

“Technical Assistance for the Policy and Regulation Initiative for Digital Africa (PRIDA)”

Mapping of multi-stakeholder structures related to digital policies and decision-making in Africa

Makane Faye

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Introduction

1. Information and communication technologies (ICTs) which is exemplified by the Internet has already become established as a new social infrastructure in countries around the world. Internet is now being used by close to half the world's population dominated by the youth (aged 15 to 24) which accounts to 70.6 per cent of the global users in 2017. Although penetration growth remains slow, the situation in Africa is similar with Internet penetration rate of 21.8 per cent and the proportion of youth (aged 15 to 24) account for 40.3 per cent of the users. Proportion of households with Internet access in Africa was 18 per cent in 2017 compared to 84.2 per cent in Europe or the world's average of 53.6 per cent.
2. These numbers may not tell the whole story of how the Internet's effect on our lives has become pervasive. Over the past decade, the use of e-mail, web and social media tools have become part of the daily routine for billions of Internet users, and the Internet has become part of the vital infrastructure of global social, political, economic and cultural life. Consequently, the question related to Internet governance has evolved from relative obscurity to attracting wider attention worldwide particularly as a result of the World Summit on the Information Society held in 2003 and 2005.
3. The Tunis Agenda for the Information Society¹, which is the outcome document of the final phase of the World Summit on the Information Society (WSIS), alongside the call for the creation of the Internet Governance Forum, served as the foundations for the model of bottom-up, multistakeholder Internet governance.
4. For the benefit of clarifying the key concept for this paper, it is important to describe the concept of multistakeholderism. A stakeholder refers to an individual, group, or organisation that has a direct or indirect interest or stake in a particular organisation; they may be businesses, civil society, governments, academic or research institutions, and non-governmental organisations. Therefore multistakeholder governance refers to a process where representatives from different public interest advocacy groups, such as business organisations and civil society, can participate in public policy deliberations in cooperation with governments². It is therefore argued that Internet governance is developed via a multistakeholder process in which state and non-state actors collaborate on managing technical and operation tasks, managing resources such as domain names and numerical addresses and setting standard communication protocols³. It is therefore elaborated that as the economic and political implications of the Internet grew, it has been difficult to separate technical decisions from their social and economic implications.

¹ <https://www.itu.int/net/wsis/docs2/tunis/off/6rev1.html>

² Mueller, M. (2010). *Networks and States: The Global Politics of Internet Governance*. MIT(Press

³ Fidler, D. P. (2013). Internet Governance and International Law: The Controversy Concerning Revision of the International Telecommunication Regulations. *Insights*, February 7, 2013, Vol. 17, Issue 6. American Society of International Law.

5. Governments involvement including representatives from developing countries have been realised through intergovernmental fora which address Internet-related policies through an issue specific perspective – including infrastructure, security, human rights, privacy, copyright, which might have implications for the direction of broader Internet governance debate. Africa’s participation in the Internet governance space has been active since the WSIS process holding regional meetings from 2002 to 2005 in Bamako, Accra, Addis Ababa, Cairo, Johannesburg, Douala and Tunis. Within the IGF global initiative, Africa has also hosted IGF in Egypt (2009) and Kenya (2011). During the global IGF in Nairobi, Africa has launched the African Internet Governance Forum (AfIGF) in 2011. Furthermore, Africa has put in place five sub-regional initiatives with sub-regional IGFs launched in East, West, Central, Southern and North Africa regions and several national IGFs.
6. In this context, the European Union and the African Union have launched the “Policy and Regulation Initiative for Digital Africa (PRIDA)” project. The overall objective of PRIDA is to foster universally accessible, affordable and effective wireless broadband-across the continent to unlock possible future benefits of Internet based services. One of the specific objectives of this project is to strengthen the ability of African decision makers to actively participate in the global internet governance debate.
7. To this end, as part of the technical assistance to the PRIDA initiative, this work contributes towards one of the outputs of PRIDA which is African decision makers' active participation in the global internet governance debate. The work involves three major activities, namely, *mapping the multi-stakeholder structures related to digital policies and decision-making, mapping forthcoming meeting and political deadlines relevant to internet governance, development of a work plan reflecting African priorities relating to IG and development and development of a manual for the development of national and regional IGFs in Africa.*
8. To undertake these activities, the consultant has used various methodologies and tools including desk research, literature reviews and assessment of previous events and activities relating to IGF globally and in Africa, questionnaire-administered survey and online consultation through a webinar organised among key stakeholders in Africa. For the mapping of issues, stakeholders and decision-making a software tool called VisuaLyser 2.2 was used. Despite a short period of time allocated for the entire assignment, the consultant managed to undertake a questionnaire-administered survey and 46 responses were received from 29 countries within twelve to fifteen days of the time provided. Twenty three stakeholders have participated in the online consultation webinar organised by the consultant.
9. This report, therefore, deals with the mapping of multi-stakeholder structure related to digital policies and decision-making in Africa. The report provides detailed analysis of the IG space, evolution and development in Africa and maps the issues, stakeholders and decision-making processes. This is also further mapped and provided in detail on the analysis of the responses to the questionnaire survey and discussions during the online consultation presented in this report.

Internet Governance

What is Internet Governance?

10. The Internet refers to the global, seamless interconnection of networks using Internet Protocol (IP). Internet Protocol is a network layer protocol that contains the addressing information and some control information that allows packets to be routed. These networks are privately owned and operated and have many different properties. They are all based on technical protocols, numbering and naming systems that use widely accepted standards to enable the transport of information across many interconnected networks. Since the networks that make up the Internet are widely distributed and operated by thousands of different entities, both large and small, the Internet's infrastructure and operation is a collaborative activity. Therefore, 'Internet governance' involves the entire set of multi-stakeholder decision-making processes for technical and public policy matters that affect information and communication technology infrastructures and networks, Internet communications, and Internet commerce and applications.
11. Internet governance came out of the political issues around the Internet in the mid-1990s which led to the emergence of an innovative governance system which is a complex mechanism that involves many actors in many forums. The World Summit on the Information Society (WSIS) provides the following working definition of Internet governance:

Internet governance is the development and application by Governments, the private sector, and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet.

In this regard, from the functionality point of view, Internet governance can be understood as comprising the following elements⁴:

- The technical standardization activities that promote interoperability of Internet Protocol (IP) applications as well as network security, reliability and quality for the Internet;
- The technical coordination of the key protocols and addresses and names that underpin the technical functioning of the Internet; and
- The handling of public policy matters.

It is therefore clear that no single entity can perform all of these functions. It is recognised that different stakeholders are leading and continue to lead on different aspects and sub-

⁴ Ayesha Hassen (). Internet Governance: Strengths and Weaknesses From A Business Perspective. A Chapter from the book entitled 'Reforming Internet Governance: Perspectives from WGIG', pp. 117-128 Retrieved on 10/04/19 at: https://www.wgig.org/docs/book/Ayesha_Hassan%20.pdf

issues under each component. Furthermore, the Internet is also dependent on other infrastructures, namely, the telecom infrastructure to provide an underlying global platform, the energy infrastructure to provide power to operate user and network ICTs, the education infrastructure to educate and train people to use ICTs and their applications and to design, build and operate the Internet. Internet governance is therefore often described as being a multistakeholder process. Various stakeholders such as governments, intergovernmental organisations, the private sector, the technical community, academia and civil society are able to participate in the elaboration of common rules for the Internet in forums such as the ICANN or the UN-sponsored Internet Governance Forum.

The evolution of Internet governance

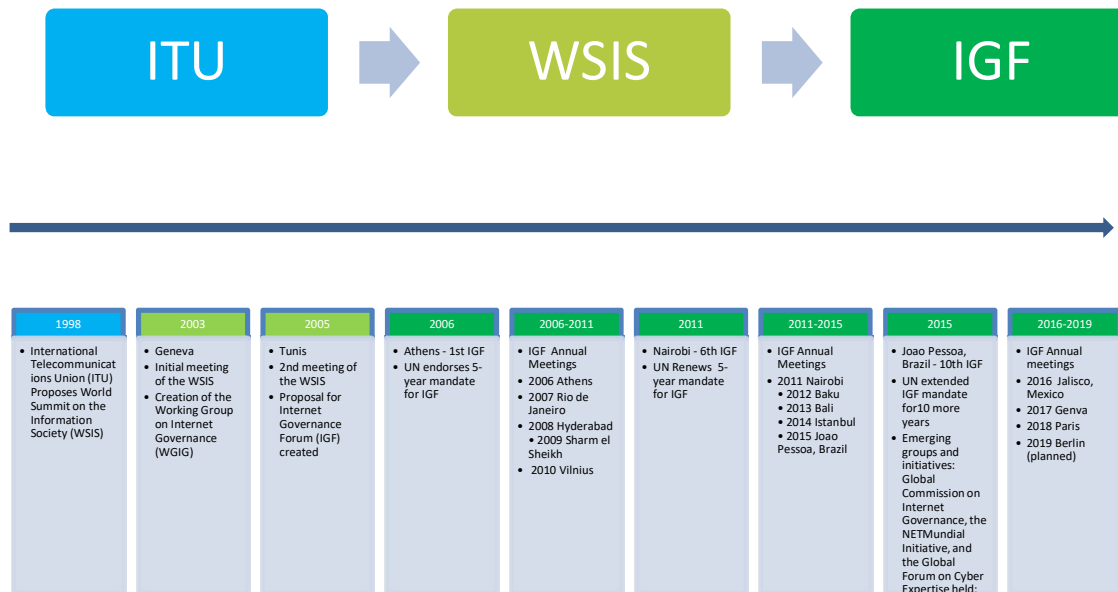
12. Historically, the international telecommunications relationships were primarily bilateral agreements between national operators usually controlled by governments and the International Telecommunications Union (ITU), which was largely tasked in regulating issues related to interconnection. However, in early 1990s with the changes in global telecommunications networks due to privatisation, the introduction of competition, the negotiation of regional and international agreements liberalising trade in service, and the emergence of the Internet itself, the centrality of the governing role played by ITU diminished. These changes brought new issues, actors and decision making fora into the global governance sphere challenging many of the ITU's main governance functions⁵. The lack of coordinating authority over these new players and *fora* visibly showed the problem of governance to the stage in order to identify mechanisms for coordination of rules and policy-making affecting the internet. In 1998, a new organisation, the Internet Corporation for Assigned Names and Numbers (ICANN) was established and became the focus of most Internet governance debates. During the same year, the ITU also proposed the World Summit on the Information Society. As a result, the Working Group on the Internet Governance (WGIG) was established by the United Nations Secretary-General at the first WSIS summit in Geneva (December 2003).
13. The establishment of the Working Group on Internet Governance, involving 40 members including representatives from governments, civil society and the private sector marked in the history of IG the emergence of multistakeholderism in Internet governance. Having identified a vacuum within the context of existing structure of the lack of global multistakeholder forum to address Internet-related public policy issues, WGIG concluded the need for creating a space for dialogue among all stakeholders. Accordingly, the second WSIS summit held in Tunis (November 2005) elaborated on the question of Internet governance, including adopting a definition as indicated above, outlining Internet governance issues, and establishing the Internet Governance Forum (IGF), a multi-stakeholder body convened by the UN Secretary-General. The then UN Secretary-General

⁵ MacLean, D. (2008). Sovereign Right and the Dynamics of Power in the ITU: Lessons in the Quest for Inclusive Global Governance. In *Governing Global Electronic Networks: International Perspectives on Policy and Power*. Edited by William J. D. and Ernest J. Wilson III. The MIT Press.

also established the Multistakeholder Advisory Group (MAG) with its own mandate to advise the Secretary-General on the preparation of the program and agenda⁶ of the IGF meetings. The MAG membership, made up of 56 members from government, the private sector, civil society, academia and the technical community, is renewed annually, with one-third of the membership carrying over into the next, providing continuity while also expanding the opportunity for new input and involvement from interested participants. Whereas the IGF renewed its five year mandate in 2011 as well as another ten years mandate renewed in 2015 and continues to provide a vital policy forum for discussing and coordinating Internet policy.

14. The major developments in the trajectory of the Internet Governance Forum in the last over thirteen years can be depicted in the following timeline:

Figure 1: Timeline for the establishment and growth of the Internet Governance Forum (IGF)



The core guiding principles of Internet Governance

15. At the outset of the Internet Governance Forum, the core guiding principles for the multi-stakeholder Internet Governance Space are the following:

- **Openness** - all entities, organisations and participating institutions which are Internet governance stakeholders shall be free to join the forum.

⁶ Calandro, Enrico, Gillwald, Alison & Zingales, Nicolo (2013). Mapping Multistakeholderism in Internet Governance: Implications for Africa. ResearchICT Africa. www.researchICTAfrica.net

- **Multistakeholder** - At all points, efforts shall be made to encourage all categories of stakeholders to actively participate in the Forum.
- **Language Diversity** – to the extent possible it shall strive to maintain language diversity in its operations.
- **Remote participation** - it shall make optimum use of the Internet to increase number of participants.
- **Transparency** - The stakeholders shall strive to be open in communications, in decisions and their implementations. Clear understanding of the Internet Governance process for sustainability in engagement of all stakeholders shall be the aim of the IGF.

Multistakeholderism - Internet governance actors

16. The concept of multistakeholderism is a recent phenomenon which has been around in the last over two decades. As an organising principle and a political practice, multi-actor arrangements have a long tradition. However, in academic literature, the term multi-stakeholder evolved as component branching out of stakeholder theory. Accordingly stakeholders are ‘any group or individual who can affect or is affected by the achievement of the organisation’s objectives’⁷. However, other studies decenters organisational discourse by replacing privileged managerial monologues with multilateral stakeholder dialogues emphasising that there is no clear center of power, rather, power is located in multiple stakeholders. As a result, this multiple stakeholders’ perspective has also suggested placing more focus to an issue at stake. The term multistakeholderism began to spread across transnational policy domains around the end of the 1990s.
17. Consequently, recent definition of multi-stakeholder concept emphasises on procedural properties. Therefore, multi-stakeholder approaches are described as new modes of rulemaking, building ‘on the idea of assembling actors from diverse societal spheres into one policymaking or rule-setting process, to make use of their resources, competences, and experiences’⁸. Thus, these multi-stakeholder actors form an institutional framework, involving two or more groups of actors engaged in a common governance enterprise concerning issues they regard as public in nature, and characterised by polyarchic authority relations constituted by procedural rules⁹.
18. This description and definition of multistakeholderism giving central focus around ‘issues’ in which two or more actors working around policy making, standard setting, and managing resources brings us towards the key Internet governance actors. As stipulated in Article 49 of the 2005 Tunis WSIS Declaration, Internet actors include national governments,

⁷ Freeman, R. Edward. 1984. *Strategic Management: A Stakeholder Approach*. Pitman Series in Business and Public Policy. Boston, MA: Pitman.

⁸ Boström, Magnus, and Kristina Tamm Hallström. 2013. “Global Multi-Stakeholder Standard Setters: How Fragile Are They?” *Journal of Global Ethics* 9 (1): 93–110. doi:10.1080/17449626.2013.773180

⁹ Raymond, Mark, and Laura DeNardis. 2015. “Multistakeholderism: Anatomy of an Inchoate Global Institution.” *International Theory* 7 (03): 572–616. doi:10.1017/S1752971915000081.

international organisations, the business sector, civil society and the technical community. In this regard, whereas multistakeholderism is adopted in the Tunis Agenda as a principle, the major challenge and debate is on the role, which is specific to each actor¹⁰.

19. Furthermore, the Tunis Agenda defines the agreed roles of the stakeholder groups.

We reaffirm that the management of the Internet encompasses both technical and public policy issues and should involve all stakeholders and relevant intergovernmental and international organizations. In this respect it is recognised that:

a) Policy authority for Internet-related public policy issues is the sovereign right of **States (Governments)**. They have rights and responsibilities for international Internet-related public policy issues;

b) The **private sector** has had and should continue to have an important role in the development of the Internet, both in the technical and economic fields;

c) **Civil society** has also played an important role on Internet matters, especially at community level, and should continue to play such a role;

d) **Intergovernmental organizations** have had and should continue to have a facilitating role in the coordination of Internet-related public policy issues;

e) **International organizations** have also had and should continue to have an important role in the development of Internet-related technical standards and relevant policies.

