

Submission # 52

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Organization:Digital Empowerment Foundation

Country/Region:India

How would you define the stakeholder community or communities to which you belong?

Civil society

Are there any suggestions that you wish to make in respect of the proposed themes, questions and indicators which are included in the framework as it stands?

The issue of internet shutdowns should be addressed under Cross-Cutting Indicators (X)
It could be said that the Theme C of Category R addresses this. However it does so fleetingly and there is a need to address it more firmly.

The reasoning behind adding this issue will be addressed from the Indian context. Since 2012, India has experienced 137 incidents on internet shutdowns and over 70 of them took place in 2017 alone. With the UN having recognised access to internet as a human right, internet shutdowns should be seen as a violation of human rights. Residents of affected areas suffer great economic loss, many times leading to unemployment; disruption to their education; restricted or no access to financial services or emergency services; and causes great mental anguish. Internet shutdowns violate the freedom of expression and the right to information. The economic loss as a result of internet shutdowns is well-documented with a Brookings Institution report stating that India suffered a loss of \$968 million in 2015-2016.

In August 2017, the Indian Government issued a notification by which internet shutdowns can be legally ordered. This sets a dangerous precedent as it legalises internet shutdowns, while conversely also giving residents legal recourse to question the decisions taken by law enforcement officials.

Internet Shutdowns could be added to the Universal Internet Indicators as follows:

Q. Does the government block access to internet services – broadband service or mobile internet?

On what grounds is this done?

- Records of such orders in the past 12 months
- Evidence of such orders through media reports, consumer complaints

Q. Are there any mechanisms via which the government can order ISPs and telecom companies to block access to the internet?

- Legal mechanisms in place

Q. Do residents have mechanisms to question or challenge these orders?