goal. **Between 2018 – 2020 there were a total of 564 internet shutdowns.** Below we summarize the occurrence of internet shutdowns from 2018 through to January

⁴ Id.

⁵ See also for e.g. Freedom Online Coalition (FOC), FOC Joint Statement on State Sponsored Network Disruptions, available at: <https://freedomonlinecoalition.com/wp-content/uploads/2021/06/FOC-Joint-Statement-and-Accompanying-Good-Practices-for-Governments-on-State-Sponsored-Network-Disruptions.pdf>, March 2017.

⁶ Access Now, #KeepItOn FAQ, available at: <https://www.accessnow.org/keepiton-faq/>, 2022.

2022. For each year, we provide commentary on the key findings and trends based on our annual #KeepItOn reports.

2018

4. In 2018, Access Now and the #KeepItOn coalition documented at least **196 shutdowns in 25 countries**.⁷ Internet shutdowns were implemented in:
 - a. **Africa:** Togo, Nigeria, Chad, Sierra Leone, Cameroon, Mali, Côte d'Ivoire, Democratic Republic of Congo and Ethiopia
 - b. **Asia:** India, Pakistan, Philippines, Indonesia, Kazakhstan, Bangladesh, South Korea and Sri Lanka
 - c. **Latin America and the Caribbean:** Nicaragua
 - d. **Europe:** Russia and
 - e. **the Middle East and North Africa:** Algeria, Yemen, Iraq, Sudan, Syria and Turkey.

5. Key findings from 2018⁸ include:
 - a. **Asia** and **Africa** were the most affected regions;
 - b. Increased shutdowns to “fight ‘fake news,’ hate speech, and related violence” citing to examples in **Ethiopia, India, Nigeria, and Sri Lanka**;
 - c. Governments continue using shutdowns in response to critical events including elections (**Bangladesh** and **the Democratic Republic of Congo**), protests (**Nicaragua, Sudan, and the Democratic Republic of Congo**)⁹, and also to cheating during school exams (**Algeria, Bangladesh, India, Iraq, and Syria**).

2019

6. In 2019, Access Now and the #KeepItOn coalition documented at least **213 shutdowns¹⁰ in 33 countries**.¹¹ Internet shutdowns were implemented in:
 - a. **Africa:** Benin, Ethiopia, Cameroon, Chad, Zimbabwe, Liberia, Gabon among others.
 - b. **Asia:** India, Myanmar, Bangladesh, Pakistan, Tajikistan and Kazakhstan

⁷ Access Now, The State of Internet Shutdowns, Around the World, The 2018 #KeepItOn Report, available at: <https://www.accessnow.org/cms/assets/uploads/2019/07/KeepItOn-2018-Report.pdf>, 2018.

⁸ Id.

⁹ Prior to 2018, U.S. agencies have shut down cell service at local levels at least twice: in 2005, in four tunnels between Manhattan and the surrounding areas of New York and New Jersey, after suicide bombers attacked [London](#), and in 2011, [at San Francisco Bay Area Rapid Transit \(BART\) stations](#), in order to quell planned protests.

¹⁰ We received 3 more shutdown cases in Yemen retroactively.

¹¹ In February 2020, Access Now released its 2019 annual report on internet shutdowns, Targeted, Cut Off, and Left in the Dark, available at: <https://www.accessnow.org/cms/assets/uploads/2020/02/KeepItOn-2019-report-1.pdf>, February 2020.

- c. **Latin America and the Caribbean:** Venezuela and Ecuador
 - d. **Europe:** Russia and the United Kingdom and
 - e. **the Middle East and North Africa:** Iraq¹², Sudan¹³ Iran, Algeria, Yemen and Syria.
7. It is important to note that in 2019, we had difficulties verifying shutdowns as they occurred in Yemen, Syria, Sudan, Ethiopia, and other countries either because there was a violent conflict in the background or because they targeted a specific village or town.¹⁴ Key findings from 2019¹⁵ include:
- a. Countries that **had never shut down** the internet, or did not in 2017 or 2018, joined the list in 2019 — indicating that more and more countries are resorting to shutdowns. Such countries include **Benin, Eritrea, Gabon, Liberia, Zimbabwe, Malawi, and Mauritania;**
 - b. Longer internet shutdowns, with examples in **Chad,¹⁶ Myanmar,¹⁷ India,¹⁸ Bangladesh¹⁹ and Iraq²⁰;**
 - c. More targeted geographical scope of internet shutdowns; particularly targeting groups at risk of vulnerability and marginalization, such as displaced persons and refugees, especially at the borders, and places where marginalized groups live;

¹² Reports that the Iraq government has shut down the internet making connectivity unreliable and sporadic during protests.

¹³ During the December 2019 revolution, when the government-imposed internet blackout lasted for more than a month. See, Access Now, #IAmTheSudanRevolution: There's a direct link between internet shutdowns and human rights violations in Sudan, available at: <https://www.accessnow.org/iamthesudanrevolution-theres-a-direct-link-between-internet-shutdowns-and-human-rights-violations-in-sudan/>, 2019.

¹⁴ Access Now, Targeted, cut off, and left in the dark: how internet shutdowns became an even greater threat to human rights in 2019, available at: <https://www.accessnow.org/keepiton-2019-review/>, 24 February 2020.

¹⁵ Id.

¹⁶ 472 days of social media shutdown between 2018 and 201. See Access Now, Targeted, cut off, and left in the dark: how internet shutdowns became an even greater threat to human rights in 2019, available at: <https://www.accessnow.org/keepiton-2019-review/>, 24 February 2020.

¹⁷ Ongoing internet shutdowns in townships in Rakhine and Chin. See Access Now, Targeted, cut off, and left in the dark: how internet shutdowns became an even greater threat to human rights in 2019, available at: <https://www.accessnow.org/keepiton-2019-review/>, 24 February 2020.

¹⁸ Jammu and Kashmir is in blackout for 175 days. See Access Now, Targeted, cut off, and left in the dark: how internet shutdowns became an even greater threat to human rights in 2019, available at: <https://www.accessnow.org/keepiton-2019-review/>, 24 February 2020.

¹⁹ Ongoing ban on refugees using SIM cards for 168+ days. See Access Now, Targeted, cut off, and left in the dark: how internet shutdowns became an even greater threat to human rights in 2019, available at: <https://www.accessnow.org/keepiton-2019-review/>, 24 February 2020.

²⁰ 50+ days of internet shutdowns during protests. See Access Now, Targeted, cut off, and left in the dark: how internet shutdowns became an even greater threat to human rights in 2019, available at: <https://www.accessnow.org/keepiton-2019-review/>, 24 February 2020.

- d. Shutdowns affecting more people in **Africa** as nationwide shutdowns were more common in 2019,²¹ often before or during protests, **political instability**,²² and **elections**.²³

2020

8. In 2020, Access Now and the #KeepItOn coalition documented at least 155 internet shutdowns in 29 countries.²⁴ Internet shutdowns were implemented in:
 - a. **Africa:** Burundi, Chad, Ethiopia, Guinea, Kenya, Mali, Sudan, Tanzania, Togo, and Uganda;
 - b. **Asia-Pacific:** Bangladesh, Kyrgyzstan, India, Myanmar, Pakistan, and Vietnam;
 - c. **Latin America and the Caribbean:** Cuba, Ecuador, and Venezuela;
 - d. **Europe:** Belarus and Azerbaijan; and
 - e. **the Middle East and North Africa:** Algeria, Chad,²⁵ Egypt, Iran, Iraq, Jordan, Syria, Turkey, and Yemen.²⁶
9. Key findings from 2020²⁷ include:
 - a. There were **28 complete internet shutdowns** where authorities disabled both broadband and mobile connectivity;
 - b. For the third year in a row, **India shut down the internet more often than any other nation** — a total of at least **109 times**;
 - c. Shutdowns **provided cover for human rights violations** in at least **17 incidents**, including against protesters in **Belarus** disputing election results, and in **Ethiopia's Tigray** where an unknown number of people have been killed in civil unrest;
 - d. **Throttling** — the deliberate slowing down of the internet — was used to **target marginalized groups**, such as **Rohingya** communities in **Myanmar's Rakhine** and

²¹ 23 out of 25 shutdowns in Africa are national in 2019, affecting 14 countries; 10 out of 20 shutdowns in Africa are national in 2018, affecting 8 countries. See Access Now, Targeted, cut off, and left in the dark: how internet shutdowns became an even greater threat to human rights in 2019, available at: <https://www.accessnow.org/keepiton-2019-review/>, 24 February 2020.