Further, we will highlight some of the characteristics and roles of actors in the Internet governance space.

Governments

20. Governments have a key role in the policy making process at national level as well as concluding bilateral or multilateral agreements on international law and policies through their involvement in intergovernmental organisations which can be categorised by their geographic reach (global or regional), their manifest purposes (general or specific) and their membership base (governmental or hybrid)¹¹.

21. At the national level, States have a big stake on Internet-related policies within their own borders, such as passing laws, protecting intellectual property, regulating access to certain online content or services.

22. The Internet is open, distributed, interconnected, and transnational. Consequently, the multistakeholder approach to Internet Governance has evolved from the Internet's own nature and what it allows it to grow. To this end, the working definition of Internet

¹⁰ Malcolm, Jeremy (2008). Multi-Stakeholder Governance and the Internet Governance Forum. Terminus Press: Perth.

¹¹ Malcom, Jeremy (2008). Multi-Stakeholder Governance and the Internet Governance Forum. Perth, Australia: Terminus Press.

governance, according to paragraph 34 of the Tunis Agenda for Information Society (Tunis, 2005), is the development and application by governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet.

23. It is therefore expressed in paragraph 68 of the Tunis Agenda that all governments should have an equal role and responsibility for international Internet governance and for ensuring the stability, security and continuity of the Internet, while also recognizing the need for development of public policy by governments in consultation with all stakeholders.
24. While States have a sovereign right in the field of Internet-related public policy, the role of government in Internet Governance is also further elaborated in paragraph 69 of the Tunis Agenda on the need for enhanced cooperation in the future, to enable governments, on an equal footing, to carry out their roles and responsibilities in international public policy issues pertaining to the Internet, but not in the day-to-day technical and operational matters that do not impact on international public policy issues.
25. The roles and responsibilities of Government can be summarized as follows:
 - Public Policymaking coordination and implementation, at the national level, and policy development and coordination at the regional and international levels.
 - Creating an enabling environment for information and communication technology development.
 - Oversight functions.
 - Development and adoption of laws, regulations and standards.
 - Treaty-making.
 - Development of best practices.
 - Fostering capacity-building in and through ICTs.
 - Promoting research and development of technologies and standards.
 - Promoting access to ICT services.
 - Combating cybercrime.
 - Fostering international and regional cooperation.
 - Promoting the development of infrastructure and ICT applications.
 - Addressing general developmental issues, including Internet Governance and the Sustainable Development Goals (SDGs).
 - Promoting multilingualism and cultural diversity.
 - Dispute resolution and arbitration.

The private sector

26. It is recognised that the influence economically and politically of the private sector in international arena, mainly those referred as multinational (or transnational) corporations (MNCs) is significant. The private sector has begun slowly to secure new rights of direct access to intergovernmental fora, including in those international frameworks as the WSIS. With the growth of the Internet, the interests of the private sector in Internet governance has become wide and diverse, particularly among some groups of business companies such as domain name companies, Internet service providers (ISPs), and the Internet content companies. Consequently, the private sector exercises significant influence on government policy development outside of its formal representation in governmental or intergovernmental fora both at domestic or international level.

Civil Society

27. The United Nations recognised both the Civil Society and the Private Sector as two categories of non-state actor stakeholders in Internet governance. However, the Civil Society in the context of the IG space refers to the organised civil society rather than to civil society at large. Although the IGF allows individual participation from civil society, who does need to have particular institutional affiliation other than with the IGF itself, such cases are exceptions to the usual rule that the participation of civil society in the international system occurs only through organised groups.
28. Civil society has been active like the private sector in influencing and shaping the development of international law. Therefore, civil society has won permanent representation at a variety of intergovernmental organisations and conferences. Widely identified as the third stakeholder group, civil society, claims, its legitimacy as ‘a specialist, a scholar, or an expert whose authority derives from specialized knowledge and practices that render such knowledge acceptable, and appropriate, as authoritative’.
29. Thus the basis of transnational civil society’s legitimate authority in international governance is that it acts as a check on the power of the state to the extent that the state’s authority fails to adequately represent the interests of its citizens—particularly including interests that cut across States.

International organisations

30. In both technical and non-technical areas of the Internet, the role of the international organisations has been important. For example ITU as one of the central international organisation in the WSIS process was key in hosting the WSIS Secretariat and providing policy input on the main issues. The family of the UN specialised agencies, have mandates on some of the non-technical aspects of communications and Internet technology, such as social, economic and cultural features. For example, UNESCO has been a prominent player in addressing issues such as multilingualism, cultural diversity, knowledge society and

information sharing, etc. There are also some international bodies such as WIPO and the World Trade Organization (WTO) with authority and jurisdiction for some of the issues.

Technical community

31. The technical community involves institutions and individuals who have developed and promoted the Internet since its origin. The technical community promoted the principles of sharing resources, open access and opposing government's influence and Internet regulation. Their role with the early management of the Internet was challenged in the mid-1990s as the Internet became part of the global social and economic life and with the emergence of new stakeholders, such as the business sector, etc. Being one of the representatives of the technical community, the Internet Society hosts the IETF, promotes the open Internet principle and contributes to the growth of the IG space through capacity building, etc. The technical community is also key player in the process of both establishing and running of ICANN in which prominent personalities like Vint Cerf (known as one of the fathers of the Internet) being the Chair of the ICANN Board.
32. Given that some members of the technical community hold important positions in different ICANN decision-making bodies, as one of the key stakeholders and IG actors, the technical community has a prominent role. There is a debate between the technical community who claims to assume control of ICANN as it is a technical organisation and others. The later argue that given the growing difficulty of maintaining ICANN as an exclusively technical organisation, members of the technical community may gradually integrate the core stakeholder groups, especially civil society, business, and academia. Till then, the technical community remains a key actor that we treat as a key IG actor in this report.

Governance 'of' and 'on' the Internet: the three Governance functions

33. In the early days, the term 'Governance' was being used among the technical community to designate the technical management of the Domain Name System and the associated root servers which in a way was meant to refer to the governance 'of' the Internet such as of the network infrastructure of the Internet itself. However, with the continued evolution of IG, it was recognised that the Internet is also a space, where several policy issues related to the activities undertaken in that space emerged. Among others we may note issues related to online activities such as e-commerce, intellectual property, spam and cyber-crime, freedom of expression, child safety, protection of personal data and privacy, etc. where international common rules were being necessary in order to address conflicts of jurisdiction. As the traditional framework based on the exclusive sovereignty of nation-states was not suitable to address such a transnational network, the WSIS after two years of deliberation accepted considering 'Internet Governance' from then on, to cover two complementary dimensions:

the governance of the network itself and of the activities conducted on it. Hence, the word ‘Internet Governance’ became both the governance ‘of’ the Internet and ‘on’ the Internet¹².

34. In this context, whether taking a broader or narrower view of the notion of ‘governance’ as it pertains to the Internet, when it comes to addressing the question of ‘what is being governed’ by whom and how as it relates to the governance of the Internet is an important starting point. Elaborating on the question of what is being governed and taking the activities of ICANN, for example, it can be inferred that ICANN makes decisions on issues that indirectly translate into the governing of resources of the Internet; it may make policies on how these resources should be allocated and used and as such indirectly governs the action of those who uses the Internet¹³. Therefore, there is the need to address the question of what ‘governance’ issues (policy, technical standards, resources, people etc.) to consider when it comes to mapping out the role of the key stakeholders in the Internet Governance space.
35. As can be drawn from the discussions above and highlighted in other studies¹⁴, three distinct types of governance function can be identified, namely, the technical standardisation, the resource allocation and assignment, and the policy development, enforcement and dispute resolution. The first two functions are handled by numerous non-governmental organisations through open and transparent processes that ensure effective coordination and collaboration among the broad set of stakeholders while the third function is the traditional domain of governments through regulatory and legislative process after effective consultation with all stakeholders¹⁵. These functions are characterised by different processes and expertise, different mechanisms and methods of ‘enforcement’ and also often carried out by different organisations or stakeholder groups. The three governance functions are discussed below.

Technical standardisation

36. One of the main functions of Internet Governance is the technical standardization. This is how decisions are made regarding the basic networking protocols, software applications, and data format standards that make the Internet work. Organizations that perform these functions define, develop and reach consensus on technical specifications. The specifications are then published and have value as a means of coordinating equipment

¹² Organization for Security and Co-operation in Europe (OSCE) (2007). *Governing the Internet: Freedom and Regulation in the OSCE Region*. OSCE: Vienna.

¹³ Dzidonu, Clement (2005). *The Internet Governance Space: Exploring the Core Issues from Africa’s Perspective*. United Nations Economic Commission for Africa, Fourth Meeting of the Committee on Development Information (CODI IV), Addis Ababa, Ethiopia, 23 – 28 April 2005.

¹⁴ *Internet Governance: The State of Play* (2004). The Internet Governance Project (a partnership of scholars from Syracuse University, Georgia Institute of Technology and Wissenschaftszentrum Berlin für Sozialforschung. John Mathiason (team leader), Milton Mueller, Hans Klein, Marc Holitscher and Lee McKnight.

¹⁵ International Chamber of Commerce (ICC), *ICC Background Paper on Internet Governance*, in *Internet Governance: A Grand Collaboration*, MacLean D. (eds), UN ICT Task Force Publication (2004)

manufacturing, software design and service provision in ways that ensure technical compatibility and interoperability.

37. The technical standardization functions of the Internet have been performed mainly by non-State actors. In Internet governance, there is often a close relationship between technical factors and policy. Policy choices may be constrained by technical architecture or concerns about technical feasibility; in the same manner, there is sometimes pressure put on technical standards developers to embed or reflect policy decisions in their standards development.
38. Technical standards allow different components of the Internet to inter-operate and to provide secure, reliable and high-quality networks. Some of the institutional actors involved in key technical standards such as the Internet Engineering Task Force's (IETF), which is responsible in defining the Internet Protocol (IP), etc. are described in the next section below.

Resource Allocation and Assignment

39. The second function is resource allocation and assignment. When usage of a global resource, such as the IP address space, radio spectrum or telephone country number codes, must be exclusive, usage must be coordinated or administered by an organization or another mechanism. The assignment authority allocates or partitions the resource space and assigns parts of it to specific users. They also develop policies, procedures or rules to guide the allocation and assignment decisions. This function was the original source of controversy in Internet governance, where disputes concerning the assignment of top-level domain names led to the creation of the Internet Corporation for Assigned Names and Numbers (ICANN).
40. Resource assignment is not the same thing as technical standardization. Technical standards may create a virtual resource that requires exclusive assignment when put into operation (e.g., the technical standards defining the IP protocol creates an address space, and the DNS protocol defines the domain name space). However defining and reaching consensus on the standard is a completely different function from the subsequent allocation and assignment of the resources. Some of the organisations in this area include a combination of both of the functions (e.g. IEEE Ethernet group, ITU, etc.) while other organisations (e.g. ICANN and IETF) do not have some of the combination of functions role. The main challenge in the international debate in Internet governance has always been the issue of the authority behind the organisations or mechanism in resource allocation. The issue has been the responsibility for decision making in both legal and political terms given that the entity with legitimate authority can affect how resources are assigned. It is also true that when the resources are scarce, control of the institutions becomes important to the concerned actors.

Policy Formulation, Enforcement and Dispute Resolution

41. The third aspect of the Internet governance function is policy making. This refers to the formulation of policy, enforcement and monitoring, and dispute resolution. It involves the

development of norms, rules and procedures that govern the conduct of people and organizations, as opposed to the structure and operation of the technology. While the Internet itself is merely a channel for communication and, in that sense, is policy-neutral, many public policy issues arise either as a consequence of its use by a growing number of people in an international context, or due to the response to national and international problems by state and non-State actors in regulating the technological system itself.

42. This function involves a broad view of Internet governance looking both from the demand and supply side of the Internet ecosystem. While some argue that on the supply side, it is the linkage between policy issues and the rules and procedures for standardisation and resource assignment that produces the most significant governance problems, others view the more complex governance issues from the demand side perspective ranging from accessing the Internet to using it and the consequences of that may produce another significant governance challenge. It is therefore important to have a much more comprehensive view of Internet governance in order to solve the problems that arise from issues confronted by non-territorial landscape of the Internet.

Mapping of multi-stakeholders by governance functions

A. International level

43. Although public policy functions are the responsibility of governments, policy discussions must include the active participation of other stakeholders including private sector, civil society, etc. and should be motivated by broad national public objectives. Public policy matters related to the information society in general and Internet related ones in particular may include – privacy, trade, security, education, spam, intellectual property protection, telecom infrastructure-related issues, consumer confidence/empowerment, etc.
44. Due to the cross-border nature of matters related to the information society, many of these issues can also benefit from international cooperation and action. Consequently, there are international actors and regional bodies that exist where these issues are discussed and coordinated. To this end, in the following section, a number of international organisations and regional bodies which are both directly and closely responsible for issues related to Internet governance are presented.
45. At the international level, there are a number of international organisations that played a key role with regard to Internet governance. The key actors are described below in terms of importance of their role.

Technical Standardisation Function of Internet Governance

46. On a global basis, there are two important institutions critical to the development of core Internet standards, namely, the Internet Engineering Task Force (IETF) primarily the leading entity in Internet standards, and the Internet Telecommunication Union (ITU),

specifically, the ITU-T mostly seen as supplementary to and sometime competitive with IETF activity. On the content side, the World Wide Web Consortium (W3C) develops application-layer standards that facilitate private governance arrangements – but it does not really develop technical standards that govern IP internetworking as such. Some of these organisations involved in technical standards are described in the table below.

Table 1: The role of key organisations (stakeholders) in the Internet Governance Space – coordinating regulatory and technical standards

Organisations	Governance roles
International Telecommunications Union (ITU)	The ITU is responsible for providing comprehensive telecom standards. Broadly divided into three sectors- Telecom standardisation (ITU-T), Radiocommunication (ITU-R), and Development (ITU-D), ITU undertakes heterogenous set of functions, ranging across standardisation, policy making, resource assignment and allocation, sector research and statistics gathering, education, the promotion of telecom development in developing countries, etc.
IETF	The Internet Engineering Task Force (IETF) is the protocol engineering (which includes the Transmission Control Protocol (TCP) and the Internet Protocol (IP)) and development arm of the Internet Society (ISOC) formally established by the IAB in 1986. ITU-T and IETF represent two distinct phases of standardisation where IETF was positioned to create new standards for a new industry (Internet service) whereas ITU-T maintains and upgrades standards in a long-established industry and technology.
Internet Architecture Board (IAB)	The IAB serves as the technology advisory group to the Internet Society and oversees a number of critical activities in support of the Internet. The IAB is responsible for defining the overall architecture of the Internet, providing guidance and broad direction to ISOC.
Internet Engineering Steering Group (IESG)	The IESG is responsible for technical management of IETF activities and the Internet standards process. The IESG is directly responsible for the actions associated with entry into and movement along the Internet ‘standards track’, including final approval of specifications as Internet Standards.
Internet Society – ISOC	The Internet Society (ISOC) is a nonprofit, non-governmental, international, professional membership organization that focuses on standards, education, and policy issues.
World Wide Web Consortium (W3C)	The W3C was created in 1994 to develop common protocols that promote the Web's evolution and ensure its interoperability. W3C ensures the development deployment of interoperable and open ICT standards for the Web.

Resource assignment function of Internet Governance

47. Two critical resource spaces are created on the Internet protocols – the IP address space and the domain name space. There are four organisations that perform the resource assignment functions for the Internet, namely, the 1) the Internet Corporation for Assigned Names and Numbers (ICANN), 2) the regional Internet address registries (RIRs), 3) the Internet Software Consortium, and 4) the International Telecommunication Union (ITU). In addition to these four identifiable entities, there are also a diverse set of root server operators across the world. One might also include international associations of country code top level domain (ccTLD) managers, such as AfTLD, CENTR and APTLD, as actors in this space. We will discuss each of these organizations in turn, and then describe some of the issues surrounding resource assignment.

