

Re: Internet Connectivity in the Republic of Cameroon

Your Excellencies,

We are writing to urgently request that you restore full Internet access in the South West and North West regions of Cameroon. Reports indicate that your government issued orders to block access to the entire Internet on Oct. 1, and thereafter to block social media platforms. This censorship has affected anglophone regions of the country and nearby francophone areas. [1]

We implore you to keep the Internet on. This is the second time in 2017 that your government, despite international condemnation, has chosen to deprive millions of citizens of the fundamental right to access and impart information online. Your decision to order an Internet shutdown appears to contradict a statement by your government on Sep. 27, 2017, in which the Minister of Posts and Telecommunications declared that Cameroon is a country where the rights of citizens, including the right to access and share information on the Internet, are guaranteed and protected.

The Internet has enabled significant advances in health, education, and creativity, in Cameroon as elsewhere, and it is now essential to fully realize human rights including participation in elections and access to information.

Shutdowns disrupt the free flow of information and create a cover of darkness that increases insecurity. Research shows that Internet shutdowns and violence go hand in hand. [2] The Republic of Cameroon has already joined an alarming global trend of government-mandated shutdowns around public demonstrations and elections, a practice that many African Union member governments have recently adopted, including: Burundi, Congo-Brazzaville, Chad, Gabon, Egypt, Sudan, the Central African Republic, Niger, Democratic Republic of Congo, and Togo. [3], [4], [5], [6], [7], [8], [9], [10]

Internet shutdowns — with governments ordering the suspension or throttling of entire networks, often during elections or public protests — must never be allowed to become the new normal. Justified for public safety purposes, shutdowns instead cut off access to vital information, e-financing, and emergency services, plunging whole societies into fear and destabilizing the Internet's power to support small business livelihoods and drive economic development.

In his speech at the 2017 session of the UN General Assembly, the President of the Republic, H.E. Paul Biya, reaffirmed the commitment of the government to reduce poverty in Cameroon. The development of the digital economy is a possible way to help the Government achieve this. Yet the Internet shutdown imposed in anglophone territories of Cameroon early in 2017 caused at least \$4.5M in losses to the country. [11] [12] In addition, a recent study by the Collaboration on International ICT Policy for East and Southern Africa (CIPESA) indicates that shutdowns have cost 10 countries on the African continent at least \$235 million since 2015. [13] The

current shutdown likewise harms the economy widely, deters development, and directly infringes Cameroonians' economic, social, and cultural rights.

International Law

A growing body of jurisprudence declares shutdowns to violate international law. The United Nations Human Rights Council has spoken out strongly against internet shutdowns. In its 32nd Session, in July 2016, the Council passed by consensus a resolution on freedom of expression and the internet with operative language on internet shutdowns. The resolution, A/HRC/RES/32/13, "condemns unequivocally measures to intentionally prevent or disrupt access to or dissemination of information online in violation of international human rights law and calls on all States to refrain from and cease such measures." The Council intended this clear declaration to combat the blocking and throttling of networks, applications, and services that facilitate the freedoms of expression, opinion, and access to information online. In addition, the African Commission on Human and Peoples' Rights stated in its November 2016 Resolution on the Right to Freedom of Information and Expression on the Internet in Africa that it was, "Concerned by the emerging practice of State Parties of interrupting or limiting access to telecommunication services such as the Internet, social media and messaging services, increasingly during elections." [14]

In 2015, various experts from the United Nations (UN) Organization for Security and Co-operation in Europe (OSCE), Organization of American States (OAS), and the African Commission on Human and Peoples' Rights (ACHPR), issued an historic statement declaring that internet "kill switches" can never be justified under international human rights law, even in times of conflict. [15] General Comment 34 of the UN Human Rights Committee, the official interpreter of the International Covenant on Civil and Political Rights, which Cameroon has ratified, emphasizes that restrictions on speech online must be strictly necessary and proportionate to achieve a legitimate purpose. Shutdowns disproportionately impact all users, and unnecessarily restrict access to information and emergency services communications during crucial moments.

Cameroon is also a signatory of the International Covenant on Economic, Social and Cultural Rights. Articles 1, 2, and 6 guarantee rights to the benefits of science and technology, education, work, and economic self determination, which the shutdown impermissibly impeded.

Recommendations

We humbly request that you use the vital positions of your good offices to:

Ensure that the internet connectivity, including social media, is restored in all regions of the republic of Cameroon in the coming period

Publicly declare your commitment to protect Cameroonian citizens' fundamental right to access and share information online

Publicly declare your commitment to keep the internet on, including social media

Encourage telecommunications and internet services providers to respect human rights, including through public disclosures and transparency reports.

We are happy to assist you in any of these matters.