²² Access Now, #IAmTheSudanRevolution: There's a direct link between internet shutdowns and human rights, available online: <https://www.accessnow.org/iamthesudanrevolution-theres-a-direct-link-between-internet-shutdowns-and-human-rights-violations-in-sudan/>, 11 June 2019.

²³ Access Now, Benin heads to elections without social media and opposition parties, available at:

<https://www.accessnow.org/benin-heads-to-elections-without-social-media-and-opposition-parties/>, 28 April 2019.

²⁴ In March 2021, Access Now released its latest (2020) annual report on internet shutdowns, Shattered Dreams and Lost Opportunities: A year in the fight to #KeepItOn, available at:

https://www.accessnow.org/cms/assets/uploads/2021/03/KeepItOn-report-on-the-2020-data_Mar-2021_3.pdf, March 2021; See also Global Snapshot, available at: <https://www.accessnow.org/keepiton-report-a-year-in-the-fight/>, 3 March 2021.

²⁵ 2 Shutdowns of 58 and 193 days. See Access Now, #KeepItOn, available at: <https://www.accessnow.org/keepiton/>, 2022.

²⁶ Access Now, #KeepItOn report: internet shutdowns shatter dreams, endanger lives, available at:

<https://www.accessnow.org/keepiton-report-internet-shutdowns-shatter-dreams-endanger-lives/>, 3 March 2021.

²⁷ Id.

Chin states, for almost half of 2020;

- e. Shutdowns were implemented in **response to violence**, including in **Azerbaijan** when war broke out with neighboring Armenia;
- f. **Fighting “fake news” or “illegal content”** has become a go-to justification for governments to cut off their citizens, such as in **India, Ethiopia, and Vietnam**;
- g. **Tech companies including Sandvine²⁸ and Allot²⁹** play a key role in — and profit from — censorship, while telcos often fail to respect human rights³⁰, and the global community is demanding recourse; and
- h. Taking **authorities to court** can pay off, as evident by victories in **Indonesia** and **Togo**, where shutdowns in 2017 and 2019 were ruled as unlawful.

2021

- 10. Between January and May 2021, Access Now and the #KeepItOn coalition documented at least **50 internet shutdowns in 21 countries**.³¹ While there were fewer internet shutdowns between January and May of 2021 compared to previous years — 60 internet shutdowns between January and May of 2020; and 115 shutdowns between January and May of 2019 — the length of several cases keeps extending, especially those involving platform blocks. Out of the 50 internet shutdowns between January and May of 2021³²:
 - a. 24 affected a whole country or multiple states, provinces or regions of a country;
 - b. 11 affected more than one city or area in the same state, province, or region; and
 - c. 13 affected only one city, county, or village.

11. Emerging trends in 2021³³ include:

²⁸ See, e.g., Business & Human Rights Resource Centre, Belarus: Sandvine supplied technology used by the govt. to shut down internet & repress protests; company cancels contract, available at: <https://www.business-humanrights.org/en/latest-news/belarus-us-company-sandvine-supplied-technology-used-to-shut-down-internet/>, 16 September 2020.

²⁹ See Top10VPN, The Tech Companies Behind Internet Shutdowns: Allot Ltd., available at: <https://www.top10vpn.com/research/internet-shutdown-tech-allot> 29 June 2021.

³⁰ See Access Now, Shutdowns in Belarus: Austrian telco must denounce actions and commit to accountability, available at: <https://www.accessnow.org/austrian-telco-must-denounce-internet-shutdowns-in-belarus/> 4 November 2020.

³¹ See Access Now, Who is shutting down the internet in 2021?, available at: <https://www.accessnow.org/who-is-shutting-down-the-internet-in-2021/>, 7 June 2021.

³² Id.

³³ See Access Now, Who is shutting down the internet in 2021? Facts and figures, available at: <https://www.accessnow.org/who-is-shutting-down-the-internet-in-2021/#facts-figures>, 7 June 2021.

- a. **India**³⁴ continued to lead the global tally of suspension of internet services;
 - b. Long shutdowns extending from 2020 into 2021, noting examples in the Union Territory of **Jammu and Kashmir, Ethiopia, and Myanmar**;
 - c. Platform shutdowns used to mar elections³⁵ and control information, citing to examples in **Uganda, Niger, Congo, and Russia**;
 - d. Shutdowns during protests³⁶ in **Iran, Cuba, Colombia, Chad, Sudan, Kazakhstan, Jordan**³⁹ and **Myanmar**;
 - e. Shutdowns during school exams in **Sudan, Algeria, and Syria**;⁴²
 - f. Shutdowns in active conflict zones, including the **Gaza Strip**.⁴³
12. Since the coup in **Myanmar** on February 1, 2021, Myanmar has experienced nationwide internet shutdowns, regional shutdowns and disruptions – particularly of mobile internet services – and rapidly increasing military actions to curtail and control people’s access to the internet. Since February 2021, shutdowns and disruptions have been imposed intermittently and erratically at both national and regional levels – in deliberate attempts by the military to enforce communications blackholes to obscure abuse and impunity amidst violent

³⁴ Indian authorities continue to impose internet shutdowns contrary to the guidelines laid down by the Supreme Court of India.

³⁵ See Access Now, Internet shutdowns and elections handbook: a guide for election observers, embassies, activists, and journalists, available at: <https://www.accessnow.org/internet-shutdowns-and-elections-handbook/>, 2021.

³⁶ See Access Now, Defending Peaceful Assembly and Association in the Digital Age, available at:

<https://www.accessnow.org/cms/assets/uploads/2020/07/Defending-Peaceful-Assembly-Association-Digital-Age.pdf>, July 2021.

³⁷ Near total Internet shutdowns in the province of Sistan and Baluchistan. The near total Internet shutdowns began as protests got underway on Tuesday, 23 February 2021 after reports and videos emerged indicating that the Islamic Republic Revolutionary Guards Corps had opened fire with live ammunition at a group of unarmed civilian fuel porters near the border city of Saravan in Sistan and Baluchistan province killing at least ten individuals including a child. See Access Now, #KeepItOn, available at: <https://www.accessnow.org/keepiton/>, 2022.

³⁸ During protests after the military coup of October 25, 2021 the internet was shut down for approximately a month. See Access Now, Internet shutdowns and blockings continue to hide atrocities of military coup in Sudan, available at:

<https://www.accessnow.org/update-internet-shutdown-sudan/>, 23 November 2021.

³⁹ In March 2021, Jordan throttled Facebook live streaming services during protests triggered by the Al-Salt hospital incident, while the country was under a COVID 19 curfew. Jordan has engaged in this practice starting as early as 2018, repeatedly throttling social media platforms. See Access Now, Who is shutting down the internet in 2021?, available online at:

<https://www.accessnow.org/who-is-shutting-down-the-internet-in-2021/>, 7 June 2021; See *also*, Reuters, Myanmar’s internet suppression, available at: <https://graphics.reuters.com/MYANMAR-POLITICS/INTERNET-RESTRICTION/rlgpdbreepo/>.

⁴⁰ Sudan’s public prosecutor [ordered](#) Internet Service Providers (ISPs) to [shut down mobile internet connection](#) for three hours during this year’s national secondary school exams. The move [came at the request](#) of the Ministry of Education as a preemptive measure to prevent students from cheating or leaking exam questions as [they did](#) a few years ago.

⁴¹ Algeria pioneered internet shutdowns during national exams, hitting the kill switch every year since 2016. See Access Now, Internet shutdowns during exams: when MENA governments fail the test, available at:

<https://www.accessnow.org/mena-internet-shutdowns-during-exams/>, 7 July 2021.

⁴² Like Algeria, Syria’s tradition of shutting down the internet during national exams has been as regular as clockwork [since 2016](#). Through our Shutdown Tracker Optimization Project (STOP), we have documented at least 12 shutdowns during this period. See Access Now, Launching STOP: the #KeepItOn internet shutdown tracker, available at: <https://www.accessnow.org/keepiton-shutdown-tracker/>, 7 September 2017.

⁴³ In May 2021, Israel airforce bombings [destroyed/compromised the telecommunications infrastructure](#), causing full and partial shutdowns at the Gaza strip.

repression.⁴⁴ These include complete nationwide internet blackouts and sporadic shutdowns and disruptions at regional levels.