Table 2: The role of key organisations (stakeholders) in the Internet Governance Space – resource provision and assignment

Organisation	Governance responsibilities
Internet Corporation for Assigned Names and Numbers (ICANN)	ICANN is a nonprofit Californian registered and based corporation that was formed to assume responsibility for the IP address space allocation, protocol parameter assignment, DNS management, and root server system management and other DNS related technical functions. ICANN engages in governance in two ways: through resource assignment and through policy making related to the resources.
Regional Internet Registries (RIRs)	RIRs are responsible for distribution of Internet Number resources, including Autonomous System Numbers and IPv4 and IPv6 addresses. The Number Resource Organisation (NRO) was established in 2003 as a coordinating body for the five Regional Internet Registries (RIRs) to act on matters of global importance to all the RIRs, to participate in global Internet governance activities and to coordinate joint projects across the global RIR system. The five RIRs are: <ul style="list-style-type: none"> • African Network Coordination Centre (AfriNIC) est. in 2005 with 1,609 membership • Asia-Pacific Network Coordination Centre (APNIC) est. in 1993 with 13,279 membership • American Registry for Internet Numbers (ARIN) est. in 1997 covering United States, Canada, many Caribbean and North Atlantic islands with 5,896 membership • Latin American and Caribbean Internet Addresses Registry (LACNIC) est. in 2002 with 8,608 membership • Reseaux IP Europeens Network Coordination Center (RIPE NCC) est. in 1992 covering Europe, the Middle East and parts of Central Asia with 16,000 membership
Root Server Operators	The Root Server Operators are responsible for the technical management and administration of the 13 root servers. The authoritative name servers that serve the DNS root zone, commonly known as the ‘root servers’, are a network of hundreds of servers in many countries around the world. They are configured in the DNS root zone as 13 named authorities. Of the 13 root servers, 10 are in the US, and the three elsewhere in Europe and Asia. These servers are managed by a diversity of institutions including: academic/public institutions (6 servers), commercial setups (3 servers) and government institutions (3 servers)
The Internet Assigned Numbers Authority (IANA)	IANA is responsible for various administrative functions associated with management of the Internet's domain name system root zone.
The Country Code Top Level Domain (ccTLD) Organisations	The Country Code Top Level Domain (ccTLD) Organizations are responsible for the technical management and administration of the country code top level domain system in each of their respective countries.
Internet Service Providers (ISPs)	ISPs provide Internet access to individuals, businesses or organizations. They provide IP related services to their subscriber base with some also providing second level domain name services to end users.

The Policy Functions of the Internet Governance

48. A wide variety of policy issues related to the use of the Internet can be identified. They include balancing intellectual property protection with fair use and free expression, trade and e-commerce, taxation, law enforcement and crime prevention, content regulations and

freedom of expression, spam, data protection, privacy and surveillance, security, rights to domain names, competition policy in the domain name industry, and domain name user privacy. Some of these issues are addressed by existing international regimes, some are addressed at the national level while others are not fully addressed yet. They involve controversies between different countries, different philosophies about the role of regulation generally and disputes among private actors. Because the issue areas are often segmented into distinct categories, conflicts among different policy regimes may go unnoticed. Moreover, the framing of the issues in their respective forums are usually based on the traditional concepts of territoriality that do not work well in the borderless venue provided by the Internet.

49. The following are some of the key actors involved in the policy functions of the Internet governance space although some involved in the technical standards and resource allocation functions are also concerned in some of the policy issues and that one cannot put clear line of demarcation as to the actors' roles in the three distinct areas of the IG functions. For example ITU has a role in technical standardisation and also concerned in the policy issues such as on cybersecurity, etc.

Table 3: The role of key organisations (stakeholders) in the Internet Governance Space – policy roles

Organisations	Governance responsibilities
International Telecommunications Union (ITU)	ITU makes policy recommendations in few areas including on issue areas referred to as 'operation policies', on issues of 'security', policy agreements concerning interconnection of Internet service providers, etc.
World Intellectual Property Organisation (WIPO)	The issue area that has been revolutionised by the Internet is intellectual property. Among policy issues addressed include the WIPO Copyright Treaty and Performance and Phonograms Treaty (WPPT) both in 1996; WIPO sponsored the First Internet Domain Name Process in 1998 which led indirectly to ICANN's UDRP. In 2001 it initiated the Second Internet Domain Name Process proposing new rights to names, such as extending protection to the names and acronyms of intergovernmental organisations and to the official long and short names of countries. Also in 2001 WIPO Joint Recommendation Concerning the Protection of Marks and Other Industrial Property Rights in Signs on the Internet was agreed; Substantive Patent Law Treaty.
UN-OHCHR	Main governance issue for the Office of the High Commissioner for Human Rights is the protection of human rights of all persons. Applied to the Internet, this includes particularly rights of freedom of expression and communication. Issues raised include Internet content control, racist communication over the Internet, privacy, etc.
UNESCO	UNESCO's mandate of promoting the 'free flow of ideas by word or image' and the 'maintenance, increasing and spread of knowledge' directly linked to Internet governance issues. Policy issues addressed include the Multilingualism and Universal Access to the Cyberspace,
World Trade Organisation (WTO)	The liberalisation of the telecom services culminating in the 1997 WTO treaty on Basic Telecom Services accelerated development the Internet. E-commerce treated as other trade and customs duties on digitalised trade in 1998.
UNCITRAL	The UN Commission on International Trade Law focused on how to apply early trade laws based on territoriality to the non-territorial Internet. The Model Law on Electronic Commerce was adopted in 1998. The issue of Authentication has been addressed universally through the Model Law on Electronic Signature adopted in 2001
UN-ODC	The UN Convention on Organised Crime supported by the UN Office on Drugs and Crime (ODC) focuses on the need for training in 'Methods used in combatting transnational organised crime committed through the use of computers, telecom networks other forms of modern technology

B. Regional level – practices

50. Before going into the main focus of the report which is mapping the multistakeholder African Internet Governance space of issues, stakeholders and decision and policy making, it would be helpful to highlight some of the regional practices with respect to key Internet Governance players including the European Union, the Council of Europe, the Organisation for Economic Co-operation and Development, the Association of Southeast Asian Nations, the Asia-Pacific Economic Cooperation, etc. It is well recognised that a significant impact on Internet Governance comes from the work of regional institutions.

The European Union (EU)

51. The European Union acting as an international organisation has been providing guidance on the organisation and management of the Internet as well as some of the policy issues that it has defined. In this regard, the EU has made several landmark legislative instruments, including the Electronic Commerce Directive (2000/31); the Data Protection Directive (95/46/EC); the Copyright Directive (2001/29); and the “Telecom package”, constituted by the Framework Directive (2002/21/EC), the E-Privacy Directive (2002/58), the Authorisation Directive (2002/20), the Access Directive (2002/19) and the Universal Service Directive (2002/22). The evolving digital policy initiatives in the EU, has also taken further in recent years and in 2017 it took first steps towards a fair and efficient Tax System for the EU Digital Single Market. It has also made legislative proposals to remove obstacles to the free movement of non-personal data. A new cyber security package also aims to improve EU cyber resilience and response. It has also called on online platforms to address illegal content including tackling fake news online which the Commission has recently launched a public consultation to assess whether new actions are needed. The EU also follows up on initiatives on illegal content to address ways to tackle online content promoting terrorism. On the technical aspects, the EU also engaged, among others, in looking at TLD issues with regard to ‘.eu’ domain name, its General Data Protection Regulation (GDPR) and its impact on the regional internet registries such as RIPE, etc. and other emerging issues related to robotics and artificial intelligence.

52. Although all of these are all binding in the European countries, such laws and regulations have in today’s global environment have effect on the policy and regulation development on these issues in Africa given the EU-UN funded and AUC-supported programmes such as the Harmonisation of the ICT Policies in Sub-Saharan Africa (HIPPSA)¹⁶.

¹⁶ The HIPPSA project is now completed and the following documents have been produced under this initiative: (a) SADC policy guidelines on convergence; (b) a revised TCM protocol; (c) SADC Telecommunications Model Bill; and (d) SADC Guidelines on Universal Access and Service (UA/ S) and Toolkit of Best Practices using UA/S Funds (ITU, 2011).

The Council of Europe (CoE)

53. The CoE has been active since the early days of the WSIS process on Internet Governance issues. The Council of Europe is recognised for its work on protecting the Internet’s universality, integrity and openness. One example is the Council of Europe Declaration on Freedom of Communication on the Internet adopted by the Committee of Ministers in 2003. The strategy on Internet governance 2012-2015 brought together relevant Council of Europe standards and monitoring, co-operation and capacity building activities. In this regard, it has linked legally-binding treaties, such as the Convention on Cybercrime (ETS No. 185) (the “Budapest Convention”), and led to the Guide to human rights for Internet users. Building on its mission in focusing issues of human rights, democratic systems and the rule of law, Internet governance has become at the centre of the Council of Europe’s functions. To this end, the Internet Governance Council of Europe Strategy 2016 -2019 broadly defines its objectives around three strategic objectives of building democracy online, ensuring online safety and security for all, and respecting and protecting the human rights of everyone in the digital world¹⁷.

The Organisation for Economic Co-operation and Development (OECD)

54. The work of the Organisation for Economic Co-operation and Development on internet governance is rooted in the mission of OECD to promote policies that will improve the economic and social well-being of people around the world. The organisation has developed key indicators on information and communication technologies, which are updated annually, to provide a knowledge-base for digital governance policies.

55. The OECD’s work on Internet governance spans across several themes, including information economy, information security and privacy, broadband and telecom and public-sector innovation and e-government. OECD’s long-standing work aims to help governments develop policies to make the digital transformation work for the benefit of all. For example, the OECD’s Privacy Principles are part of the OECD Guidelines on the Protection of Privacy and Trans border Flows of Personal Data, which was developed in the late 1970s and adopted in 1980.

56. One of the achievements around a long standing debate with regard to tax challenges arising from digitalisation is that, more than 110 countries and jurisdictions have now agreed to review two key concepts of the international tax systems in which the members of the

¹⁷ Council of Europe (2016). Internet Governance – Council of Europe Strategy 2016-2019. <https://rm.coe.int/16806aafa9>

OECD/G20 Inclusive Framework on Base Erosion and Profit Shifting (BEPS) will work towards a consensus-based solution by 2020.

The Association of Southeast Asian Nations (ASEAN)

57. Having been concerned with the content regulation issues posed by the WWW, Asian governments since 1996 have been debating on the impact of content on their citizens over which their national governments had little control which led to the elaboration of ‘e-ASEAN Framework Agreement’ in 2000. Member States agreed to facilitate development of information infrastructure, facilitate the growth of e-commerce, liberalize trade in ICT-related products and services, reduce the digital divide, increase ICT literacy, and promote the use of ICT applications in the delivery of government services.

The Asia-Pacific Economic Cooperation (APEC)

58. APEC leaders formally recognised in 2014 the role of the Internet economy in promoting innovative development and increasing economic participation by endorsing the *APEC Initiative of Cooperation to Promote Internet Economy*. To this end, its Telecom and Information Working Group (TEL) has also drafted a cybersecurity strategy for its member states. One example that shows how the regional policy making is influenced by the global policy- and decision making is the fact that the APEC Privacy Framework released by its Electronic Commerce Steering Group (ECSG) in 2004, was informed by the leading intergovernmental document as a set of guidelines issued by OECD in 1980. This APEC Privacy Framework endorsed in 2005 was designed to promote a flexible approach to information privacy protection across APEC member economies, while avoiding the creation of unnecessary barriers to information flow. Regional cooperation in this type of issues are important in that there has also been multilateral, multi-stakeholder frameworks for regional and international cooperation on spam, an example in point is the APEC Anti-spam strategy¹⁸.

The African Internet Governance Space

59. The role of information and communication technologies (ICTs) in transforming socio-economic outcomes and the digital divide in developing countries have been a key development agenda at major international fora since the early 2000. How best developing countries’ effective participation in the global ICT policy be broadened has been a key question. At international level, the key ICT governance policies and decisions are being made at various global and international fora, meetings and in global institution that directly or indirectly have implications on the development, deployment and the exploitation of ICTs in several developing countries including those in Africa. However, the continent has

¹⁸ Ibid 14

also a number of regional organisations that are entrusted with competencies in area affecting Internet governance. While it is important to see the kind of work that these organisation do relevant to Internet governance, most of them to a large extent their agenda is shaped by international institutions through both specific aid programmes and technical assistance. Two key organisations at the regional level, African Union and United Nations Economic Commission for Africa (UNECA), and five Regional Economic Communities (RECs) have been functioning as a bridge between international organisations and the regional communities.

Regional Organisations

The African Union (AU)

60. At the regional level, the African Union (AU) has been leading the process in consolidating the ICT and digital agenda for the continent including harmonisation of ICT policy and regulatory frameworks. In this regard and as a direct outcome of the Second African Regional Preparatory Conference for the WSIS, held in Accra, Ghana in February 2005, the African Regional Action Plan on the Knowledge Economy (ARAPKE) was developed. It was based on the ‘Accra Commitments for Tunis 2005’, and defined both the African Information Society Initiative (AISI) and the New Partnership for Africa’s Development (NEPAD), under the leadership of the African Union. In May 2008, the Reference Framework for Harmonisation of Telecommunication and ICT policies and regulations in Africa was adopted and endorsed by the Heads of State Summit in July of the same year and is implemented through the ITU/EU HIPSSA project.
61. Having been entrusted by its member States to carry out the process of applying to the ICANN for the dotAfrica new generic Top-Level Domain (gTLD), the African Union made a stand calling for an open process to set up the dotAfrica geographic TLD name. Consequently, in 2009, under the Oliver Tambo Declaration the Extraordinary Session of the African Union Conference of Ministers in charge of Communications and Information Technologies (CITMC) adopted a resolution to establish dotAfrica as a continental Top-Level Domain name. While 43 African governments have issued letters of support to the ICANN and to its Government Advisor Committee (GAC) in support of the AU process for the management of the DotAfrica, the row with the DotConnectAfrica application for the same continued until ICANN46 in Beijing in February 2013 in which GAC issued unanimous advice for ICANN board to drop the DCA’s application for dotAfrica¹⁹.
62. Although after three years of its adoption by the Heads of State under the Malabo convention the ‘African Union Convention on Cybersecurity and Personal Data Protection has been signed by 9 countries and ratified only by two, this has shown the very low rate of Cybersecurity policy, cyber strategy and legislation adopted in the continent. It makes Cybersecurity a very challenging issue especially with regard to cybercrime and personal data protection.

¹⁹ Katiti, E. (2013). Update on AU dotAfrica (.africa) Project. Presentation to African School on Internet Governance (AfriSIG).

63. Furthermore with the Programme for Infrastructure and Development in Africa (PIDA) that was designed to close the infrastructure gap in Africa, the ICT component of PIDA has been making progress particularly with the implementation of the African Internet Exchange System – Axis Project. Other infrastructure initiatives include the expansion of fibre optic landing (for example, the Trans Sahara Optical Fiber Backbone, Central Africa Backbone), the establishment of national CERTs in countries where they don't have one.
64. The African Internet Governance Forum (AfIGF) launched in 2011 and held its inaugural meeting in Cairo in September 2012. The 2nd, 3rd, 4th, 5th, 6th and 7th AfIGF were held in Nairobi, Abuja, Addis Ababa, Durban, Cairo and Khartoum respectively from 2013 to 2018. The African Union taking over from UNECA since 2015 as a Secretariat of the African IGF has been coordinating the annual IGFs and supporting the regional and national IGFs. Regional and sub-regional IGFs are the building blocks of the African IGF. Currently all the 5 AU geographical regions have IGFs but not all member states have national IGFs²⁰.
65. Some of the flagship initiatives of the African Union Commission have significant contribution to the continent's digital agenda supported by development partners including the European Union. Among others, the following are among the key flagship initiatives of the AUC related to the continent's digital agenda.