Sincerely,

Access Now

Internet Sans Frontières

Center for Media Research - Nepal (CMR-Nepal)

Human Rights Foundation

i freedom Uganda Network

KICTANet

League of African Cyberactivists and Bloggers for Democracy - AFRICTIVISTES

Media Monitoring Africa

Open Observatory of Network Interference (OONI)

Paradigm Initiative

PEN America

Penplusbytes

Right2Know Campaign

SFLC.in

Sunlight Foundation

Turkey Blocks

Viet Tan

Notes:

[1] 'Cameroon Internet Shut for Separatists' (BBC, 2 Oct. 2017)

<www.bbc.co.uk/news/world-africa-41468149>; See also Julie Owono, 'Cameroun: Le gouvernement restreint à nouveau Internet' (Internet Sans Frontières, 2 Oct. 2017)

<<https://internetwithoutborders.org/fr/cameroun-le-gouvernement-eteint-internet-sur-fond-de-tensions-politiques>>

[2] Sarah Myers West, 'Research Shows Internet Shutdowns and State Violence Go Hand in Hand in Syria' (Electronic Frontier Foundation, 1 July 2015)

<<https://www.eff.org/deeplinks/2015/06/research-shows-internet-shutdowns-and-state-violence-go-hand-hand-syria>> accessed 18 February 2016.

[3] 'Access urges UN and African Union experts to take action on Burundi internet shutdown' (Access Now 29 April 2015)

<<https://www.accessnow.org/access-urges-un-and-african-union-experts-to-take-action-on-burundi-interne/>> accessed 18 February 2016.

[4] Deji Olukotun, 'Government may have ordered internet shutdown in Congo-Brazzaville'

(Access Now 20 October 2015)

<<https://www.accessnow.org/government-may-have-ordered-internet-shutdown-in-congo-brazza-ville/>> accessed 18 February 2016.

[5] Deji Olukotun and Peter Micek, 'Five years later: the internet shutdown that rocked Egypt' (Access Now 21 January 2016)

<<https://www.accessnow.org/five-years-later-the-internet-shutdown-that-rocked-egypt/>> accessed 18 February 2016.

[6] Peter Micek, 'Update: Mass internet shutdown in Sudan follows days of protest' (Access Now, 15 October 2013)

<<https://www.accessnow.org/mass-internet-shutdown-in-sudan-follows-days-of-protest/>> accessed 18 February 2016.

[7] Peter Micek, 'Access submits evidence to International Criminal Court on net shutdown in Central African Republic' (Access Now 17 February 2015)

<<https://www.accessnow.org/evidence-international-criminal-court-net-shutdown-in-central-african-repub/>> accessed 18 February 2016.

[8] 'Niger resorts to blocking in wake of violent protests against Charlie Hebdo cartoons.' (Access Now Facebook page 26 January 2015)

<<https://www.facebook.com/accessnow/posts/10153030213288480>> accessed 18 February 2016.

[9] Peter Micek, (Access Now 23 January 2015) 'Violating International Law, DRC Orders Telcos to Cease Communications Services'

<<https://www.accessnow.org/violating-international-law-drc-orders-telcos-vodafone-millicon-airtel/>> accessed 18 February 2016.

[10] 'Dispatches from an internet shutdown — Togo' (Access Now 20 Sept. 2017)

<<https://www.accessnow.org/dispatches-internet-shutdown-togo>>

[11] Julie Owono, Regional Internet Blackout In Cameroon (Report by Internet Sans Frontières, 20 January 2017) <<https://internetwithoutborders.org/fr/regional-internet-blackout-in-cameroon/>>; see also Julie Owono, Cameroon's Reflection on the "false news" debate stirs censorship fears (Report by Internet Sans Frontières, 22 November 2016)

<<https://internetwithoutborders.org/fr/cameroonian-governments-dangerous-stance-against-a-free-e-and-open-internet/>>

[12] Darrell West, (Brookings Institution, October 2016) "Internet shutdowns cost countries \$2.4 billion last year"

<<https://www.brookings.edu/wp-content/uploads/2016/10/internet-shutdowns-v-3.pdf>>

[13] 'Internet shutdowns are costing African governments more than we thought' (Quartz 28 Sept. 2017)

<https://qz.com/1089749/internet-shutdowns-are-increasingly-taking-a-toll-on-africas-economies>

[14] African Commission on Human and Peoples' Rights, (November 2016) '362: Resolution on the Right to Freedom of Information and Expression on the Internet in Africa – ACHPR/Res. 362(LIX) 2016' <http://www.achpr.org/sessions/59th/resolutions/362/>

[15] Peter Micek, (Access Now 4 May 2015) 'Internet kill switches are a violation of human rights law, declare major UN and rights experts'

<<https://www.accessnow.org/blog/2015/05/04/internet-kill-switches-are-a-violation-of-human-rights-law-declare-major-un/>> accessed 18 February 2016.