- a. On February 1, 2021, internet and mobile phone networks were shut down from 3:00am until the afternoon - including radio channels and television channels, with the exception of military-owned television channels;⁴⁵
- b. Internet and voice connectivity disruptions were thereafter reported on February 1 in Nay Pyi Taw, Mandalay and Sagaing regions, and Shan and Kachin states, particularly of mobile internet services;⁴⁶
- c. From 3 to 7 February 2021, telecommunications providers were ordered to block Facebook - including Instagram, Whatsapp and Messenger - cutting off the main means of communications for nearly the entire nation;⁴⁷
- d. Between 6 to 7 February 2021, nationwide internet shutdowns on all services were imposed for 30 hours⁴⁸
- e. Between 14 to 17 February 2021, nightly nationwide internet blackouts were imposed, with network measurement reports indicating that internet traffic throttling continued to be observed daily even after the scheduled shutdowns.⁴⁹
- f. As of 13 February 2021, the websites of thirty Myanmar news outlets had been blocked.⁵⁰
- g. Up till 14 February 2021, public updates by Telenor Myanmar revealed that official orders had been sent to telecommunications providers to block the network, social media platform Facebook, and IP addresses and URLs in a targeted manner.⁵¹ Such regular disclosures by Telenor Myanmar then ceased, as according to the company,

⁴⁴ Access Now, Access Now condemns Myanmar's internet shutdown during military coup, available at: <https://www.accessnow.org/myanmar-internet-shutdown-military-coup/>, 1 to 4 February 2021.

⁴⁵ Reuters, Myanmar's internet suppression, available at: <https://graphics.reuters.com/MYANMAR-POLITICS/INTERNET-RESTRICTION/rlgpdbreepo/>; Athan, Restriction on Internet Freedom by the Junta, December 2021. See <https://www.athanmyanmar.org/about>.

⁴⁶ Online data monitoring from Internet Intelligence and Kentik [Twitter], 1 February 2021. See <https://twitter.com/lawyerpants/status/1356034534408642562>

⁴⁷ Online reporting by Hnin Zaw [Twitter], 4 February 2021. <https://twitter.com/accessnow/status/1357083712316440577>

⁴⁸ Reuters, Myanmar's internet suppression, available at: <https://graphics.reuters.com/MYANMAR-POLITICS/INTERNET-RESTRICTION/rlgpdbreepo/>; Athan, Restriction on Internet Freedom by the Junta, December 2021. See <https://www.athanmyanmar.org/about>.

⁴⁹ See Access Now, Access Now Myanmar tracker, available at: <https://www.accessnow.org/update-internet-access-censorship-myanmar/>, ongoing.

⁵⁰ Id.

⁵¹ Telenor Group, Directives from authorities in Myanmar – February 2021-January 2022, available at: <https://www.telenor.com/sustainability/responsible-business/human-rights/mitigate/human-rights-in-myanmar/directives-from-authorities-in-myanmar-february-2021/>, September 2021.

“based on a holistic evaluation where we have to balance our principle of transparency with the safety of our employees, it is [...] not possible for Telenor to disclose the directives.”

- h. Between February 14 and April 28, 2021, nationwide nightly internet blockouts were recorded - lasting for more than two and a half months.
- i. On March 15, amidst the junta’s imposition of martial law in Yangon and Mandalay, and following one of the deadliest crackdowns on protests⁵² internet disruption lasted all day, raising concerns it would not be resumed indefinitely.⁵³
- j. After more than 70 nights of near-complete internet shutdowns, on April 28, reports emerged that fixed line connectivity had resumed - even as the vast majority of people in Myanmar rely on fixed wireless connectivity and mobile data connectivity, which remained unavailable.⁵⁴
- k. The military also imposed “whitelisting” of organizations, corporations and individuals for whom internet connectivity should specifically remain uninterrupted, amidst bans imposed on online platforms such as Facebook, Twitter and Instagram.⁵⁵

January 2022

13. The year began with a shutdown in Kazakhstan, as localized protests over gas prices quickly erupted into nationwide unrest that met a violent response by security forces, as well in Burkina Faso, which continued the 2021 trend of shutdowns during coups as in Myanmar and Sudan.

14. We continue to actively monitor internet shutdowns in **Myanmar:**

- a. On January 21, 2022 Reuters reported⁵⁶ that the Myanmar military had privately approved the sale of Telenor Myanmar to a partnership of M1 Group and Shwe Byain Phyu Group. This alarming development clearly indicates that the military is consolidating control over the telecom sector to expand surveillance and invade

⁵² South China Morning Post, Fires set at Chinese factories during the deadliest day of anti-coup protests, available at: <https://www.scmp.com/video/asia/3125467/fires-set-chinese-factories-myanmar-during-deadliest-day-anti-coup-protests>, 15 March 2021.

⁵³ See Access Now, Access Now Myanmar tracker, available at: <https://www.accessnow.org/update-internet-access-censorship-myanmar/>, ongoing.

⁵⁴ Id.

⁵⁵ Athan, Restriction on Internet Freedom by the Junta, December 2021. See <https://www.athanmyanmar.org/about>.

⁵⁶ Reuters, EXCLUSIVE Myanmar junta backs Telenor unit sale after buyer M1 pairs with local firm – sources, available at: <https://www.reuters.com/business/media-telecom/exclusive-myanmar-junta-backs-telenor-unit-sale-after-buyer-m1-pairs-with-local-2022-01-21/>, 20 January 2022.

privacy. The telecom sector in Myanmar must push back;⁵⁷

- b. As the junta attempts to revive a notorious draft Cybersecurity Law that would be a disaster for human rights, Access Now has analyzed the language⁵⁸ and unpacked the risks. Access Now joins partners⁵⁹ in affirming that this new bill is just as bad⁶⁰ as the first, and is calling on the Myanmar military to immediately withdraw law, and urging international actors to take a stand;
 - c. On behalf of 168 civil society organizations in Myanmar, Access Now joined the Norwegian Forum for Development and Environment and the Centre for Research on Multinational Corporations in **calling on the Prime Minister of Norway**⁶¹ to stop the sale of Telenor Myanmar. As the majority shareholder in Telenor Group, the Norwegian state must put pressure on Telenor to comply with human rights and responsible business obligations. A failure to act would “stain Norway’s reputation as a long-time defender of peace and human rights globally.”
15. Starting in November 2021 through to this year, **Burkina Faso** is now added to the list of countries imposing internet shutdowns. For the time, as indicated in Access Now’s STOP database, authorities in Burkina Faso shutdown access to mobile internet on November 20, 2021 for over a week citing “public safety” and “national defense” concerns. Again on January 10, and 23, 2022, authorities shut down mobile internet citing the same reasons amid a military coup.
16. In early January 2022, the government of **Kazakhstan** implemented shutdowns and blockings as part of its campaign of state violence against the population.⁶²
- a. On 2 January 2022, the first localized and targeted internet outages at the places of “gas” protests took place;
 - b. On 4 January 2022, Telegram, WhatsApp, and Signal messenger apps were reported to be blocked at several locations;

⁵⁷ Access Now, As Myanmar junta extends control over telcos, surveillance and privacy risks increase, available at: <https://www.accessnow.org/myanmar-junta-surveillance-telcos/>, 24 January 2022.

⁵⁸ Access Now, Analysis: the Myanmar junta’s Cybersecurity law would be a disaster for human rights, available at: <https://www.accessnow.org/analysis-myanmar-cybersecurity-law/>, 27 January 2022.

⁵⁹ Free Expression Myanmar, Military’s cyber security bill worse than their previous draft, available at: <https://freexpressionmyanmar.org/militarys-cyber-security-bill-worse-than-their-previous-draft/>, 27 January 2022.

⁶⁰ Myanmar Centre for Responsible Business, Myanmar’s Legal Framework for Cybersecurity Needs to be Built to International Standards, available at: <https://www.myanmar-responsiblebusiness.org/news/legal-framework-for-cybersecurity.html>, 10 May 2021.

⁶¹ Access Now, Open letter to the Prime Minister of Norway: stop the sale of Telenor Myanmar to M1 Group, available at: <https://www.accessnow.org/myanmar-telenor-norway-prime-minister/>, 31 January 2022.

⁶² Access Now, #KeepItOn: people in Kazakhstan have the right to internet access, available at: <https://www.accessnow.org/keepiton-kazakhstan-internet-access/>, 17 January 2022.