Programme for Infrastructure Development in Africa (PIDA)

66. The Programme for Infrastructure Development in Africa (PIDA) was approved as the strategic framework for regional and continental infrastructure development by the AU Assembly (Assembly/AU/Decl.2 (XVIII)) during its 18th ordinary session held in Addis Ababa, Ethiopia, from 29th – 30th January 2012. As a continental initiative, PIDA provides a common framework for African stakeholders to build the infrastructure necessary to integrate the continent physically, economically and socially, offering opportunities to boost intra-African trade, create new jobs for Africa's growing population and improving overall socio-economic development on the continent. The PIDA Priority Action Plan (PIDA- PAP) portfolio of projects prioritized for implementation from 2012 to 2020 comprises more than 400 projects in 51 cross-border programmes, covering the four sectors that include transport (235 projects), energy (54 projects), ICT (113 projects) and trans-boundary water resources management (9 projects). The capital cost of delivering the PIDA-PAP is estimated at US\$ 68 billion or US\$ 7.5 billion annually²¹.
67. Comprising of four major project areas including energy, transport, trans-boundary water and ICTs, the information communication and technologies (ICT) programme aims to establish an enabling environment for completing the land fibre-optic infrastructure and installing internet exchange points in countries which do not have them. It will connect each country to two different submarine cables to take advantage of the expanded

²⁰ PRIDA Manual for the Development of National and Regional IGFs in Africa. July 2019.

²¹ file:///D:/PRIDA/AUdocs/36062-cn-draft_concept_note_-_program_pida_week_2018_081018.pdf

capacity²². Among others, one of the flagship projects in the ICT component of PIDA is the AXIS project.

The African Internet Exchange System (AXIS) project

68. Under the PIDA programme, the aim of AXIS project is to support the establishment of Internet Exchange points at Member State level and Regional Internet Exchange Points and Carriers.

69. The project has the following three activities:

- Upgrade of IXP infrastructure to have the capacity to carry regional traffic
- Enhance technical capacity of staff through training and study visits to IXPs with large scale operations to equip them with the skills to become, and run a large scale IXP
- Promotion of the IXP as a Regional IXP

Policy and Regulatory Initiative for Digital Africa (PRIDA) project

70. The recent major flagship project is the PRIDA project which is an EU/AU collaboration project. The overall objective of the "Policy and Regulation Initiative for Digital Africa (PRIDA)" is to foster universally accessible, affordable and effective wireless broadband-across the continent to unlock possible future benefits of Internet based services.

71. The specific objectives are a) to facilitate efficient and harmonised spectrum utilisation, b) to harmonise measurable ICT/Telecommunications policy, legal and regulatory frameworks and c) to strengthen the ability of African decision makers to actively participate in the global internet governance debate.

72. PRIDA is based on three outputs:

- Output 1: Efficient and harmonised spectrum utilisation,
- Output 2: Harmonisation of measurable ICT/Telecommunications policy, legal and regulatory frameworks,
- Output 3: African decision makers' active participation in the global internet governance debate.

The United Nations Economic Commission for Africa (UNECA)

73. Spearheading African digital agenda in the early days, the United Nations Economic Commission for Africa (UNECA) had been instrumental in developing and supporting the implementation of the African Information Society Initiative (AISI) launched in 1996. A ten year review of UNECA execution of the initiative confirmed its success, as evidenced by the existence in three quarters of UNECA's Member States of national e-strategies complementing their development efforts. The vision of AISI to realise a sustainable

²² file:///D:/PRIDA/AUdocs/PIDA%20Executive%20Summary%20-%20English_re.pdf

information society in Africa by 2010, where “every man and woman, school child, village, government office and business can access information knowledge resources through computers and telecommunications” seems to have been met half way only; the technology has evaluated and the population relies mostly on access through mobile phones. Post-2015, UNECA has been mainly active in following up and monitoring the implementation of the World Summit on the Information Society (WSIS) action lines in Africa as one of the facilitators of implementation. Since the designation of the United Nations African Institute for Economic Development and Planning (IDEP) as the Training Arm of UNECA, face to face and online courses on the Information Society have been decentralized at the IDEP Headquarters in Dakar, Senegal²³. Moreover, IDEP has put in place an online academy on Information and Communication Technology for Development related issues where online courses are developed, delivered and coordinated by staff based either in Dakar or at the UNECA headquarters in Addis Ababa and also by consultants in African member States.

The Regional Economic Communities (RECs)

74. At the sub-regional level, the Regional Economic Communities (RECs) have been active in leading sub-regional e-strategies and harmonising the policy, legal and regulatory frameworks. In this context, the following table summarises the digital strategies that the RECs have put in place and the various policy and legal/regulatory initiatives they have undertaken.

Table 4: Regional Economic Communities Digital Agenda and policy instruments

REC	Digital strategies	Policies, laws and legal / regulatory frameworks adopted
SADC	Instruments, namely: <ul style="list-style-type: none"> • SADC Protocol on Transport, Communications and Meteorology (TCM) [August 1996]. • SADC Heads of States Declaration on ICT [August 2001]. • Regional Indicative Strategic Development Plan (RISDP) [Revised 2015]. • e-SADC Strategy Framework [May 2010]. • SADC Regional Infrastructure Development Master Plan (RIDMP) [August 2012]. • Digital SADC 2027. • SADC e-Commerce Strategy and Action Plan [November 2012]. • Tripartite Arrangement – COMESA, EAC and SADC. 	<ul style="list-style-type: none"> • SADC Model Bills on Cyber Security.
EAC	Regional Framework for Harmonisation of National ICT Policies 2004; Regional e-Government Framework adopted by the Council of Ministers in November 2006	Framework for Cyberlaws awaiting approval.
ECOWAS	ECOWAS 2010 (e-legislation and cybersecurity)	adopted a Directive on Fighting Cybercrime (2009) on 16 February 2010 adopted the Supplementary Act on Personal Data Protection

²³ www.unidep.org

COMESA	adopted an ICT policy in 2003	In addition to the ICT policy, the regional ICT policy and regulatory frameworks is made up of policy guidelines on universal service and access (2004), regulatory guidelines on interconnection (2004) and regulatory guidelines on universal service (2004)
CEMAC/ECCAS	Draft regional ICT development policy in 2009	in December 2008, the regional organisation adopted a regulation on the Harmonisation of Regulations on Electronic Communications of CEMAC Member States

The Regional Internet Organisations and the National and Regional Internet Governance Forums

The Regional Internet Organisations

75. Unprecedented private initiatives have played important role in the growth of the African Internet governance. In this regard we can underline the formation of the African Internet Group (AIG) in 1995 during the 5th annual conference of the Internet Society (INET) in Hawaii. The AIG organised a conference focused on the theme ‘Internet governance in Africa’ suggesting the establishment of key institutions that can support Internet growth in the continent. These institutions, known as ‘Af*’ (AfStars), complement each other in Internet governance by focusing on different areas of specialisation as shown in the table below.

Table 5: African organisations with roles in critical Internet resources and services

The ‘Af*’ organisations	Roles in IG
AfriNIC	Established in 2005 for the management of addresses, providing training and managing Internet resources and transitioning to the IPv6 Protocol
AFNOG	Africa Network Operators Group (AfNOG) is a forum for the exchange of information to address technical challenges in setting up, building and running IP networks on the African continent. It aims to promote discussion of implementation issues that require community cooperation through coordination and cooperation among network service providers, to ensure the stability of service to end users.
AfTLD	The African Top-Level Domain Name Organisation (AfTLD) was established in 2002, to act as a focal point for African Country Code Top Level Domain (ccTLD) managers in coordinating, formulating, developing and presenting a unified approach to issues related to the domain name system.
AfPIF	The African Peering and Interconnection Forum (AfPIF) is an annual event organised by ISOC and held since 2010 to address the key interconnection, peering and traffic exchange opportunities and challenges on the continent and provide participants with global and regional insights for maximising opportunities that will help grow Internet infrastructure and services in Africa.
AfriCERT	The African forum of computer incident response teams (AfriCERT) cooperatively handles computer security incidents and promotes incident prevention programmes.
AfriSPA	The African Association of Internet Service Providers (AfriSPA) was set up in 2001, with the aims to provide industry perspective on policy formulation and

	regulation as this relates to the Internet industry and to act as an interface with governmental bodies and the public.
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The National and Regional Internet Governance Forums

The African Internet Governance Forum (AfIGF)

76. The Internet Governance space in Africa has been very active during the WSIS process with regional meetings held from 2002 to 2005 in Bamako, Accra, Addis Ababa, Cairo, Johannesburg, Douala and Tunis. Moreover, within the IGF global initiative, Africa has hosted IGF in Egypt (2009) and in Kenya (2011).

77. The AfIGF was formally launched in Nairobi, during the global Internet Governance Forum in 2011 and approved by the Council of African Ministers in charge of ICTs met in Khartoum, Sudan in September 2012. It aims to be a platform for an inclusive multilateral, multi-stakeholder and multilingual discussion on issues pertinent to the Internet in Africa in general and Internet Governance issues in particular; it also aims to provide support and promote the consolidation of the on-going sub-regional and national initiatives.

78. Initially hosted by the UNECA between 2011 and 2014, it is now hosted by African Union under a Communiqué between the AUC and UNECA dated 3 September 2014. The AfIGF follows the same general principles of the IGF (openness, multistakeholderism, language diversity, remote participation and transparency). Its Terms of Reference were discussed and adopted by the AfIGF participants in Cairo, Egypt in October 2012. Some of the AfIGF key objectives are to support and promote the consolidation of the on-going sub-regional initiatives, reach out to continental and global stakeholders and guide in their engagement in continental, sub-regional and national initiatives.

79. The AfIGF coordinating mechanism evolved from a Bureau at its inception to a Multistakeholder Advisory Group (MAG) currently running currently the annual program. The Bureau was composed of the five convenors of the sub-regional IGFs of East, Central, West, North and Southern Africa or their designates and three others representatives from each sub-region. The Bureau was chaired by the host country of the last AfIGF. Starting from 2019, AfIGF annual meeting is coordinated through a 17 member MAG, representing all stakeholder groups²⁴.

Table 6: African Sub-regional IGFs

Sub-Regional IGFs	Coverage and purpose
South African Internet Governance Forum (SAIGF)	Convened and facilitated by the South African Development Community (SADC) and supported by SANGONET, NEPAD, APC and other stakeholders. Currently 9 out of 15 SADC member States have established National IGFs. Its main objective is to increase awareness and build capacity on Internet Governance issues in the SADC Region so as to ensure

²⁴ PRIDA Manual for the Development of National and Regional IGFs in Africa. July 2019.

	informed dialogue on policy and related matters between all stakeholders, ensure the views of the SADC Region are represented in the African IGF (AfIGF) and Global IGF
West African Internet Governance Forum (WAIGF)	The WAIGF was established in Accra, Ghana in 2008. Its main objective is to contribute towards educating and informing the stakeholders within the internet ecosystem on Internet Governance. Most its 15 member countries have established national IGF
Central African IGF (CA-IGF)	CAIGF was established in 2009, Its main objective was to review the pressing issues related to Internet governance and promote the Internet as an engine for development
North African IGF	NAIGF was established in Hammamet, Tunisia in September 2012. Its main objective is to enhance users awareness and capacities in the area of Internet governance to ensure good preparation for stakeholders to contribute, hence ensuring that North African concerns are taken into account in the work of the Internet Governance Forum at the African level and internationally
East African IGF (EAIGF)	EAIGF was established in 2008 in Kenya. Its main objective is to create a Community of Practice that will build a sustaining foundation for meaningful participation of East African stakeholders in Internet public policy debates at the national, regional and international level.

National IGFs

80. The IGF has been one of the leading multi-stakeholder based digital domain globally. Since its foundation mandated by the WSIS in 2006, IGF constitutes the first global space for ‘multi-stakeholder policy dialogue’. IGF’s annual conference with a range of preparatory meetings, intersessional activities has been replicated by a growing number of national and regional offsprings. The main objective of the National IGFs is to create a unique space where different stakeholders can discuss issues pertaining to the internet, reflecting the need of their respective communities. In this regards, it facilitates exchange of experiences and ideas between stakeholders from the same country and contributes to a better engagement of the mapped communities amongst themselves and also with the entire IGF community worldwide.
81. With similar objectives, the national IGFs have been organized in more or less uniform structure and principles, facilitated the deliberation of IGF issues to channel national issues in the context of sub-regional and regional perspectives within the global framework. The following table provides the list of existing national IGFs, their respective missions/purposes, the date of their establishment and when the last event they have held or one that they have planned for the near future to show how active these national platforms are.
82. National IGFs are organized by a multistakeholder organizing teams from different parts of the society in the respective countries. Currently there are 27 operational National Internet Governance Forums in Africa, and many more in the formation process, with several emerging every year. These national IGFs were established and became operational

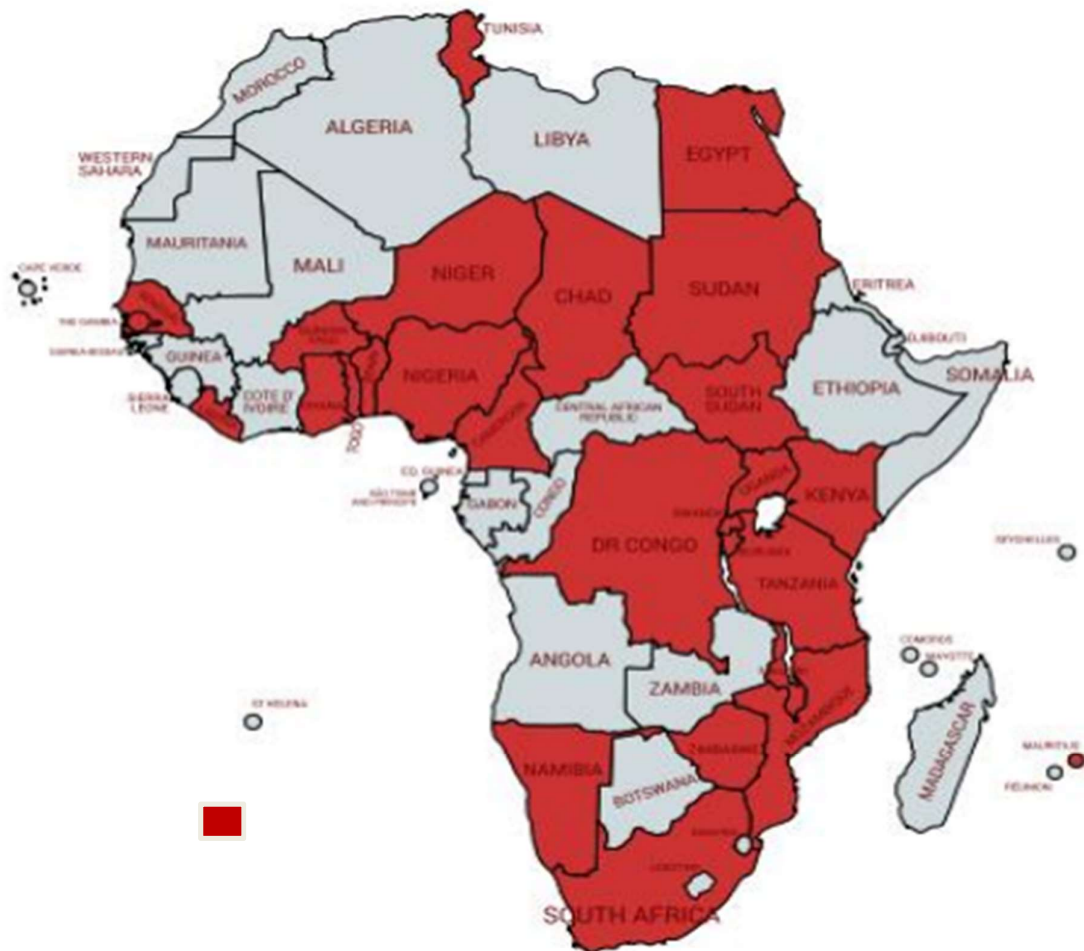
at different times since 2006 and the table below show the evolving national IGF in the continent.

Table 7: The Evolving National IGFs in Africa

National IGFs established in											
2006	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Uganda	Burundi	Burkina Faso	Kenya	Benin, Egypt, Liberia, Nigeria Tunisia	Cameroon, Niger	Ghana, Mozambique Rwanda, Senegal	Chad, Malawi, Togo, Zimbabwe	South Africa	DRC, Mauritius Namibia, Tanzania	Gambia, Sudan, Uganda	South Sudan

83. Almost all the above IGFs have held their annual event during 2018 which shows that less than half of the African countries have active and operational national IGF. While the multi-stakeholder approach at the global level seem to make the Internet governance issues global in nature, the impact on the ground whether that is positively or negatively felt would be reflected at the national and local level more specifically at the individual Internet user level. Therefore, the national IGF platform and the issues that are being raised and addressed would take the governance issue closer to the real governance space. As we map the issues, stakeholders and decision-making fora in the next section, we look at the interplay between national, regional and global IG issues, the key stakeholder roles and the policy- and decision-making structures more clearly.

