

## Ghana IGF 2019-freedom of expression

Honorable Minister, distinguished guests, ladies and gentlemen, it is a pleasure for me to make remarks during this national IGF meeting in 2019

I recall at National IGF in 2016, in my welcoming comments as patron of ISOC gh, I underscored the importance of having regular national IGF meetings and taking IGF home so to speak. I commend the organizers of this national IGF 2019

The practice of multi stakeholder bottom up approach to policy and standards development by consensus is used in the internet technical community. Adopting this practice in internet governance benefits the overall policy environment by reaching larger and more diverse

contributors. This is encouraged because the days when all the needed expertise can be found in one organization or company or team is gone; for the complex issues with internet technology and public policy it is futile to entertain any sense of self sufficiency. This was understood through the WSIS process which led to the establishment of the non binding internet governance forum (IGF). A forum for all stakeholders to exchange ideas to softly evolve positions

We have to admit that a consensus process where issues addressed are more important than votes, can be effective in policy development

We prefer meritocracy to prevail over democracy or autocracy

There is need for inclusiveness and diversity when using a permission less technology as the Internet where different parties own their networks

I am therefore grateful to participate again at a national IGF and share my views

I was fortunate to have been a member of the first MAG of IGF formed by the UN Secretary General late Kofi Annan, in 2005 and we organized the first global IGF meeting in Athens in 2006 with theme “internet governance for development “. Our concerns were narrower and was to advance discussions in spite of divergent views among stakeholders governments, civil society, private sector, technical community and academia coming out of WSIS II

It is from this perspective that I share these thoughts on freedom of expression

The 2003 **WSIS** Geneva Declaration on Principles reaffirms in Article 4 that and I quote

**“We reaffirm,** as an essential foundation of the Information Society, and as outlined in Article 19 of the Universal Declaration of Human Rights, that everyone has the right to freedom of opinion and expression; that this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Communication is a fundamental social process, a basic human need and the foundation of all social organization. It is central to the Information Society.

Everyone, everywhere should have the

opportunity to participate and no one should be excluded from the benefits the Information Society offers.”

The universal declaration on human rights referenced is a UN document dated December 1948.

## **Article 19.**

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

However, there's a companion article **Article 7.**

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

It is this dual that makes free speech a challenge. While there are no limitations to freedom of expression there are also responsibilities that come with the freedom when free speech invaded privacy

Likewise, there are severe consequences, economically, socially and politically when free speech is shutdown or curtailed

Under these circumstances norms and taboos prevail which in the internet world we refer to as best current practices (bcp)

Within a global internet space we have to follow global practices as opposed to our wishes or context in assessing the balance. We have to be measured, fair, proportionate, restrained and follow due process. Self regulation was considered preferred management for free speech

Oftentimes the impact of denial of freedom of expression is not well known nor understood. For the new internet technology the impact is unknown

I dare say that the internet shutdowns of 90s in Ghana may have completely eliminated local participation in the telecommunications sector. NCS, the

pioneering internet company we celebrate, was shutdown in November 2003 when it had a competing product to Skype, called [clicktel.biz](http://clicktel.biz). I thank the gallant network engineers who engaged in the techno liberation struggle to ensure technology to make sure lack of technology know how could not be used to colonize Africa. Despite the displacement you suffered I am glad that you became leaders of networks of Telcos and enterprises

Internet shutdowns are estimated to cost African countries millions of dollars and it takes very long time to recover. Hence, beware that the casual shutdowns of services we inject may have huge impact in the future. Thus, when in doubt please err in favor of freedom of expression or innovation



While there are various tools on the internet to harden traceability which are good to help protect people's rights, people should also know that it is always possible to trace

Governments and other stakeholders are making efforts to combat fake news and illicit contents. On the other hand the perpetrators are often indeed from same stakeholders including state actors

Freedom of expression is a right and must be protected. It must start from all of us, knowing our limit, protecting other parties freedom, being responsible citizens and cooperating with each other.

Internet shutdown for denial of freedom of expression must be condemned...

governments must help educate...sensitize and put in place legal framework which guarantees, protections of freedoms, but also allow everyone to exercise their rights to defend against abuse of freedom of expression.

Tools are getting sophisticated and AI is helping with the sophistication. Certainly with these advancements, damage to uncontrolled freedom of expression will increase if not careful...

Anyone can be a victim. The old solutions can be adjusted for the new context and this will help... new measures may be needed... the self regulation and natural evolution of things will tell the balance. We are learning to adjust to new threats and risks with the rapid development of the technology and uses. We are

confident our freedoms of expression will survive.

A collaborative community approach to addressing challenges of freedom of expression, is the best way forward

Thank you for your attention