- c. Between 5 - 10 January 2022, nationwide internet shutdown with unpredictable and short-time restoration of access. The government granted itself power to authorize the shutdown by Article 41-1 in the Law on Communications;
 - d. On 7 January 2022, President Kassym-Jomart Tokayev, in an address to the people on Kazakhstan, stated that “free access to the internet does not mean free publication of fabrications, slander, insults and inflammatory appeals;”⁶³
 - e. On 11 January 2022, the internet connection was restored.
17. New details of the impact of shutdowns and the scale of state violence and other violations in Kazakhstan are still emerging. So far, at **least 225 people have been killed and 10,000 people arrested**. Among them, a family of three, shot dead in Taldykorgan, who was unaware of the introduced curfew and of a danger of being in the streets due to the internet outage.⁶⁴ Civil society is documenting and preparing for advocacy. Overall, we are concerned that government declared protesters as terrorists, justifying repression including more censorship and surveillance. For instance, Amnesty International previously documented at least 4 Kazakh activists surveilled with Pegasus.⁶⁵
18. On 21 January 2022, activists and technology experts reported that internet access had dropped significantly across **Yemen** except for people using internet service provider, AdenNet, in the region of Aden, which was not impacted by the shutdown.⁶⁶ The telecom facility which was heavily affected by the Saudi Arabian airstrike connects Yemen to the FALCON international cable, thereby cutting off millions of people from the internet. The shutdown lasted for about three and a half days with full internet access completely restored on January 24 at approximately 01:00 local time.⁶⁷
19. In the next section, we take the opportunity to narrow in on two concerning country-specific instances of internet shutdowns: (1) Ethiopia and Tigray and (2) India. We are specifically concerned that Ethiopia and Tigray continue to be leading perpetrators of internet shutdowns in Africa and that India remains a repeated internet shutdowns offender.

⁶³ Republic of Kazakhstan, President Kassym-Jomart Tokayev’s address to the people of Kazakhstan, available at: <https://www.akorda.kz/en/president-kassym-jomart-tokayevs-address-to-the-people-of-kazakhstan-801221>, 7 January 2022.

⁶⁴ OpenDemocracy, Hundreds died in Kazakhstan’s ‘Bloody January’. Who were they?, available at: <https://www.opendemocracy.net/en/odr/hundreds-died-in-kazakhstans-bloody-january-who-were-they/>, 27 January 2022; Access Now, Timeline: Kazakhstan internet shutdowns aim to crush protests, hide state violence, available at: <https://www.accessnow.org/kazakhstan-internet-shutdowns-protests-almaty-timeline-whats-happening/>, 12 January 2022; ЭкспрессК, Семью расстреляли во время комендантского часа, available at: <https://exk.kz/news/119628/siemiu-rasstrieliali-vo-vriemia-komiendantskogho-chasa>, 12 January 2022.

⁶⁵ Amnesty International, Kazakhstan: Four activists’ mobile devices infected with Pegasus Spyware, available at: <https://www.amnesty.org/en/latest/news/2021/12/kazakhstan-four-activists-mobile-devices-infected-with-pegasus-spyware/>, 9 December 2021.

⁶⁶ See, Doug Madory, Twitter, at <https://twitter.com/DougMadory/status/1484347244882976770?s=20>

⁶⁷ See, Doug Madory, Twitter, at <https://twitter.com/DougMadory/status/1485958471233200128?s=20>

Ethiopia and Tigray: Leading perpetrator of internet shutdowns in Africa

20. Since the start of the ongoing conflict in Ethiopia's Tigray region in November 2020, access to broadband and mobile internet has been shut down there. In 2021, as the conflict spilled over to the Amhara and Afar regions, the shutdown extended to those areas. Indeed, disruption has taken place wherever armed conflict occurs throughout the country, with various conflict actors and authorities to blame. The ongoing disruption in Tigray is the longest since the current government came to power in April 2018.
21. According to data captured under Access Now's Shutdown Optimization Project (STOP), the Federal Democratic Republic of Ethiopia has shut down the internet and social media platforms during important events, protests and conflicts **at least 20 times at both national and local levels.**
22. In January 2020, internet and phone services were shut down completely in Western Oromia while in June same year, there was a complete internet blackout imposed nationwide after protests erupted following the assassination of artist Haacaaluu Hundeessaa. At least 80 people were killed, including protesters and security officials.⁶⁸
23. The ongoing shutdowns in Ethiopia continue to disrupt⁶⁹ people's daily lives, aid in concealing heinous crimes against humanity⁷⁰ and make it extremely difficult⁷¹ for journalists and reporters to access information and report on events.

India: A repeated internet shutdowns offender

Duration and geographical scope

24. Indian authorities continue to impose internet shutdowns contrary to the guidelines laid down by the Supreme Court of India for telecommunications suspensions. Shutdowns are ordered on grounds that do not remotely satisfy necessity and proportionality requirements. For instance, authorities in the Indian states of **Rajasthan** and **Arunachal Pradesh** ordered internet shutdowns to prevent candidates from cheating during examinations. To gauge the scale and severe impact of these instances, in Arunachal Pradesh the shutdown affected 15 out of the 25

⁶⁸ New York Times, Ethiopia Protests, available at:

<https://www.nytimes.com/reuters/2020/07/01/world/africa/01reuters-ethiopia-protests.html?smid=tw-share>, July 2020.

⁶⁹ Access Now, Voices from Tigray; ongoing internet shutdown tearing families, communities, businesses apart, available at:

<https://www.accessnow.org/voices-from-tigray-ongoing-internet-shutdown-tearing-families-communities-businesses-apart/>, 13 September 2021.

⁷⁰ Global Voices, Vicious mass rape of women has become a weapon against the Tigray in Ethiopian war, available at:

<https://globalvoices.org/2021/07/05/vicious-mass-rape-of-women-has-become-a-weapon-against-the-tigray-in-ethiopian-war/>. 5 July 2021.

⁷¹ Committee to Protect Journalists (CPJ), Journalists struggle to work amid extended internet shutdowns in Myanmar, Ethiopia, Kashmir, available at: <https://cpj.org/2021/05/journalists-shutdowns-myanmar-ethiopia-kashmir/>, 3 May 2021.

administrative districts of the state.⁷² In Rajasthan, the largest state in India, a similar shutdown⁷³ affected all administrative districts apart from one.⁷⁴ In the **Union Territory of Jammu and Kashmir**, following the longest internet shutdown in a democracy,⁷⁵ Indian authorities continue to impose repeated shutdowns.⁷⁶

Official data on shutdowns

25. The Indian Parliament's Standing Committee on Information Technology and Communications recently published a report on "Suspension of Telecom Services/Internet and its impact."⁷⁷ According to the findings of this report, the Union Government of India does not maintain any record of internet shutdowns which are ordered by state governments. The only official record on shutdowns available with the Union Government of India was of two instances in December 2019. Only one state government and two Union Territories provided data to the Standing Committee. The Delhi government claimed that it did not take any decisions to shut down the internet in the last two years; the Jammu and Kashmir government stated that a total of 93 orders, including 76 orders issued by the competent authority to the effect of confirming the directions by the authorized officers, have been issued; and the Bihar government claimed that only 3 instances of internet shutdowns occurred in the state in two years.⁷⁸
26. The official figures revealed by Indian authorities stand in stark contrast with the statistics in trackers maintained by civil society organizations. The #KeepItOn coalition indicates that a total of 109 internet shutdowns were ordered by Indian authorities in 2020.⁷⁹ Between January and May 2021 alone, 21 shutdowns were ordered by Indian authorities.⁸⁰

Legal measures to reverse internet shutdown orders or hold issuers accountable

⁷² The Telegraph, Arunachal Internet bar to curb cheating, available at: <https://www.telegraphindia.com/north-east/aranachal-internet-bar-to-curb-cheating/cid/1796058>, 30 October 2020.

⁷³ The Indian Express, Rajasthan shuts Internet as 16 lakh appear for REET 2021, available at: <https://indianexpress.com/article/jobs/rajasthan-shuts-down-internet-as-16-lakh-sit-for-teacher-exam-7536304/>, 27 September 2021.

⁷⁴ Id.

⁷⁵ The Washington Post, India's internet shutdown in Kashmir is now the longest ever in a democracy, available at: https://www.washingtonpost.com/world/asia_pacific/indias-internet-shutdown-in-kashmir-is-now-the-longest-ever-in-a-democracy/2019/12/15/bb0693ea-1dfc-11ea-977a-15a6710ed6da_story.html, 16 December 2019; Access Now, #KeepItOn update: who is shutting down the internet in 2021?, available at: <https://www.accessnow.org/who-is-shutting-down-the-internet-in-2021/>, 7 June 2021.

⁷⁶ Scroll.in, Internet services across Kashmir suspended on Republic Day, available at: <https://scroll.in/latest/1015983/internet-services-across-kashmir-suspended-on-republic-day>, 26 January 2022.

⁷⁷ Parliament of India (Lok Sabha), Report Of The Joint Committee On The Personal Data Protection Bill, 2019, available at: http://loksabhaph.nic.in/Committee/CommitteeInformation.aspx?comm_code=73&tab=1.

⁷⁸ Standing Committee on Information Technology and Communications, Suspension of Telecom Services/Internet and its Impact, available at: http://164.100.47.193/lsscommittee/Communications%20and%20Information%20Technology/17_Communications_and_Information_Technology_26.pdf, December 2021.

⁷⁹ Access Now, #KeepItOn update: who is shutting down the internet in 2021?, available at: <https://www.accessnow.org/who-is-shutting-down-the-internet-in-2021/>, 7 June 2021.