Figure 2: Map of African Countries with National IGF



Makane Faye

Countries with national IGF as of July 2019

Mapping of issues, stakeholders and the decision making ecosystem in the Internet Governance space in Africa

84. The nature of the Internet doesn't respect geopolitical boundaries in that it poses a serious challenge to those who would seek to regulate it. Unlike other technologies that are of the predecessors of the Internet such as for example, the public switched telephone network (PSTN), the regulation of the Internet is quite different. While the PSTN has both a logically, and also a physically, hierarchical design in which calls are routed between parties using centralised signalling intelligence, the Internet in contrast operates on top of the telephone networks (but also other networks), and their geography is dynamic and

unpredictable. However, there is need for some form of governance of the Internet, even in the context of self-governance, in order to manage those public policy issues that are left unaddressed by, or even run counter to, the constraints of the Internet's architecture.

85. In this context, as it is well acknowledged among the IGF community and in several studies, the question is not whether the Internet can or should be regulated, but whether and to what extent individual problem areas within particular cyber spaces can or should be addressed via regulation. The purpose of the Internet Governance Forum as stated in the Tunis Agenda is also to address such issues as stated²⁵:

“We further recognise that there are many cross-cutting international public policy issues that require attention and are not adequately addressed by the current mechanisms.”

86. The Tunis Agenda doesn't only refer when it describes the IGF as a forum for the 'development of public policy', it is also intended that the IGF's output will have some practical impact on Internet governance. Therefore it implies that governance has a broader meaning than what governments accomplish through legislative, executive and judicial actions. In this context, the term governance with its closer synonym 'management' as noted in the literature of public administration²⁶, one can identify three mechanisms by which governance can be exercised: hierarchies, markets and networks. While hierarchies as a form of governance includes the use of laws and bureaucratic regulation to control behaviour, markets are a mechanism of governance in that the behaviour of consumers can be regulated by the basic economic laws of supply and demand. Networks on the other hand refer to a more complex hybrid form of governance which involves partnerships of trust between governments, the private sector and the community and collaborative decision-making. It is suggested that governance by network is epitomised by the emergent forms of governance found on the Internet²⁷.

87. For this study, therefore, the template for the Internet Governance Forum in the Tunis Agenda embodies well that concept of governance by network. The IGF is a policy network with the aim of convening annually to discuss the opportunities and challenges of global governance of the Internet. As its mandate, the IGF has the objective of providing an open, inclusive environment for policy discussions and debate regarding the global governance of the Internet. While it may not resolve conflicts, but it provides the data and tools for others to deploy for conflict resolution. Operating in an open and inclusive manner, the IGF gathers stakeholder groups from every sector and every part of the world including

²⁵ Biegel, Stuart (2001). *Beyond Our Control? Confronting the Limits of Our Legal System in the Age of Cyberspace* Cambridge, MA: MIT Press.

²⁶ Rhodes, A W (1996). *The New Governance: Governing Without Government*, Political Studies

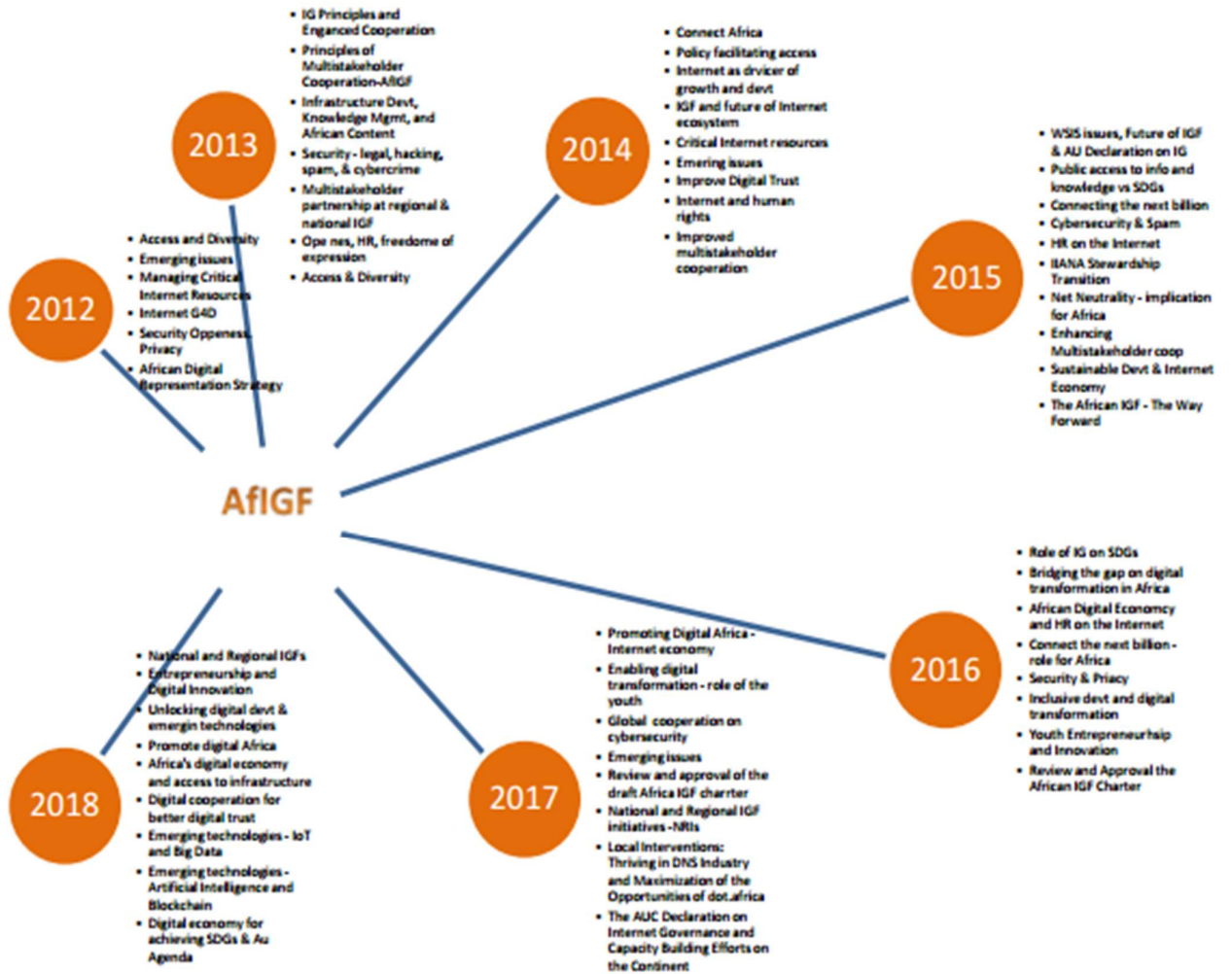
²⁷ Pal, Leslie A. *Virtual Policy Networks: The Internet as a Model of Contemporary Governance?* !URL: http://www.isoc.org/inet97/proceedings/G7/G7_1.HTM

governments, private sector, civil society, international actors, academia and the technical community, and the users at large.

88. As an entity not involved in rule-making, IGF exerts significant influence on Internet-related policy development, enabling members to share best practices with respect to governance, discuss controversial issues such as Internet privacy, IPR, and expanding the availability and affordability of the Internet in developing countries.
89. To this end, our approach to mapping the issues, stakeholders and decision-making fora of the IG space uses the analysis of the governance networks method in which the issues around networks of actors²⁸ and the governance structures in addressing such issues in the decision-making fora would be explored. This would enable us identify the key issues and the key actors and their respective roles around those issues in order to assess the governance structures in the policy- and decision-making process. To this effect, the following mapping depicts the issues that have been addressed in the last thirteen years during the annual IGFs and the respective regional events.
90. In the last seven years, the African Internet Governance Forum (AfIGF) has been holding an annual regional IG forum in line within the context of the thematic issues selected for the year by the global IGF together with pertinent continental issues identified along the global thematic areas for the continent discuss and come up with a common position to voice IG and digital policy issues at the global Internet Governance debate. In this regard several issues have been addressed as shown in the figure below.

²⁸ Makane Faye. A Robust Methodology for Developing Sectoral E-strategies. PhD Thesis, 2018.

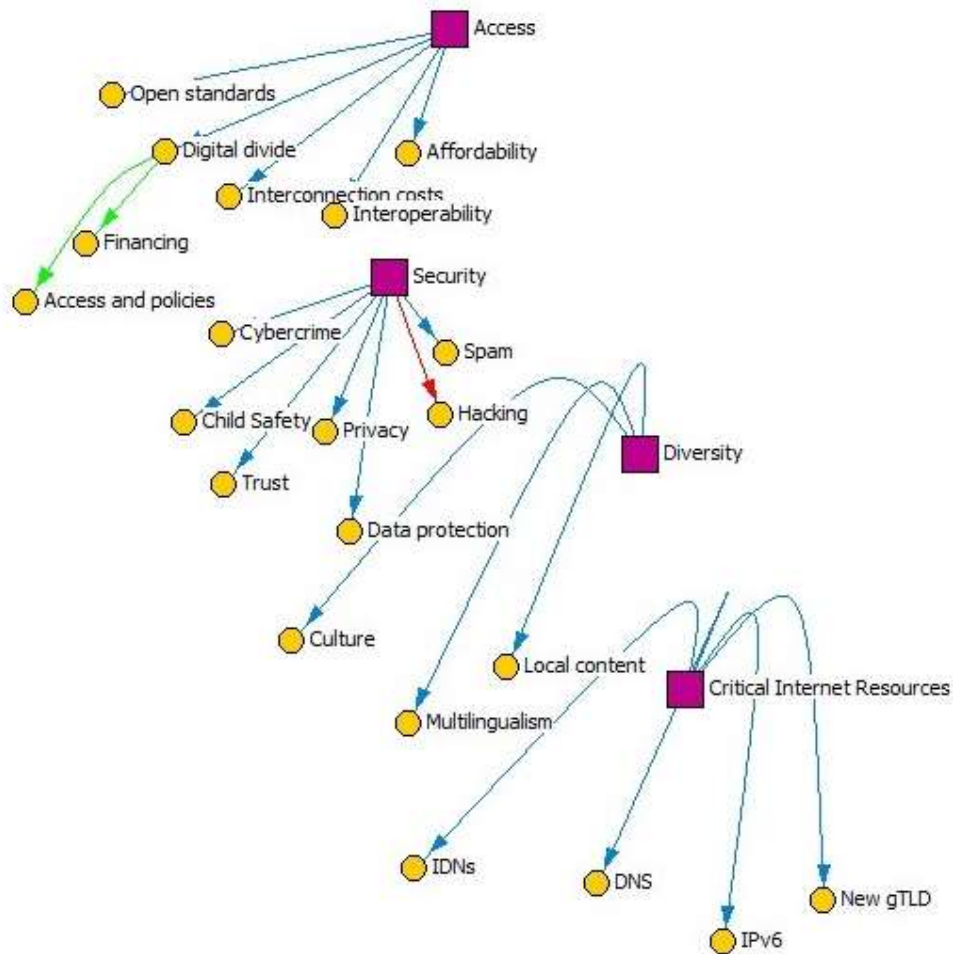
Figure 3: Issues addressed at the annual African IGF event between 2012 and 2018



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91. In the first three years, the issues were around key thematic areas of access, security, openness, and diversity where along the IGF journey particularly those dynamic thematic areas such as security and the critical internet resources have evolved due to the introduction of the social media and its associated technical, legal and policy implications.

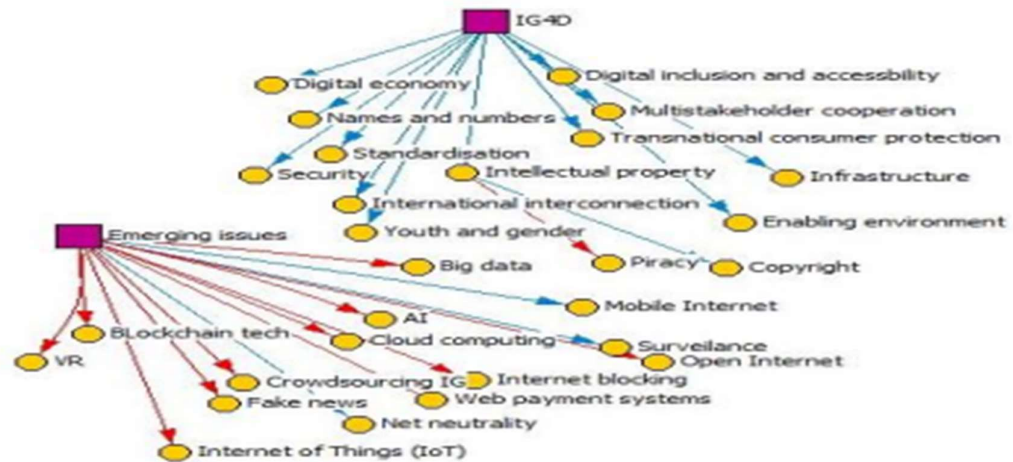
Figure 4: Mapping of issues addressed during the first three years of the Internet Governance Forum



92. The growth of social media opened up Internet Governance Issues such as Privacy, Data protection. Hence, it was evident that the introduction of ‘emerging issues’ as a thematic area in the upcoming international IG space was timely. Furthermore, with the Arab Spring in 2011, issues related to freedom of expression, human rights online accelerated. The years that follow brought issues of IPR, online privacy, data protection, surveillance top in the IG space in which some international events including the Snowden case brought new IG issues onto the IG debate. Moreover, as shown in the mapping in the figure, the new international development agenda including those on sustainable development and the

growing importance of digital economy with the IG alternative approaches proposed i.e. NETmundial initiative, brought more issues and new stakeholder focus in the IG space such as the academic community, which has given increasing attention to IG issues.

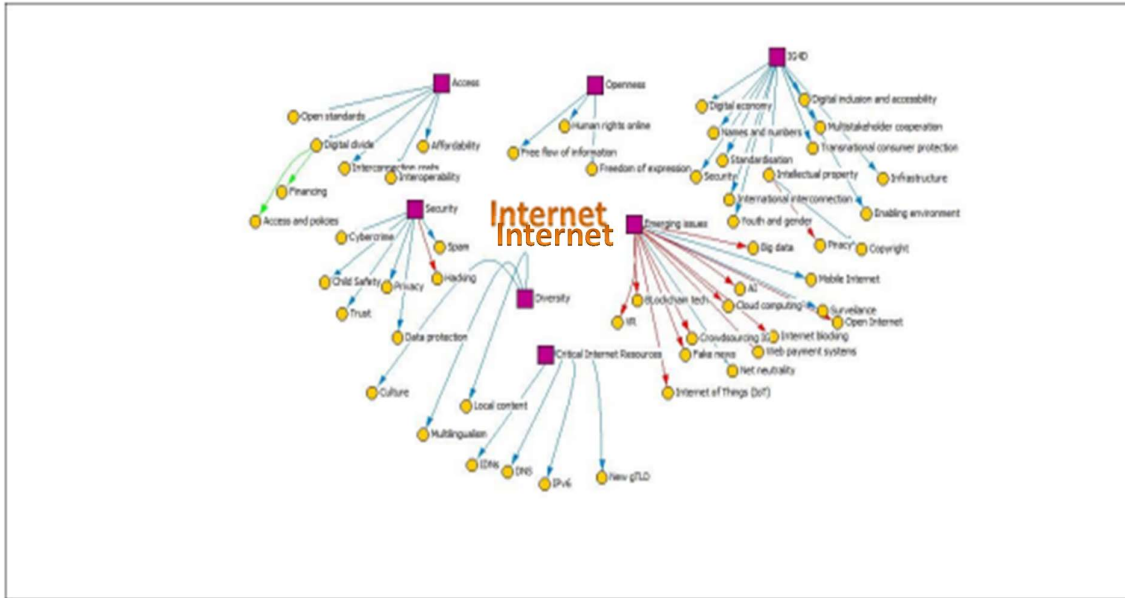
Figure 5: New issues evolved with new international events after 2011



Makane Faye

93. While for developing countries the early days IGF issues are still key on the agenda with digital divide, access and affordability not resolved, the emergence of new technologies in the cyberspace brought new issues on the agenda i.e. big data, artificial intelligence, the digital economy and the associated impacts and their implications on policy, legal and regulatory requirements at national, regional and international level. This has intensified increased attention by stakeholders and the IG debate has become more intense with existing and emerging actors and coalition of actors making significant contributions to the IG space as depicted in the figure 3 below that bring all issues across seven thematic areas and over 50 issues.