⁸⁰ Id.

27. Under the applicable law,⁸¹ a review committee must review any shutdown order within five days. This review committee lacks independence as it comprises solely representatives of the executive and does not have members from society, civil organizations, or members of the judiciary. According to the Standing Committee's report, the Union Government has no record of instances where orders shutting down the internet were countermanded by a review committee.

Measures which sought/seek to hold issuers accountable

28. Citizens and affected groups have approached various judicial courts in India, including the Supreme Court, to review orders imposing internet shutdowns. The Supreme Court of India has held that the right to freedom of speech and expression, and the freedom to practise any profession, over the internet is protected by the Indian Constitution.⁸² The Indian Supreme Court further directed that any restrictions upon such fundamental rights should be aligned with the Constitution and pass the test of proportionality.

29. Several individuals and organizations have filed Right to Information (RTI) requests to seek clarity on the number of orders issued. Several responses including those from respective state authorities in Andhra Pradesh⁸³, Gujarat⁸⁴, Meghalaya⁸⁵, Madhya Pradesh⁸⁶, and Rajasthan⁸⁷ have revealed lapses in the procedure mandated by applicable domestic law.⁸⁸

⁸¹ Government of India (Department of Telecommunications), Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 available at: <https://dot.gov.in/circulars/temporary-suspension-telecom-services-public-emergency-or-public-safety-rules-2017>; recently amended to the Temporary Suspension of Telecom Services Amendment Rules, 2020, available at:

<https://dot.gov.in/circulars/gazette-notification-temporary-suspension-telecom-services-amendment-rules-2020>.

⁸² Anuradha Bhasin Vs. UoI (WP No. 1031/2019); Ghulam Nabi Azad Vs. UoI and Anr (WP No. 1164/2019); Global Freedom of Expression, [Bhasin v. Union of India](#), available at: <https://globalfreedomofexpression.columbia.edu/cases/bhasin-v-union-of-india/#:~:text=Anuradha%20Bhasin%2C%20the%20editor%20of,newspaper%20since%20August%206%2C%202019>.

⁸³ Internet Freedom Foundation, RTI responses from Andhra Pradesh and Gujarat show compliance failure with the Anuradha Bhasin Internet Shutdown decision, available at: <https://internetfreedom.in/rti-responses-from-andhra-pradesh-and-gujarat-show-compliance-failure-with-the-anuradha-bhasin-internet-shutdown-decision/>, 10 November 2020.

⁸⁴ Id.

⁸⁵ Internet Freedom Foundation, RTI responses from Andhra Pradesh and Gujarat show compliance failure with the Anuradha Bhasin Internet Shutdown decision, available at: <https://internetfreedom.in/rti-responses-from-mp-and-meghalaya-show-compliance-failure-with-the-anuradha-bhasin-internet-shutdown-decision/>, 28 September 2020;

⁸⁶ Id.

⁸⁷ Sflc.in, [RTI application response from Rajasthan shows Procedural Lapses and Arbitrary Orders](#), available at: <https://sflc.in/rti-application-response-rajasthan-shows-procedural-lapses-and-arbitrary-orders#:~:text=are%20as%20follows%3A-Internet%20Shutdown%20to%20Prevent%20Cheating%20in%20Exams.am%20to%201%3A00%20pm>, 17 January 2022.

⁸⁸ Internet Freedom Foundation, RTI responses from Andhra Pradesh and Gujarat show compliance failure with the Anuradha Bhasin Internet Shutdown decision, available at:

<https://internetfreedom.in/rti-responses-from-mp-and-meghalaya-show-compliance-failure-with-the-anuradha-bhasin-internet-shutdown-decision/>, 28 September 2020; Internet Freedom Foundation, RTI responses from Andhra Pradesh and Gujarat show compliance failure with the Anuradha Bhasin Internet Shutdown decision, available at:

<https://internetfreedom.in/rti-responses-from-andhra-pradesh-and-gujarat-show-compliance-failure-with-the-anuradha-bhasin-internet-shutdown-decision/>, 10 November 2020; Sflc.in, [RTI application response from Rajasthan shows Procedural Lapses and Arbitrary Orders](#), available at:

II. Research conducted on the impact of mandated communications disruptions

Freedom of Peaceful Assembly and Association

30. In July 2020, Access Now released *Defending peaceful assembly and association in the digital age: takedowns, shutdowns, and surveillance* – our pioneering report on the impacts of technology on the rights to freedom of peaceful assembly and of association worldwide.⁸⁹ With global case studies centered on protests worldwide, this report has a dedicated chapter to connectivity and internet shutdowns. The report also issues a series of recommendations for governments, the private sector, and international organizations regarding the rights to freedom of peaceful assembly and of association in the digital age, including tailored recommendations to condemn internet shutdowns and connectivity.
31. Access Now collected “shutdown stories” showing the effects of disruptions on the economic, social, cultural, educational, health, and professional lives of individuals globally.⁹⁰ Some of those are highlighted below; systematic research remains lacking in many of these areas.

Economic Impacts

32. In 2021, Top10VPN released their annual report *Global Cost of Internet Shutdowns in 2021*.⁹¹ Based on indicators from the World Bank, ITU, Eurostat and US Census, this report “calculates the total economic impact of every major deliberate internet outrage and social media shutdown around the world in 2021.”⁹² According to the report, in 2021 “government internet outages in 21 countries lasting over 30,000 hours **cost the global economy \$5.45 billion, a 36% increase in impact compared to 2020.**”⁹³
33. Previous reports of the economic impacts of shutdowns had found that, “for a highly Internet connected country, the per day impact of a temporary shutdown of the Internet and all of its services would be on average \$23.6 million per 10 million population”⁹⁴; that shutdowns cost the global economy USD\$2.4B in one year⁹⁵; and that “shutdowns in Sub-Saharan Africa [] cost

<https://sflc.in/rti-application-response-rajasthan-shows-procedural-lapses-and-arbitrary-orders#:~:text=are%20as%20follows%3A-Internet%20Shutdown%20to%20Prevent%20Cheating%20in%20Exams.am%20to%201%3A00%20pm>, 17 January 2022.

⁸⁹ Access Now, New world disorder: digital attacks on freedom of assembly, available at:

<https://www.accessnow.org/new-world-disorder-digital-attacks-on-freedom-of-assembly/>, 27 July 2020.

⁹⁰ Deji Olukotun, Access Now, If an internet shutdown changed your life, you may be able to help us stop them, available at

<https://www.accessnow.org/shutdown-stories-project> 11 Sept 2017.

⁹¹ Top10VPN, Government Internet Shutdowns Have Cost Over \$18 Billion Since 2019, available at:

<https://www.top10vpn.com/research/cost-of-internet-shutdowns/>, 2 January 2020.

⁹² Id.

⁹³ Top10VPN, Government Internet Shutdowns Have Cost Over \$18 Billion Since 2019, available at:

<https://www.top10vpn.com/research/cost-of-internet-shutdowns/>, 2 January 2020.

⁹⁴ Deloitte, The economic impact of disruptions to Internet connectivity, available at:

<https://www2.deloitte.com/global/en/pages/technology-media-and-telecommunications/articles/the-economic-impact-of-disruptions-to-internet-connectivity-report-for-facebook.html> October 2016.

⁹⁵ Brookings Institution, Internet shutdowns cost countries \$2.4 billion last year, available at:

<https://www.brookings.edu/research/internet-shutdowns-cost-countries-2-4-billion-last-year> 6 October 2016.

the region up to US\$ 237 million” between 2015 and 2017.”⁹⁶

34. In July - September, 2021, Shahid Qadir and Amir Ahmad Dar, released an academic study on *How Internet Shutdowns Affects the Entrepreneurs in Jammu and Kashmir* published in the International Journal of Asian Business and Management.⁹⁷ Centering on the case studies of **Jammu** and **Kashmir**, the report identifies six basic **problems faced by entrepreneurs** when the internet is shut down: (a) inability to send necessary documents to government, clients, and suppliers; (b) inability to access online services; (c) problem in finding the necessary information; (d) unable to transfer online money; (e) loss of customers; and (f) loss of jobs, employees, and workers.

Education

35. Journalistic reports show the deep impacts that disruptions to connectivity have on modern education systems,⁹⁸ yet systematic research remains lacking.

Gendered Impacts

36. More research is needed to understand the particular ways that internet shutdowns affect women and girls, and the gendered impacts of disruptions to connectivity. However, an initial study⁹⁹ finds that, “low quality of wireless network services and Internet shutdowns had immediate and long-term negative effects on the personal, professional, social, domestic and financial lives” of those surveyed. The “most severe effects” were seen in these areas: finances of individuals, small businesses and NGOs, work-life balance, safety, mental health, disaster relief and rescue activities, and rescue and support for victims of child trafficking and domestic violence. Strained personal and professional relationships resulted from the inability to communicate. The study further found a lack of transparency by authorities regarding the shutdowns, and that “complaints against poor mobile/internet services or internet shutdowns were never filed or reported.”¹⁰⁰ Affected persons seemed more likely to “pour out their frustrations mostly on social media” following the disruptions, showing the “need for creating

⁹⁶ CIPESA, Economic Impact of Internet Disruptions in Sub-Saharan Africa, available at: <https://cipesa.org/2017/09/economic-impact-of-internet-disruptions-in-sub-saharan-africa> 29 September 2017.

⁹⁷ Shahid Qadir and Amir Ahmad Dar, *How Internet Shutdowns Affects the Entrepreneurs in Jammu and Kashmir*, IGI Global, available at: <https://www.igi-global.com/pdf.aspx?tid=279813&ptid=254148&ctid=4&oa=true&isxn=9781799861065>, July - September 2021.

⁹⁸ See, e.g., DW.com, Internet blackout forces young Ethiopians to go retro, available at <https://www.dw.com/en/internet-blackout-forces-young-ethiopians-to-go-retro/a-36490982> 23 Nov 2016.

⁹⁹ Chinmayi S K, Rohini Lakshané, *Of Sieges And Shutdowns: How Unreliable Mobile Networks And Intentional Internet Shutdowns Affect The Lives Of Women In Manipur*, available at <https://www.genderit.org/es/node/5217> 6 December 2018 and https://www.researchgate.net/publication/341932109_Of_Sieges_and_Shutdowns_How_unreliable_mobile_networks_and_intentional_internet_shutdowns_affect_the_lives_of_women_in_Manipur; see also Summary of findings: *Of Sieges and Shutdowns*, available at https://www.genderit.org/sites/default/files/summary_of_findings_of_sieges_and_shutdowns.pdf 18 May 2018, last updated 22 Dec 2018.

¹⁰⁰ Ninglun Hanghal, *How Internet Shutdowns Affect The Lives Of Women In Manipur*, available at: <https://www.genderit.org/es/node/5216> 6 December 2018.

awareness and undertake confidence-building measures for consumer rights.”

37. Similarly, reports show that shutdowns compound repression of women and reinforce damaging patriarchal controls. In Kashmir, for example, “The socialisation of women on the other hand was further shrunken due to the combined effect of hartal, curfew and internet ban... Social media diminishes the boundaries on such participation and the only window to the outside world for many women happens to be social media.”¹⁰¹
38. In December 2020, the Women of Uganda Network, Global Network Initiative (GNI), and Internews, released a report, *The Impact of Internet Shutdowns on Women’s Online Expression and Participation in Uganda*.¹⁰² Centering on the specific case study of Uganda, the report, authored by Sandra A., offers specific data and analysis of the impact of internet shutdowns on women’s livelihoods. In Uganda, most women are engaged in private small business enterprises, operated online. This is preferred because it reduces recurrent expenses and avoids red tape associated with owning physical spaces. **Depending on the extent of the shutdown, Ugandan women reported financial loss between 6,000 to 1 million Ugandan shillings.**

Health impacts

39. Shutdowns disrupt healthcare and emergency services. One harrowing story of such impacts comes from Dr. Nishat Fatima, a Pakistani obstetrician and gynecologist. The doctor had a pregnant patient who was unable to contact her during a shutdown. According to Dr. Fatima, “When [the shutdown ended] I found that the fetus had died three days earlier. Maybe, if the phone network was working at the time, then I could have sent her to the hospital and treated her, and she would have been a mother now.”¹⁰³

Internet shutdowns and violence

40. Research shows that internet shutdowns and violence go hand in hand.^{104 105} In particular, in one study of the Syrian conflict, the researcher found, “where Internet access is limited or shut down, the Syrian government employs a significantly more indiscriminate campaign of

¹⁰¹ Arshie Qureshi, The New Normal Of Living With No Internet In Kashmir, available at: <https://feminisminindia.com/2017/06/06/living-no-internet-kashmir> 6 June 2017.

¹⁰² Sandra, A, The Impact of Internet Shutdowns on Women’s Online Expression and Participation in Uganda, WOGUNET, available at: https://wogunet.org/assets/portal/wogunetwebsite/publications/2021-08-13/Research_Report_The_Impact_of_Internet_Shutdowns_on_Womens_Online_Expression_and_Participation_in_Uganda.pdf, December 2020.

¹⁰³ The World, Pakistanis question government’s use of bans on cell phones, other tech, available at: <https://theworld.org/stories/2013-01-03/pakistanis-question-governments-use-bans-cell-phones-other-tech> 3 Jan 2013.

¹⁰⁴ Jan Rydzak, Of Blackouts and Bandhs: The Strategy and Structure of Disconnected Protest in India available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3330413 11 Feb 2019.

¹⁰⁵ Anita R. Gohdes, ‘Pulling the Plug: Network Disruptions and Violence in the Syrian Conflict’, available at: http://www.anitagohdes.net/uploads/2/7/2/3/27235401/gohdes_synetworkaug14.pdf 31 January 2014.

violence.”¹⁰⁶ Internet shutdowns have been a key part of the “toolkit for more violent repression.”¹⁰⁷

41. Events in Sudan in 2019 show the direct link between internet shutdowns and violence. Authorities initiated a massacre of peaceful student protesters, and protesters began live-streaming the violence. Reports suggest that authorities ordered the internet shutdown upon realizing the state-sponsored violence was being broadcast online.¹⁰⁸

Refugees and displaced persons

42. On 13 January 2021, the Cyberlaw Clinic and International Human Rights Clinic at Harvard Law School co-authored a white paper: *Lockdown and Shutdown: New White Paper Exposes the Impacts of Recent Network Disruptions in Myanmar and Bangladesh* in collaboration with Athan, the Kintha Peace and Youth Development Initiative, and Rohingya Youth Association.¹⁰⁹ The report exposes the impacts of internet shutdowns in Myanmar and Bangladesh, highlighting the voices of ethnic minority internally displaced persons (IDPs) in Myanmar and Rohingya refugees in Bangladesh, who describe the shutdowns’ impacts in their own words.¹¹⁰ Additional reporting establishes this link and explores further impacts on refugees.¹¹¹

III. Initiatives promoting internet connectivity and bridging the digital divides

43. Related, but distinct from internet shutdowns, is the issue of internet connectivity. Discussions surrounding digital inclusion, digital literacy, and digital divides should be framed through the lens of digital equality. It is essential to ensure that all individuals and groups have access to, and the skills to use, ICTs. Universal, open, secure, and affordable internet connectivity ensures that individuals can communicate, voice opinions, access the information they need, and fully exercise their human rights. The lack of internet access disproportionately affects people in under-served and at-risk communities, such as women and girls, people in racial and ethnic minority groups, rural and indigenous populations, and people with disabilities. People in

¹⁰⁶ Anita R. Gohdes, *Repression technology: Internet accessibility and state violence*, available at http://www.anitagohdes.net/uploads/2/7/2/3/27235401/gohdes_repressiontech_aips.pdf 13 February 2020.

¹⁰⁷ Sarah Myers West, EFF, *Research Shows Internet Shutdowns and State Violence Go Hand in Hand in Syria*, available at: <https://www.eff.org/deeplinks/2015/06/research-shows1-internet-shutdowns-and-state-violence-go-hand-hand-syria> 1 July 2015.

¹⁰⁸ Access Now, #IAmTheSudanRevolution: There’s a direct link between internet shutdowns and human rights violations in Sudan, available at: <https://www.accessnow.org/iamthesudanrevolution-theres-a-direct-link-between-internet-shutdowns-and-human-rights-violations-in-sudan/>, 2019.

¹⁰⁹ Cyberlaw Clinic, Harvard Law School, Berkman Klein Center for Internet and Society, *Lockdown and Shutdown: New White Paper Exposes the Impacts of Recent Network Disruptions in Myanmar and Bangladesh*, available at: <https://clinic.cyber.harvard.edu/2021/01/13/lockdown-and-shutdown-new-white-paper-exposes-the-impacts-of-recent-recent-network-disruptions-in-myanmar-and-bangladesh/>, 13 January 2021.

¹¹⁰ *Id.*

¹¹¹ Human Rights Watch, *Bangladesh internet blackout on Rohingya refugees*, available at: <https://www.hrw.org/news/2019/09/13/bangladesh-internet-blackout-rohingya-refugees> 13 Sept 2019.

these groups have traditionally been left at the margins of political power, public policies, and investments. That is also the case when it comes to internet infrastructure and connectivity.