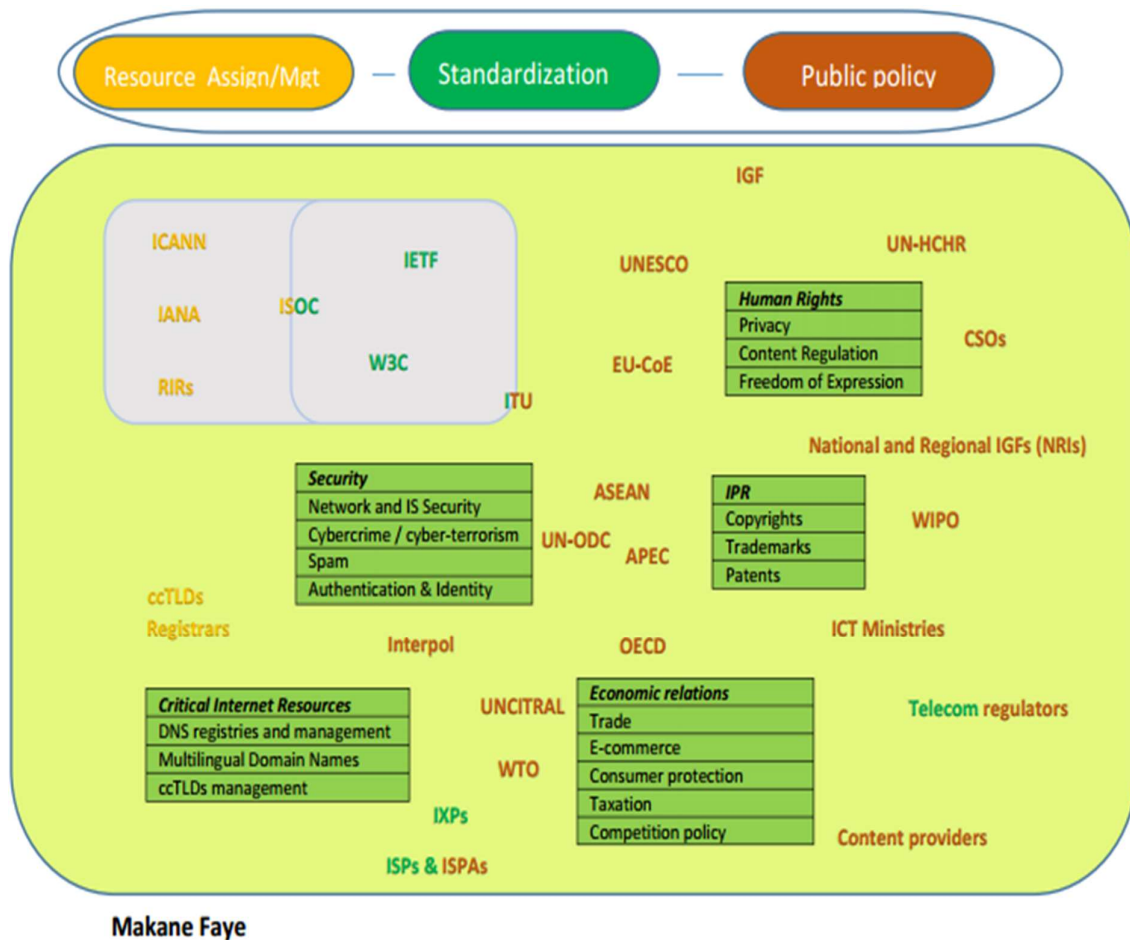
Figure 6: Issues addressed during the last 13 years IGF (7 themes, over 50 issues)



Makane Faye

94. Several actors and stakeholders around key issues and decision-making fora were involved in both the main international IGF as well as at regional and pre/during side events that led to some of the international debate in the main fora. Some of the issues and the stakeholders around them are depicted in the following figure.

Figure 7: Mapping of issues and stakeholders around decision making fora



95. Further analysis of the various policy networks around some of the issues and their associated governance structure in influencing some of the international policy and decision making in the IG space is done in the next paragraphs following consultation with key stakeholders in June 2019.

Findings of the Consultations of African Stakeholders

The Process

96. The mapping exercise was undertaken in conjunction with a consultation among African Internet Governance stakeholders both through a questionnaire-administered survey and a webinar via Zoom. The questionnaire-administered survey, which is in annex 1, was undertaken for 14 days between 6 and 19 June 2019 in both English and French to individuals from all stakeholder groups. During which, 46 completed responses were received as follows:

- Government: 17
- Civil Society: 19
- Private Sector: 6
- Technical Community: 4

97. The following 29 countries have participated in the questionnaire-administered survey:

- Benin
- Burundi
- Cameroon
- Central African Republic
- Chad
- Comoros
- Congo (Republic of)
- Democratic Republic of Congo (DRC)
- Egypt
- Ethiopia
- Ghana
- Guinea
- Guinea Bissau
- Kenya
- Libya
- Mali
- Mauritius
- Mauritania
- Mozambique
- Niger
- Nigeria
- Senegal
- Somalia
- South Sudan
- Togo
- Tunisia
- Uganda
- Zambia
- Zimbabwe

98. The scope of the stakeholders in terms of their geographic coverage is diverse and categorized as follows although most have wider scope at all levels:

- Local level: 21
- National: 37

- Regional: 23
- Continental: 22
- International: 15

99. The webinar was held in English and French on 24 June from 12pm to 2pm UTC. It was attended by 23 participants from the following stakeholder groups:

- Government: 9
- Civil Society: 8
- Private Sector: 4
- Technical Community: 1
- Academia: 1

100. Some of them have more than one stakeholder background such as CSO and private sector affiliations. The list of questions is attached in annex 2. In the following section, an analysis of the responses based on the category of issues addressed will be presented.

An Analysis of stakeholder consultation survey

101. The following presents the survey results:

Mandate of stakeholders in relation to IG

102. The respondents cover a wide range of activities with regard to their function in the areas of Internet Governance. Among others, they are involved in one or more of the following areas:

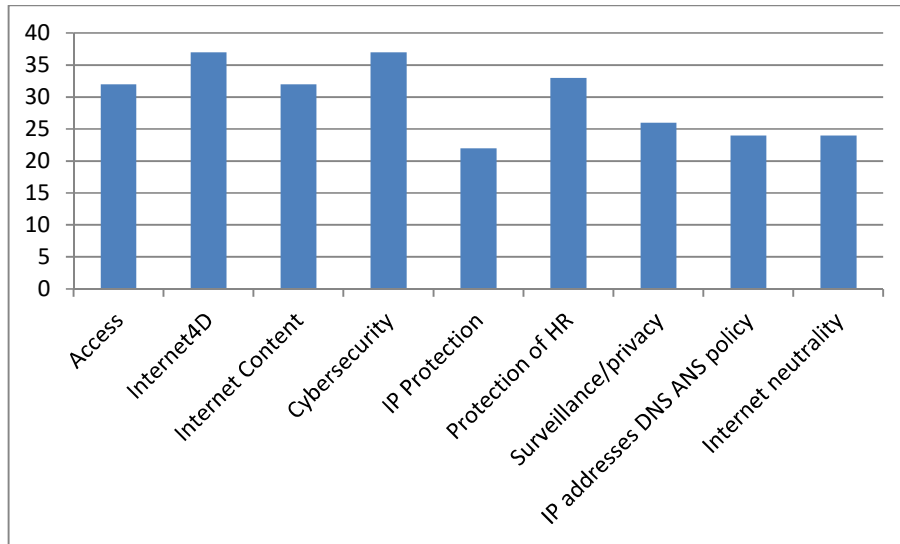
- Multistakeholder platform for dialogue on the current and future challenges of Internet Governance
- Defending the rights of the various stakeholders to participate and address their views
- Engaging in policy advocacy and promoting ICT policies
- Improving digital literacy by promoting the use of ICTs
- Fostering harmonised policies, ICT legal and regulatory frameworks at sub-regional and continental levels
- Elaboration, implementation, evaluation of government policy in relation to ICT in general and IG in particular
- Creating awareness at the local level on promoting ICTs for development
- Advocacy on the liberalisation of the Internet for ensuring the right of individuals on accessing and using the Internet – African internet rights
- Cyber security and digital economy issues
- Extending Internet access and network coverage including access to broadband
- Organising at least once a year national IGFs and/or sub-regional events
- Managing top level domain name ccTLD

- Promoting inclusive information society through capacity building on various key and emerging issues, research, information sharing and coordinating with national, regional, continental and international organisations

Regional priority issues and stakeholders focus

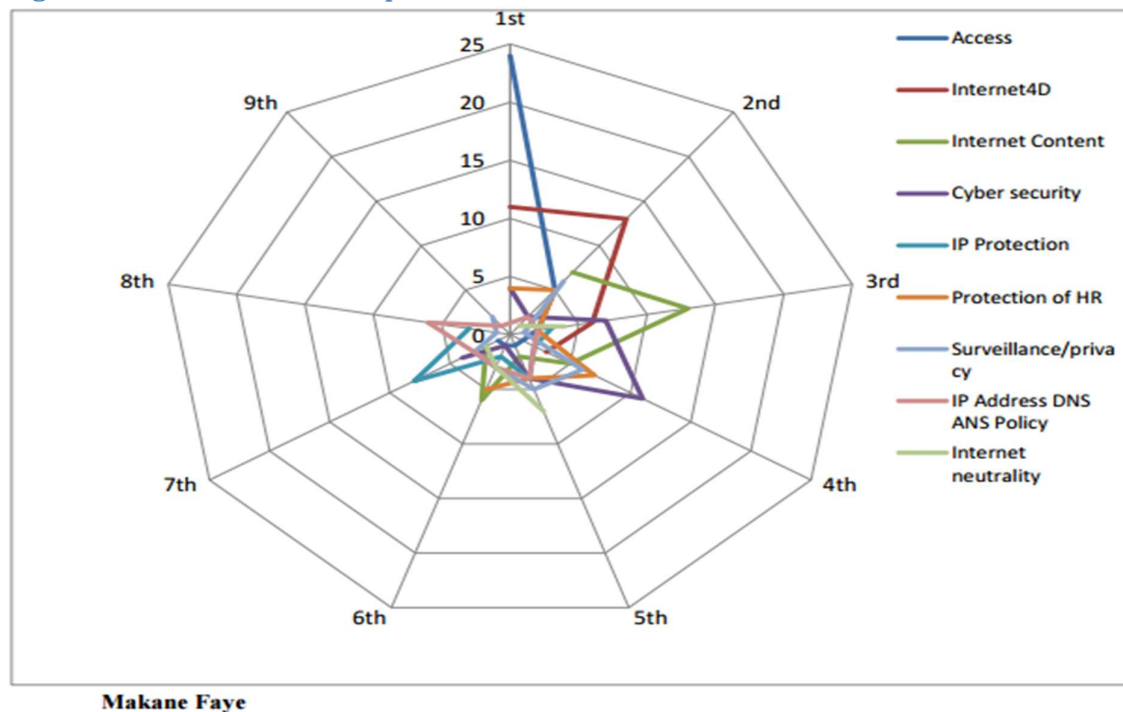
103. The respondents have also identified the priority issues that they are interested in and focus on as well as the priorities at regional level in order of priority from among the key issues that have been addressed both at local, national, regional and continental level. In this regard the following figures show the key priority areas of focus of the stakeholders and the priorities in order of importance to the continent.

Figure 8: Stakeholders priority issues / focus



104. As indicated in the above figure, most stakeholders focus on internet for development (37) and cybersecurity (37) issues followed by protection of human rights (33), access (32) and internet content (32) and then surveillance/privacy (26), IP Address DNS ANS Policy (24) and Internet neutrality (24) and lastly IP protection (22) as key priority areas that they are interested in addressing at national, regional and continental level. However, stakeholders were asked to put these issues in terms of priority order of importance for the continent to address. In this regard, the following figure show priority issues in terms of the order of importance for the continent to address.

Figure 9: Issues in order of importance for the continent



105. As highlighted above, respondents have identified the priority IG issues of the continent in order importance, namely, access (24), internet for development (13), Internet content (13), cyber-security (11), IP protection (8), protection of human rights (7), Surveillance/privacy (6), IP Address DNS ANS policy (6), and Internet neutrality.

Motivation of stakeholders in participating in the IG space in Africa

106. Most of the respondents (43) of the survey responded that the main reason their active participation in the IG space is to actively lead and influence the digital policy agenda in the continent followed by making digital policy trends available to a wider audience (36) and defining relevant questions and gaps (32) which are both good signs of commitment of stakeholders for promoting the African IG space to a higher level.

Table 8: Stakeholder motivation in participating IG space

The reason for participation in the Internet Governance debate	Number of respondents
To stay informed about current digital policy initiatives in the continent	30
To obtain up to date information for concrete decision-making in my area of competency	29

To participate in actively leading and influence digital policy agenda in the continent	43
To define relevant questions and gaps	32
To make digital policy trends available to a wider audience	36

107. This wider selection of stakeholder involvement in various areas show a comprehensive picture of diverse and multistakeholder engagement in Internet Governance ranging from leading and influencing policy agenda to disseminating of policy trends to wider audiences and actively engaging in defining relevant questions and gaps.

Engagement in policy formulation and implementation

108. Stakeholders have also confirmed the wide range of engagement in digital policy development and implementation. Most are engaged in the formulation and agenda setting of digital policy initiatives (34) and in the development of policy frameworks (33) while several other stakeholders have also indicated their engagement ranges from implementing policy alternatives (27) to promoting and initiating policy agenda (26) and capturing impact through monitoring and evaluation (24) of digital policies on the continent as shown in the table below.

Table 9: Stages of stakeholders' participation in digital policy initiatives

Stages of policy initiatives	Number of respondents engaged in
Promotion and initiation of policy agenda	26
Formulation and agenda setting of digital policy initiatives	34
Development of policy frameworks	33
Implementation of policy alternatives	27
Monitoring and evaluation	24

How best stakeholders prefer to be engaged in IG space

109. Stakeholders engage in the IG debate in various ways ranging from participating in annual events to specific workshops and engaging in partnership on joint initiatives. Accordingly, most engaged through attending regular workshops (38) and participating in joint project initiatives (38), followed by those through attending annual meetings (37) and still others take initiatives in engaging through personal dialogues with coordinators at national, regional and continental level (27) as shown in the table below.

Table 10: Preference of stakeholder in engaging in the IG debate

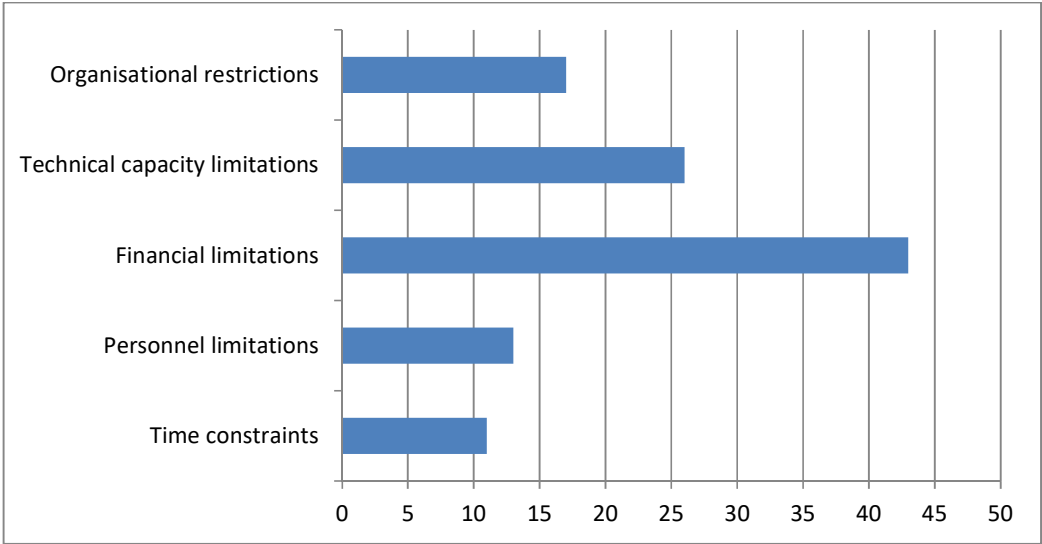
Methods of engagement of stakeholders	Number of respondents
Regular updates about IGF and digital policies (e.g. through mailing lists, e-newsletter, etc.)	23
Participating in annual meetings	37
Regular workshops	38
Digital tools, guide, shared documents and folders, etc.	21
Personal dialogues with national, regional and continental IGF initiative coordinators	27

110. Given the significant number of respondents using digital tools, guides, etc. it would be helpful to strengthening the availability of usable manuals, guides and other tools that would enable in less costly manner to engage a wide range of stakeholders.

Challenges stakeholders face in being engaged in promoting IGF

111. There is a great interest in significant number of stakeholders engaging in promoting the Internet Governance Forum. However, there are a number of challenges that they face in doing so, among others include, financial limitations, technical capacity, and organisational restrictions as shown in the figure below:

Figure 10: Challenges of stakeholders in promoting IGF and digital policy initiatives

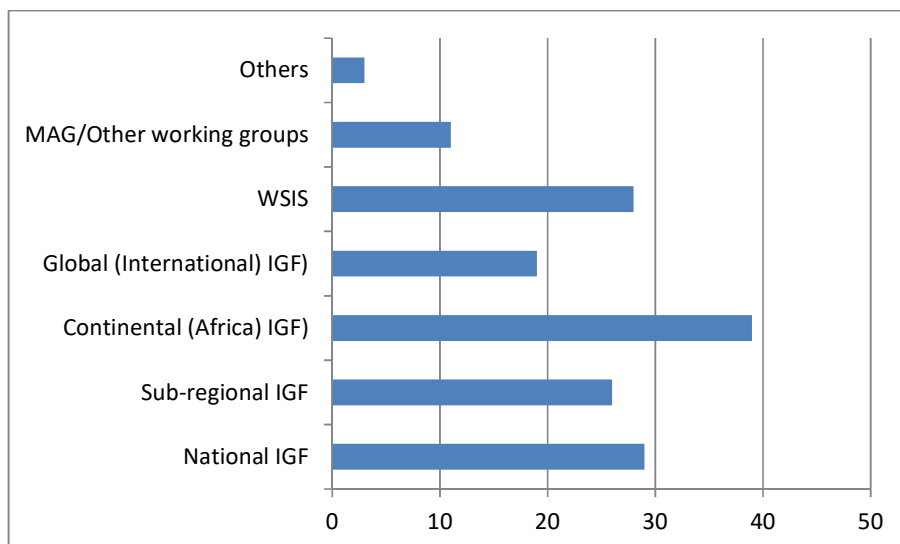


112. As shown in the figure above, the key challenges that stakeholders face in promoting IGF and digital policy initiatives in Africa are financial (43), technical (26) and organisational (17) which by strengthening national and regional IGFs can be addressed.

Platforms most effective in discussing policy issues and initiatives

113. Stakeholders engage in different platforms to discuss policy issues and initiatives from national to regional, continental and international level despite differences in the depth and level of participation and engagement in these platforms. Accordingly, most respondents indicated the continental platform (African IGF) (39) as the most effective platform in discussing policy issues and initiatives with regard to Internet policy and digital policies in general in Africa followed by the national IGF (29), then the WSIS (28) and the sub-regional IGF (26) platforms as shown in the figure below. Accordingly political, technical and financial support to the African IGF need to be stepped up.

Figure 11: Most effective platform for discussing policy issues and initiatives with regard to Internet and other digital policies

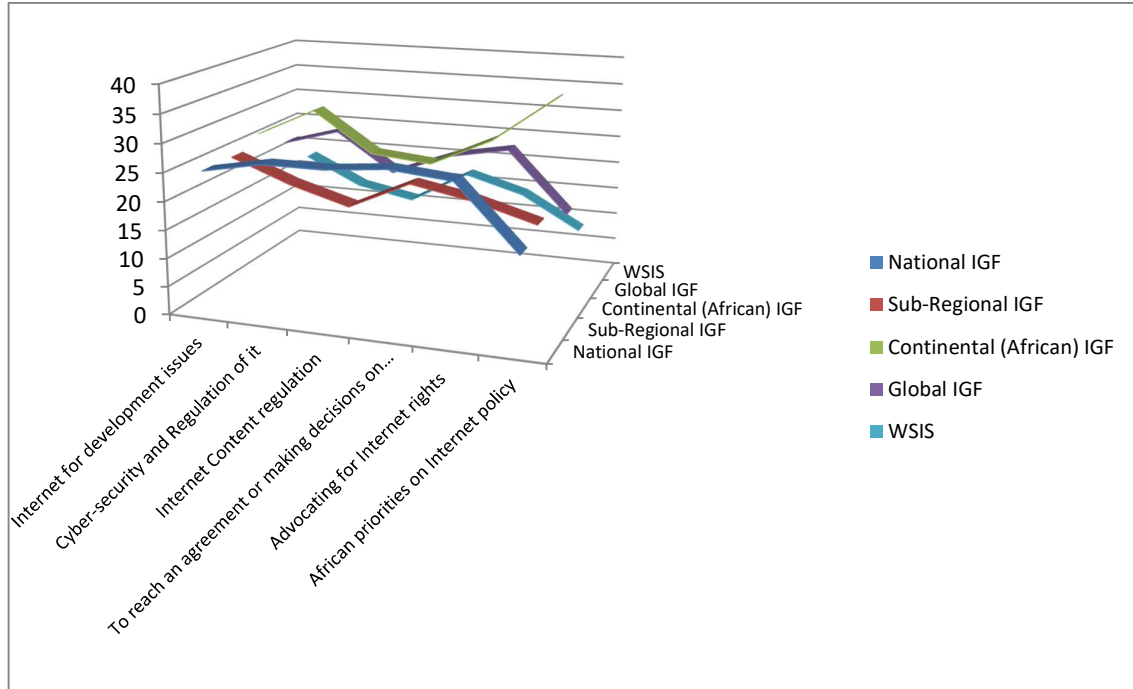


114. Given the comprehensive participation and engagement at all level at the WSIS, this platform remains strongly useful platform compared to that of the sub-regional IGF platforms that need to clearly define roles and strengthen their relevance in leveraging efforts both at national, continental and global level.

Most effective platforms and actor (stakeholder) for specific policy agenda

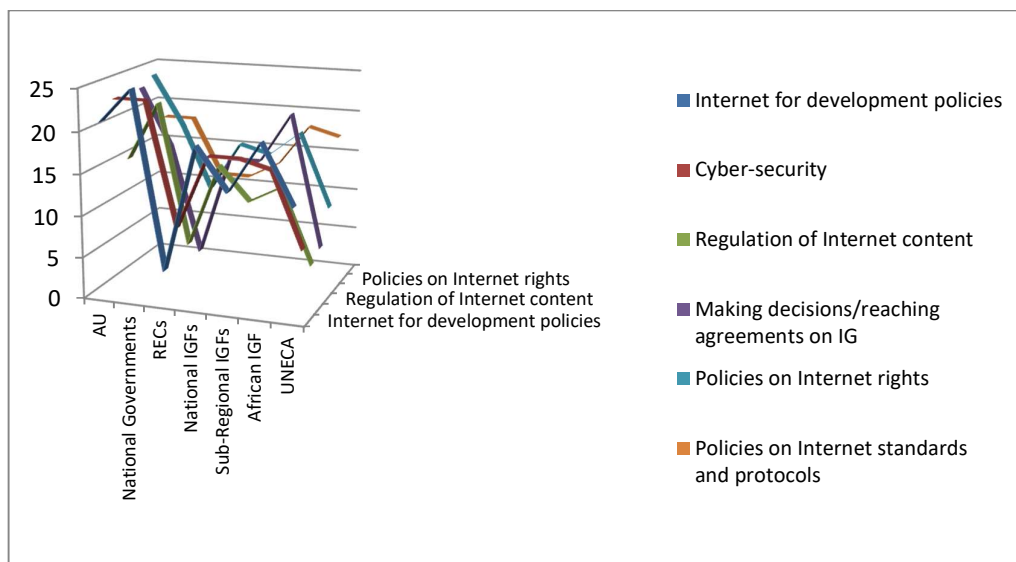
115. While some platforms are more relevant for many of the policy issues, others provide a more effective platform for specific policy agenda. In this regard, for example respondents' responses reveal that internet for development issues are most effectively addressed at continental IGF (27) followed by national (25) and sub-regional IGF (25) and then at global IGF (23) and WSIS (18) as shown in the figure below.

Figure 12: Most effective platforms for specific policy issues



116. This helps in effectively focusing priorities at the relevant level and effectively using resources to achieve the intended objective. At organisational stakeholder level, responses from the survey also show which stakeholder actor or platform is most effective in addressing specific policy issues as shown in the figure below:

Figure 13: Organisations or platform that most effectively address the specific policy or technical issue



117. In this regard, for example the responses from stakeholder consulted show that the African Union most effectively addresses policies on Internet issues (24), cybersecurity

(23) and making decisions/reaching agreements on IG (23) and Internet for development policies (21).

Factors preventing stakeholders from effectively contributing to or leading African digital policy making initiatives

118. Further to the specific challenges that stakeholders face as indicated in 8.2.4 in terms of financial, technical, personnel and organisational aspects, there are also other factors that respondents of the survey have indicated given the overall Internet Governance ecosystem. In this regard, the following are some of the factors preventing stakeholders from participation in Internet Governance discussions:

- The interest of the actors and the insufficiency of technical, human and financial means
- Lack of synergy and coordination of all stakeholders
- Lack of awareness of the relevance and key importance of Internet governance by key stakeholders across the continent, leading to low interest by them
- Low institutional engagement
- Brain drain and the lack of expertise at regional level of the key IG technical, policy and standard related issues
- The minimal or lack of commitment of the private sector
- The lack of serious involvement by governments in internet policy issues which is one factors that prevents other stakeholders in effectively contributing.

The extent of practice, feasibility and applicability of multistakeholderism

119. One of the issues debated at regional and national level is the extent to which multistakeholderism is practiced, feasible or applicable in the existing Internet governance and digital policy structures in Africa. In this regards, responses from the survey questionnaire on this topic provides some answers to this issues, among others, presented as follows:

- Enabling successful engagement of stakeholders at the local/ national level would help leveraging best practices at regional and continental level.
- For effective and efficient multistakeholder engagement, ensuring trust and mutual understanding are important.
- Encouraging governments to promote multistakeholderism practices through appropriate structures and policy directives to enable multistakeholder participation in policy development and implementation.
- For effective multistakeholder engagement, one has to assess the regulatory impact and the legitimacy problems that may arise in practice.
- Although governments have a leading role in digital policy making, they have started bringing in the process other stakeholders in order to promote ICT infrastructure and service development through participation of the Private Sector, the Technical Community and other stakeholders.

Actions or improvements needed to strengthen Africa's Internet Governance Space

120. It is now clear that the African Internet Governance Space has been evolving since the WSIS process and through participation at the global IGF annual events. However, it is also noted that there has been challenges and barriers for effective participation of African stakeholders in the global digital policy and decision making including the Internet Governance debate. To this end, what actions or improvement should therefore be made in order to enhance and strengthen the Africa's Internet Governance Space? The following key points are summarised from the responses of stakeholders on this topic:

- Capacity building of stakeholders should be strengthened both through participation of African stakeholders at global IG debate, supporting initiatives or projects to enhance the IG space and supporting the strengthening of existing and establishment of new national and regional IGFs.
- Promoting multilingualism including through the translation of contents into local languages.
- Ensure the full participation and gaining the political will of government leadership at the highest level including ensuring digital inclusion by improving the quality/price ratio of access.
- Integration of critical IG topics into the curriculum at the appropriate level including higher education to bridge the skills gap.
- Enhance and promote involvement of the Private sector in Internet Governance
- Regional organisations, particularly the African Union, should encourage the active participation of African Governments in IG including promoting initiatives at national level.

Barriers to Africa's participation in international ICTs and Internet Governance policy- and decision making processes

121. It is well recognised that key ICT and particularly Internet Governance policies and decisions are being made at various global and international fora, meetings and in global institutions that directly or indirectly have implications on the development, deployment and the full utilisation of ICTs in several developing countries including Africa. Some of the policy decisions made at the global level have impact on shaping the direction and nature of ICT for development policies and programmes in these countries. For example the decisions made at the WTO in relation to the liberalisation of the telecommunications services and at the ITU with standards and international telecommunications regulator policies will definitely have impact on the direction and shaping of policies in African countries.

122. Earlier studies including those in recent years have shown that the participation of Africa in the activities of the relevant entities responsible for global ICT policies and decision making including those relevant Internet Governance entities has been very minimal.

123. The barriers²⁹ for the participation of Africa in international policy and decision making fora can be summarised in the following four factors:

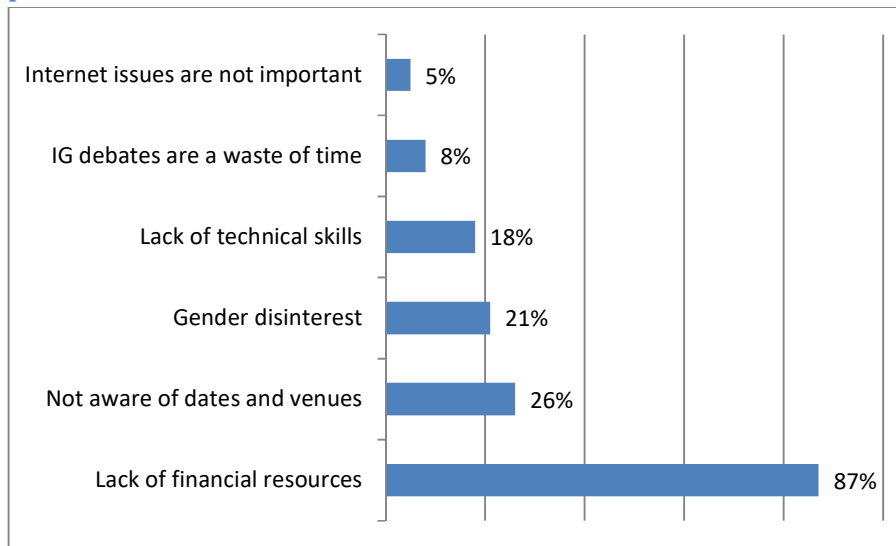
- Technical – the skills, know-how and expertise gap to effectively participate in the relevant global IG processes, structures, organisations decision/policy making fora. This limits the capacity of African entities to comprehend, contribute learn/benefit from the deliberations, discussions and proceedings of the IG forum events’ technical meetings, etc. that impact their full participation in the global IG governance, policy and decision making.
- Informational – the inability of many African countries in accessing the relevant information about IG organisations, activities, forums and events relevant to African countries and how to get involved, etc.
- Financial – the lack of access to financial resources to be able to attend relevant IG and global ICT policy events.
- Institutional – in most cases the very structure, nature and/or the mode of operations of the Internet Governance organizations, structures and processes may serve as inhibiting factor for African entities lack of participation in the activities, decision-making process of these IG entities.
- Lack of cooperation among African countries in effectively negotiating on Internet Governance related issues for their mutual benefits is a real bottleneck.

124. A recent survey³⁰ depicts the factors preventing effective participation of African stakeholders in IG process and debates in the following figure.

²⁹ Dzidonu, Clement (2005). The Internet Governance Space: Exploring the Core Issues from Africa’s Perspective. *Fourth Meeting of the Committee on Development Information (CODI IV), Addis Ababa, Ethiopia, 23 – 28 April 2005.*

³⁰ ResearchICT Africa. Mapping Multi-stakeholder participation in Internet governance from an African perspective: Results of a Survey on African Internet Governance. ResearchICT Africa win collaboration with NEPAD.