44. In April 2020, Access Now released *Expanding connectivity to fight COVID-19: recommendations for governments and telcos*.¹¹² With global case studies centered on the lessons from the experiences of users at risk around the world, this report issues a series of recommendations for telecommunications companies and governments to help prevent people from losing their connections and improve their overall connectivity, particularly amid the COVID-19 pandemic.
45. In November 2021, the Internet and Telecommunications Union (ITU), the U.N. specialized agency for ICTs, released its 2021 *Facts and Figures Report*.¹¹³ According to the report, while the world has **witnessed a “COVID-19 connectivity boost” in internet usage — 4.1 billion in 2019 to 4.9 billion in 2021; an estimated 37% — or 2.9 billion people — still remain disconnected from the internet**.¹¹⁴ ITU data also confirms that the ability to connect to the internet “remains profoundly unequal” citing large digital gender divides in poorer countries, as well as urban-rural and generational gaps.¹¹⁵ This is particularly problematic given that such individuals and groups cannot use digital technologies to access information, communicate with others, and exercise their human rights.
46. **EQUALS Global Partnership** is a global network of over 100 partners dedicated to bridging the gender digital divide in tech access, skills, and leadership.¹¹⁶
47. **SMART Africa** is a government led initiative that seeks to accelerate sustainable socio-economic development on the continent, ushering Africa into a knowledge economy through affordable access to broadband and usage of information and communication technologies.¹¹⁷
48. The **African Union’s Digital Transformation Strategy 2020-2030** seeks to address the digital divide and create an integrated and inclusive digital economy in Africa that improves the quality of life.¹¹⁸

¹¹² Access Now, *Expanding Connectivity to Fight COVID-19: Recommendations for Governments and Telcos*, available at: <https://www.accessnow.org/cms/assets/uploads/2020/04/Expanding-connectivity-to-fight-COVID19-Recommendations-for-govs-and-telcos.pdf>, April 2020.

¹¹³ United Nations, *Delegate The UN Intranet-iSeek For Member States, ITU: 2.9 billion people still offline*, available at: <https://www.un.org/en/delegate/itu-29-billion-people-still-offline>, 7 December 2021.

¹¹⁴ ITU, *2.9 billion people still offline: New data from ITU suggest “COVID connectivity boost” – but world’s poorest being left far behind*, available at: <https://www.itu.int/en/mediacentre/Pages/PR-2021-11-29-FactsFigures.aspx>, 30 November 2021.

¹¹⁵ *Id.*

¹¹⁶ EQUALS Global Partnership, available at: <https://www.equalsintech.org/>, 2022.

¹¹⁷ SMART Africa, *Who we are*, available at: <https://smartafrica.org/who-we-are/>.

¹¹⁸ African Union, *The Digital Transformation Strategy for Africa (2020 - 2030)*, available at: <https://au.int/sites/default/files/documents/38507-doc-dts-english.pdf>.

49. Since 2002, the ITU, along with other institutions, have carried out a series of training programmes for indigenous leaders located in Latin America and the Caribbean.¹¹⁹ These programmes — centered on respecting the cultural legacy and traditions of indigenous communities — aim to ensure that indigenous communities receive training to support capacity-building processes for online engagement. According to the ITU, “Members have engaged in empowering indigenous communities through ICTs, as reflected in the resolutions adopted within the work of the ITU World Telecommunication Development [WTDC] and Plenipotentiary Conferences.”¹²⁰
50. According to the World Bank nearly half the population in Central Asia is not digitally connected, and many of the unconnected live in rural and remote areas. In fact, three out of the five countries in Central Asia are below the global average in terms of the number of individuals using the internet. An internet connection in Central Asia is also expensive, and of poor quality. The World Bank supports Central Asian governments in the issues of connectivity, including through our ongoing **Digital Central Asia-South Asia program (Digital CASA)**, which is helping to bring reliable and affordable internet services to the region, linking small and medium-sized businesses as well as workers to the regional and global digital economy.¹²¹

IV. Initiatives undertaken as part of international aid and development assistance promoting internet connectivity and bridging the digital divides

51. International aid and development assistance must center initiatives on the marginalized and those most at risk in order to meaningfully connect and bridge digital divides within and amid countries across the globe. Such initiatives must consider the unique information and communication needs of marginalized groups in specific social contexts. Growing attention must continue to focus on previously ignored groups, such as women, rural populations, indigenous peoples, refugees, and persons with disabilities in order to assess their needs and interests operating in a digital society. While the ultimate goal of bridging digital divides is to ensure that individuals “get online,” an emphasis has been made to prioritize sustainable access to the internet. As a result, **measurements of connectivity have broadened from the number of technological devices to existing bandwidth per individual** to capture more inclusive and sustainable internet access for all.¹²²

¹¹⁹ ITU, Digital inclusion of indigenous peoples, available at: <https://www.itu.int/en/ITU-D/Digital-Inclusion/Indigenous-Peoples/Pages/default.aspx>.

¹²⁰ For instance, the [ITU WTDC \(2018\)](#) specifically calls for “the need to achieve the goal of digital inclusion, enabling universal, sustainable, ubiquitous and affordable access to ICTs for all, including indigenous peoples, and to facilitate accessibility of ICTs for all, in the framework of access to information and knowledge” (pg. 419) available at:

https://www.itu.int/en/ITU-D/Conferences/WTDC/WTDC17/Documents/WTDC17_final_report_en.pdf#page=433

¹²¹ Lilia Burunciuc, How Central Asia can ensure it doesn't miss out on a digital future, World Bank Blogs, available at: <https://blogs.worldbank.org/europeandcentralasia/how-central-asia-can-ensure-it-doesnt-miss-out-digital-future>, 21 June 2021.

¹²² Wikipedia, Digital Divide, available at: https://en.wikipedia.org/wiki/Digital_divide.

52. Internet connectivity is essential for economic, social, cultural, political, and civic participation in the digital age. The COVID-19 pandemic has also amplified the recognition of the internet as an essential tool for daily life. The U.N. Human Rights Council passed a resolution during its 47th session in 2021 that recognized the global and open nature of the Internet as a driving force in accelerating progress towards development in its various forms, including in achieving the U.N. Sustainable Development Goals (SDGs).¹²³
53. The SDGs are a series of ambitious targets to end extreme poverty and tackle climate change by 2030. According to the Danish Institute for Human Rights, **over 90% of the SDG targets are connected to international human rights and labour.**¹²⁴ The 2030 Agenda is therefore grounded in human rights, and protecting human rights is necessary to reach the SDGs. We maintain that extending secure and open access to the internet is essential to the exercise of human rights in the digital age, and therefore to reaching the SDGs. We see censorship of the free and open internet as a bar to achieving the SDGs — specifically SDG targets 16.4, 16.6, and 16.7 — even if the goals themselves avoid any language on freedom of expression, privacy, and related human rights. Notably, SDG 9.C. "targeting universal, affordable internet access by 2020" had a significantly shorter deadline than the overall 2030 Agenda. It reflects an understanding of the urgent need to bring people online as a means to enable the realization of other rights and goals.¹²⁵
54. The **World Bank's Digital Development Global Practice** works with governments to create strong foundations for the digital economy to thrive.¹²⁶ It *focuses on addressing supply and demand side constraints to digital transformation, around key pillars including access to fast, reliable, safe and affordable internet.* The programme asserts that *access to digital connectivity should be universal, safe and affordable.* The World Bank's Digital Development Partnership was established to help implement the SDGs.¹²⁷ In its 2020 Annual Report, it highlighted its work in more than 50 client countries, with approximately \$5.5 billion worth of grants through loans and investment operations, to address digital divide issues and promote regulatory reforms to allow for greater investment, access, and affordability of the internet.¹²⁸

¹²³ United Nations (U.N.), Human Rights Council, Resolution on the promotion, protection and enjoyment of human rights on the Internet, U.N. Doc. A/HRC/47/L.22, 7 July 2021, available at: <https://undocs.org/en/A/HRC/47/L.22>.

¹²⁴ The Danish Institute for Human Rights, The sustainable development goals (SDGs), available at: <https://www.humanrights.dk/learning-hub/sustainable-development-goals-sdgs>; See also Access Now, Digital rights are vital for sustainable development, available at: <https://www.accessnow.org/digital-rights-are-vital-for-sustainable-development/>, 6 February 2020.

¹²⁵ Access Now, More than 3.5 billion left in the dark: why we're still fighting to reach U.N. targets for internet access, available at: <https://www.accessnow.org/internet-access/>, 5 November 2020.

¹²⁶ The World Bank, Digital Development Global Practice, available at: <https://www.worldbank.org/en/topic/digitaldevelopment/overview#1>, 27 October 2020.

¹²⁷ The World Bank, Digital Development Partnership (DDP), available at: <https://www.worldbank.org/en/programs/digital-development-partnership>.

¹²⁸ Digital Development Partnership, Annual Review 2020: Responding to the COVID-19 Crisis, available at: <https://indd.adobe.com/view/2de89933-9fb7-4978-8a02-16121eeb3573>.

55. A number of global initiatives to advance internet access arose upon the launch of the 2030 Agenda and Sustainable Development Goals, including the Global Connect Initiative¹²⁹ and Connect 2020 Agenda.¹³⁰ In 2021, the ITU announced that 800 million people had come online between 2019 and 2021.¹³¹

Africa

56. The **Government of Liberia, USAID, and Google** are working together on a connectivity project for Liberia. They are specifically dedicated to bringing high-speed communications infrastructure to the country as an initiative to recover from the 2014 and 2015 Ebola epidemic. The project aims to “strengthen health systems and spur economic recovery and growth.”¹³²

57. The **UK government’s “Digital Access Programme”** aims to catalyze inclusive, affordable, safe and secure digital access for excluded and underserved communities in Kenya, Nigeria, South Africa.¹³³

Americas

58. On 15 November 2021, United States’ President Joe Biden signed the bipartisan **infrastructure bill** into law, which includes \$65 billion to close digital divides by bringing broadband to those who lack it, and addressing broadband affordability.¹³⁴ The law allocates approximately \$42 billion for high-speed broadband deployment in unserved and underserved areas. It also provides roughly \$14 billion for a \$30-per-month Affordable Connectivity Program to help ensure low-income communities can afford broadband access, replacing the \$50-per-month Emergency Broadband Benefit¹³⁵ program supported temporarily through the COVID-19 relief package. The law also requires broadband providers to adopt a broadband nutrition label, which will standardize advertising of broadband plans to allow people to better compare the different options available to them.

Asia-Pacific

¹²⁹ US State Dept. Global Connect Initiative, available at <https://2009-2017.state.gov/e/eb/rls/rpts/othr/266985.htm#:~:text=The%20Global%20Connect%20Initiative%20is,their%20part%20to%20expand%20connectivity>.

¹³⁰ See ITU, Connect 2020 Agenda, available at <https://www.connect2020.net>.

¹³¹ ITU, Facts and Figures 2021, available at <https://www.itu.int/en/ITU-D/Statistics/Documents/facts/FactsFigures2021.pdf>

¹³² USAID, Connectivity for Liberia, available at: https://www.usaid.gov/sites/default/files/documents/15396/PROJECT_LINK_1108_final.pdf.

¹³³ Government of the United Kingdom, Foreign, Commonwealth and Development Office (FCDO), Digital Access Programme, available at: <https://devtracker.fcdo.gov.uk/projects/GB-1-204963/summary/>.

¹³⁴ Access Now, US President Biden signs into law \$65 billion for more accessible and affordable internet, available at: <https://www.accessnow.org/us-infrastructure-package-internet/>, 15 November 2021; The New York Times, Biden signs infrastructure bill, promoting benefits for Americans, available at: <https://www.nytimes.com/live/2021/11/15/us/infrastructure-bill-signing#biden-signs-infrastructure-bill>, 15 November 2021.

¹³⁵ Access Now, No longer turning blind eye, U.S. Congress finally moves to get people online amid pandemic, available at: <https://www.accessnow.org/u-s-congress-broadband-funding/>, 21 December 2020.

59. In October 2021, **USAID in the Philippines** launched Better Access and Connectivity (BEACON).¹³⁶ BEACON is a \$33 million project that will focus on the improvement of the Philippines' ICT and logistics infrastructure; strengthen the regulatory, business, and innovation environment; and bolster cybersecurity. Some of its specific initiatives include assistance for government automation and digitization efforts, and support for community networks to expand low-cost internet access for underserved communities.
60. **Asian Development Bank's Asia-Pacific Remote Broadband Internet Satellite Project** aims to bring internet connections to remote rural areas where no or very little internet coverage is available.¹³⁷

Concluding Recommendations

1. States

- a. Ensure that the internet, including social media and other digital communication platforms, will remain open, accessible, inclusive and secure, at all times;
- b. Order internet service providers operating to provide everyone with high-quality, secure, open, and unrestricted internet access particularly during elections and protests and thereafter;
- c. Order internet service providers operating to inform internet users of any potential disruptions and to take all reasonable steps to fix any identified disruptions likely to impact the quality of service they receive;
- d. Develop or expand emergency funding to help broaden connectivity initiatives, both to help ensure infrastructure build-out and to increase the affordability of connections, especially to historically underserved and marginalized communities;
- e. States should remove barriers to access technology like mandatory SIM card registration. Mobile phones and laptops should be made available to those in need, where possible;
- f. Marginalized individuals and communities, often afforded few opportunities to control ICT devices, should receive targeted support to ensure that digital access and literacy levels grow particularly amid the COVID-19 pandemic;
- g. Encourage the growth of community networks and internet infrastructure by easing restrictions on publicly owned or publicly run networks;
- h. Encourage States to join existing multi-stakeholder initiatives addressing internet shutdown, including the Freedom Online Coalition (FOC) and the FOC's dedicated Task Force on Internet Shutdowns (TFIS);

¹³⁶ USAID, USAID Launches New Project to Increase Digital Connectivity in the Philippines, available at: <https://www.usaid.gov/philippines/press-releases/10-28-2021-usaid-launches-new-project-increase-digital-connectivity-in-the-philippines>, 28 October 2021.

¹³⁷ Asian Development Bank, Internet connectivity in the time of COVID-19, available at: <https://www.adb.org/results/internet-connectivity-time-covid-19>, 25 February 2021.

- i. Undertake joint initiatives to issue country-specific statements and tailored recommendations to condemn internet shutdowns within international fora including the U.N. Human Rights Council, particularly Council's Universal Periodic Review (UPR) process, the U.N. General Assembly and the U.N. Security Council;
- j. Encourage regulators to ensure that the relevant regulation allows for adequate transparency from the private sector to confirm when a network shutdown is the result of a government-mandated request. States should also introduce proactive measures to publicly report on such requests made to operators;
- k. Renew multilateral initiatives like Global Connect and Connect2020 Agenda, with redoubled funding and technology transfers toward states and groups struggling to achieve universal access to the internet; and
- l. Withdraw any sanctions on states and regions that interfere with transfers, sale, or trade involving technologies that facilitate a population's access to the internet and internet-based software and services, and take care that any new or targeted sanctions do not broadly impede such trade.

2. Private sector

- a. Comply with the due diligence obligations in order to assess, respect, and remedy the human rights impacts of internet shutdowns, pursuant to the U.N. Guiding Principles on Business & Human Rights and the OECD Guidelines for Multinational Entities;
- b. Maintain clear policies about how and when they notify customers of service disruptions before, during, and after a shutdown;
- c. Publicly denounce internet shutdowns and disruptions and highlight their devastating impact. At the very least, companies should consider disclosing such orders publicly;
- d. Join other telcos and ISPs to contest the legality of internet shutdown orders in court and through private lobbying;
- e. Document shutdowns' human rights impacts and economic costs, and preserve evidence and reveal any internet shutdown demands from the government;
- f. Routinely consult with civil society and rally peer companies to jointly push back against government censorship and surveillance demands;
- g. Investors considering investments in the technology sector in a country should ensure they conduct in-depth due diligence on the prevalence and on the history of government-mandated shutdowns in the country as part of their risk assessments.

3. International organizations, including development aid organizations and international financial institutions

- a. The U.N. High Commissioner should call on the U.N. Secretary-General to ensure an open and transparent U.N. Tech Envoy appointment process, and commit to human rights and multi-stakeholder engagement, so that qualified leadership is established

when it comes to technology-related issues, including issues around internet shutdowns;

- b. Establish a global fund to increase internet access in Least Developed Countries (LDCs) in light of SDG 9.C. This fund should include the full participation of local communities and civil society in technical skill transfer and digital literacy programming, especially with gender focus (building on the Global Connect Initiative and EQUALS projects) to ensure digital inclusion;
- c. Monitor internet shutdowns and their impacts, globally;
- d. Publicly denounce the use of internet shutdowns as a hindrance to its mission - for example, the World Health Organization can publicly denounce internet shutdowns as acute threat to public health.



Access Now (<https://www.accessnow.org>) defends and extends the digital rights of users at risk around the world. By combining direct technical support, comprehensive policy engagement, global advocacy, grassroots grantmaking, legal interventions, and convenings such as RightsCon, we fight for human rights in the digital age.

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