Figure 14: Factors preventing effective participation of African IG stakeholders to IG processes and debates



Source: ResearchICT Africa survey

125. In spite of the fact that there is great interest in significant number of stakeholders in engaging in promoting the Internet Governance Forum at national, regional and continental level, the survey undertaken for this report indicates continued challenges similar to the earlier findings. In this regard, there are therefore a number of challenges that stakeholders face in fully participating in the digital policy and decision making including financial limitations, technical capacity, and organisational restrictions as shown earlier in figure 8. The initiative in strengthening the national, regional and continental IGFs would be a timely initiative in addressing these challenges and enhancing the overall African Internet Governance Space through active participation of African stakeholders at continental and global Internet Governance debate.

126. More or less, the challenges for Africa's participation in the global digital policies and decision making process has been similar in the last over ten years which need to be addressed through more government involvement, technical capacity building, schemes for making the necessary finance available to meet the cost of participation and building international coalition and partnership to enable African voices heard and issues addressed.

Findings and Conclusion

127. This final draft report brings together the mapping of multi-stakeholder structures related to digital policies and decision-making in Africa which was provided in the interim report and the extensive consultation undertaken through questionnaire-administered survey and online consultation webinars which brought together the views and experiences of a large section of stakeholders across Africa including those who were engaged at the Training of Trainers programme held at the African Union Commission in May 2019. The next paragraphs will try to bring together some of the key takeaways from the overall study and the stakeholder consultation.

Findings

Aligning priorities of stakeholders around a common continental agenda

128. Although stakeholders' focus varies, they are largely involved in addressing issues identified as being a priority focus for the continent. It would therefore be useful to align the priority issues around a common continental priority agenda for Africa in order to direct resources, efforts and stakeholder collaboration towards achieving the common continental priorities, namely, access, internet for development, internet content, cyber-security, IP protection, protection of human rights, surveillance and privacy, IP Address DNS ANS Policy and Internet neutrality in that order. This can be done through making sure that the African Union Declaration on Internet Governance and Development of Africa's Digital Economy is adhered to by all countries, hence leading easily to the adoption of an African Common Position on Internet Governance, to be updated regularly and used during the various global Internet Governance related events.

Commitment of stakeholders is the right direction worth enhancing

129. Stakeholders' reason for their active participation in the Internet Governance space is driven by their aspiration to actively lead and influence the digital policy agenda on the continent followed by making digital policy trends available to a wider audience and defining relevant questions and gaps which are all positive indicators for the commitment of the stakeholders in participating in Africa's digital policy- and decision-making and promoting the African IG space. Therefore this diverse and multistakeholder engagement should be enhanced and supported.

Strengthen the digital policy engagement of stakeholders

130. The fact that most stakeholders are engaged in the formulation and agenda setting of digital policy initiatives and in the development of policy frameworks are a positive indicator for sufficient stakeholder engagement in digital policy making in Africa. Significant numbers of other stakeholders have also indicated their engagement ranging from implementing policy alternatives to promoting and initiating policy agenda and capturing impact through monitoring and evaluation of digital policies in the continent. Therefore, this diverse stakeholder engagement should be strengthened towards creating a mechanism of mobilising and directing stakeholder resources to achieve the intended result.

Supporting stakeholders in participating in the IG space and creating collaborative joint initiative

131. Stakeholders' engagement in Internet Governance is primarily driven by the need to attend regular meetings and participate in joint project initiatives including to participate in annual meetings. Other stakeholders, however, also make efforts to engage through personal dialogue with coordinators at national, regional and continental level. Therefore, mechanisms should be set up and also various types of support provided to strengthen collaborative initiatives and facilitating networking at regional and continental level.

Addressing financial, technical and organisational barriers

132. It has been revealed in the survey that the major challenges that African stakeholders face in promoting IG and digital policy initiatives in Africa are financial, technical and

organisational limitations. Therefore, strengthening the national, regional and continental IGFs through finance, technical capacity building and institutional mechanism to effectively address the IG functions is of paramount importance.

Strengthening the right platform for the right purpose

133. The stakeholders recognised the effectiveness of the various platforms (national, regional and continental IGFs) in addressing various IG issues. In this regard, while it looks that at the continental level the African IGF platform works well, the national and regional platforms require strengthening and working around an innovative model for effective multistakeholder dialogue. Accordingly, it is recognised that the continental platform (African IGF) is found to be the most effective platform in discussing IG and digital policy issues and initiatives in Africa followed by the national IGFs and then the WSIS and the sub-regional IGF platforms. This shows the need for redefining the roles of the platforms particularly at the sub-regional IGFs and strengthening of the African IGF.

Identifying what is more effectively addressed where and by whom

134. While some platforms are more relevant for many of the policy issues, others provide a more effective platform for specific policy agenda. In this regard, for example respondents' answers reveal that internet for development issues are most effectively addressed at the continental IGF followed by national and sub-regional IGF and then at global IGF and WSIS.

135. At organisational stakeholder level, for example, the responses from stakeholders consulted show that the African Union most effectively addresses policies on Internet issues, cybersecurity and making decisions/reaching agreements on IG and Internet for development policies. Hence this role should be strengthened and augmented to touch on other key IG and ICT for Development issues.

Synergy for enabling stakeholders' effective contribution to or leading African digital policy making

136. While streamlining the interests of actors through intermediation and creation of coalition of networks around policy issues is useful, this has to be achieved through clear institutionalised synergy of stakeholders, issues and institutions. In this regard, since government is at the heart of making and enabling policy, ensuring strong political support should be secured to realise the efforts of all stakeholders on the ground at the national level. This was streamlined in the PRIDA Manual for Development of National and Regional IGFs in Africa.

Multistakeholdersim – an important avenue

137. Multistakeholderism is the best option for effective Internet Governance. It is suggested strengthening the effective implementation of multistakeholder approach at the national level to help ensure this approach work at regional, continental and global level.

The way forward – actions and improvements needed to enhance the Internet

Governance Space

138. Some of the following are key points and takeaways to improve the Internet Governance Space in Africa:

- Establish Internet Governance training programs at national, regional and continental levels. At the national level, make information on initiatives accessible in order to secure the participation of a larger number of local actors. At the sub-regional level, open the space for multi-actors for better participation in initiatives. At the continental level, support CSOs for better participation. To this effect, there must be an intensified dialogue and encouragement to support Government to set up a structure such as MAG.
- Enhance and create greater communication and sharing on IG issues and the regional Information Society priority issues through supporting the creation of associations, networks of actors and observatories for IG knowledge repository, such as the PRIDA Digital Platform.
- Fostering Communities of Practice around Internet governance, composed of researchers, practitioners, technical experts and policy makers.
- At the AU level, ensure that Member States adopt multistakeholderism into its policy formulation and governance structures, which must cascade to regional and national levels.
- Train stakeholders on diplomacy to strengthen stakeholder relationships. This will enable development of common positions and promote the one voice needed to strengthen Africa's positions in global dialogues.
- Improve remote participation and communication mechanisms. One way would be to develop a platform that frequently generates policy discussions on Internet and digital policies, such as a Digital Clinic.
- Promote engagement of Youth to form a strong base of Internet governance and enable them to become African IG Ambassadors at all levels.
- More focus on grassroots organisations through capacity building to promote policies to address the digital divide and innovative local projects to service local communities.
- Creation of a High Level Commission to coordinate IG in Africa and cross-border connectivity. Need for active involvement of high level decision makers.
- Ensuring a mechanism for regular monitoring of progress, enhancing through more training and awareness including promoting research and development into IG issues and dissemination of outputs and reports.
- Rethink IGF in Africa to be a forum for negotiated outcomes under the leadership of the African Union.

Conclusions

Overall, at the sub-regional level and to a large extent at the continental level with the increased dominance of the civil society and private sector to some extent, the multi-stakeholder mechanism in most cases have left Government out and the African Internet governance concerns have not been resolved, despite being well identified. It is therefore important to bring on board the multistakeholder mechanism, Government to provide required support for

addressing and resolving issues effectively. The mechanisms and structures suggested in the findings starting practicing the multistakeholder approach at the national all the way to the regional and continental level is the most effective approach.

In several parts of the findings, the need for Government involvement is widely recognized by the various stakeholders. They have even linked the low level of African contribution to the global Internet Governance debate and lack of national and regional mechanisms to the “lack of serious involvement by governments in internet policy issues as one of the main factors that prevent other stakeholders in effectively contributing”. Accordingly the stakeholders are encouraging Government’s “full participation” in the IG space “with political will and leadership at the highest level including ensuring digital inclusion”. This could be done through the Office of the President, the Prime Minister’s Office, the Ministry in charge of ICTs, the regulatory agencies, etc. It was moreover recognized that although government has a leading role in digital policy making, they have started entering the process alongside other actors and are promoting ICT infrastructure and service development through participation of the Private Sector, the Technical Community and other stakeholders. This shows that when Government is well aware of its roles and responsibilities, as stated in paragraphs 20 to 25, it will be more open and will provide the necessary space for other stakeholders. In this regard and for the benefit of our continent, the African Union should encourage African Governments to promote multistakeholder practices, without delegating their own prerogatives, through appropriate structures and policy directives to enable a wide participation of all actors in policy development and implementation, each stakeholder group playing fully its role towards the socio-economic development of our countries. For this to happen, it is essential to create more national Internet Governance Forums and strengthen the existing ones based on a multistakeholder model, hence scaling up the African Internet Governance Space to the next level.

ANNEXES

Annex 1

Mapping of multi-stakeholder structures related to digital policies and decision-making in Africa

Introduction

The African IGF secretariat is kindly requesting you to spare some minutes of your valuable time to complete, by 16 June 2019, the questionnaire on “Mapping of multi-stakeholder structures related to digital policies and decision-making in Africa”, which is developed to collect information for the implementation of some of the outputs of the African Union Policy on Regulation Initiative for Digital Africa (PRIDA) project. Please note that your personal/Organisational details will be treated strictly confidential and will be used solely for the purpose of this mapping exercise.

Following completion of the questionnaire, online consultations will be organized with stakeholders. Furthermore, the secretariat would be happy to cooperate with you in future IGF initiatives on the continent. We will then be in touch with you shortly.

Personal Details

First name and last name: _____

Affiliation: _____

City and Country: _____

E-mail address: _____

Phone number: _____

Main part of the questionnaire

1. Which of the following stakeholder groups do you belong to?
 - Government
 - Civil Society
 - Private Sector
 - International organisations and IGOs
 - Technical community
 - Other, please specify: _____
2. On which level do you generally operate? (multiple answers possible)
 - Local
 - National
 - Regional (Sub-regional)

- Continental
- International

3. What is your organisation’s agenda mandate/mission or strategic objectives with regard to IGF/digital policy agenda in Africa:

4. Which IGF issues (topics) is/are of interest to you (1. Access, 2. Internet for development, 3. Internet content, 4. Cyber security, 5. IP protection, 6. Protection of human rights, 6. Surveillance/privacy, 7. IP addresses DNS ANS policy, 8. Internet neutrality, 9. Other please include...)? Please list in order of importance of the issues/topics to your mandate

5. Which arena field of action, outreach activity that your organisation undertakes in relation to IGF/digital policy in Africa?

6. With regard to partnership and alliance in relation with other IGF stakeholders (actors), with which institutions is your organisation engaged in the following four forms of relationship or partnership. Please indicate the actor (stakeholder name) in the column and tick as appropriate the type of relation with this actor and indicate in the last column if different from these four):

Stakeholder(Actor) partner name	Institutionalised relation	Regular exchange of information	Coordinated activities	Co- production using joint resources	Other, please specify

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7. What would your motivation be to get engaged in IGF related and digital policy initiatives in Africa?
- To stay informed about current digital policy initiatives in the continent
 - To obtain up to date information for concrete decision-making in my area of competency
 - To participate in actively leading and influence digital policy agenda in the continent
 - To define relevant policy questions and gaps
 - To make digital policy trends available to a broader audience
 - Other, please specify: _____
8. At what stage of the digital policy development would you be most interested to get involved:
- Promotion and initiation of policy agenda
 - Formulation and agenda setting of digital policy initiatives
 - Development of policy frameworks
 - Implementation of policy alternative
 - Monitoring and evaluation
 - Other, please specify _____
9. How would you best be involved in IGF and digital policy initiatives in Africa?
- Regular updates about IGF and digital policies (e.g. through mailing lists, e-newsletter, etc.)
 - Participating in annual meetings
 - Regular workshops
 - Digital tools: guide, shared documents and folders, etc.
 - Personal dialogues with national. Regional and continental IGF initiative coordinators
 - Participating in joint project initiatives
 - Other, please specify: _____
10. What challenges do you face while engaged in promoting IGF and digital policy initiatives in Africa?
- Time constraints
 - Personnel limitations
 - Financial limitations
 - Technical capacity limitations
 - Organisational restrictions
 - Other, please specify: _____

11. Which platform is most effective for your organisation in discussing policy issues and initiatives with regard to Internet policy / digital policy in general in Africa?

- National IGF
- Sub-regional IGF
- Continental (Africa) IGF
- Global (International) IGF
- WSIS
- MAG / other Working groups
- Other, please specify: _____

12. Which platforms are most effective in facilitating discussion and learning for the specific policy agenda listed below? Please tick as appropriate

Stakeholder Platforms	National IGF	Sub-Regional IGF	Continental (African) IGF	Global IGF	WSIS	Other, Specify
Policy issues						
Internet for development issues						
Cyber-security and Regulation of it						
Internet Content regulation						
To reach an agreement or making decisions on the area of internet governance						
Advocating for Internet rights						
African priorities on Internet policy						

13. What are the major factors preventing you and other stakeholders from effectively participating in IG processes and discussions at national, sub-regional, continental / international level?

14. Which policy issues or technical standards are most effectively handled by which key stakeholder group of IGF?

Stakeholder	AU	National Governments	RECs	National IGFs	Sub-Regional IGFs	African IGF	UNECA	Other, please specify
Policy issue								
Internet for development policies								
Cyber-security								
Regulation of Internet content								
Making decisions/reaching agreements on IG								
Policies on Internet rights								
Policies on Internet standards and protocols								

15. What are the key factors preventing you and other stakeholders in effectively contributing to or leading African digital policy making initiatives at national, sub-regional, regional/continental level?

16. To what extent is multistakeholderism practised, feasible or applicable in existing (Internet) governance and digital policy structures in Africa?

17. What actions or improvements are needed to strengthen Africa's Internet governance space and make multistakeholderism work more effectively?

18. What is your vision and plans for enhancing multistakeholder process and participation of all stakeholders in Internet governance and digital policy structures in Africa?

19. Which organisation, forums or processes would most effectively represent IG issues from an African perspective?

- African IGF
- Global IGF
- National IGF
- ICANN

- African Union (AU)
- United Nations ECA (UNECA)
- ITU
- ISOC AC
- AfriNIC

20. Any other comment, please provide any comments, ideas and suggestions not covered above here:

Thank you!
The African IGF Secretariat
africanigf@gmail.com

Annex 2

Online consultation on Mapping issues and the Manual on Development of National and Regional IGFs in Africa

Introduction

These are leading questions which were asked during the two hours online consultation. The first three questions are for input to the Multistakeholder mapping report, the fourth is for the Work Plan for African priorities report and the fifth question is for both the Work Plan and the Manual for the Development of National and Regional IGFs. For each question, some background information was provided orally to the stakeholders before the question is asked. The discussions were also interactive in both English and French enabling dialogue between the consultant and the stakeholders and the stakeholders among themselves. The questions are below.

1. What models and structures can you share in engaging multistakeholder actors to promote digital agenda and to engage them in digital policy and decision making in Africa at:
 - a. National level
 - b. Regional level
 - c. Continental level
2. How do you describe the structures and power relations of multistakeholder actors with regard to issues related to participation in the IG space and in digital policy and decision making at national, regional or continental levels in Africa
3. What are the key inhibiting factors for multi-stakeholder participation in digital policy- and decision-making in Africa at:
 - a. National level
 - b. Regional level
 - c. Continental level
4. What are the key African priorities in the Africa's IG space and digital agenda?
5. What activities or key steps should be undertaken in initiating and realising the development/establishment and strengthening of IGFs at:
 - a. National level
 - b. Regional level