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FOC Regional Consultations

Summary of Regional Consultation
in the Middle East and North Africa

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Context

- As 2022 Chair of the Freedom Online Coalition (FOC), Canada facilitated six multi-stakeholder regional consultations to engage directly with stakeholders and gather knowledge about Internet freedom challenges at the regional and sub-regional level.
- The multi-stakeholder consultations will feed into the FOC's upcoming "Ottawa Agenda", which will update the group's founding document, the **Tallinn Agenda**, with a set of commitments for promoting human rights online.



Summary

- During the Middle East and North African (MENA) consultation held under Chatham House Rule, experts from civil society, media, academia, and the private sector highlighted the rise of authoritarian regimes in the MENA region and their propensity to import surveillance and spying software to subdue human rights defenders and civil society activists.
- The monopolies of MENA states over the telecommunications sector and their control over Internet governance were raised by participants as impediments to freedom of expression online and the digital promotion of human rights. The FOC is called upon to act on the major global technology companies to increase their focus on online human rights and digital security in the South.



Trends

Participants discussed the growing trend of **surveillance technologies**, including artificial intelligence (AI), by and between authoritarian governments in the region. Experts noted that countries across the region are acquiring surveillance and spying programs from Western countries.

Their use violates the privacy of citizens and creates a chilling effect on human rights defenders and activists. Further, there is no clear effort to increase citizen digital literacy, especially as it relates to the digital security risks. Participants mentioned state monopolies in the telecommunications sector and control of the Internet network infrastructure that restricts freedom of expression and impacts Internet governance and the expression of human rights online as pressing issues.

Experts noted that the general perspective of the role of social media in improving society has dramatically shifted over the last decade. Since the Arab Spring in 2011, social networks have been used to mobilize citizens and have proven to be an effective tool to raise awareness on different issues such as the popular peaceful movement of Hirak in Algeria. Further, open source technology has facilitated the work of human rights activists by strengthening and expanding their advocacy. Nevertheless, these same networks have allowed the security services to surveil and harass activists. Authoritarian regimes are also using online platforms to **cancel** opposition, with the implications going beyond online threats to violence in physical spaces. In terms of international trends, there is a serious concern that platforms are not paying enough attention to what is happening in the region.

Participants discussed the challenges posed by **hate speech and disinformation** online that target human rights defenders, bloggers, journalists and activists. Such speech appears in many cases to be financed by local institutions and/or foreign actors. The phenomenon of arrests of bloggers for posts made online was seen as a pressing challenge to the promotion and protection of human rights.

Participants mentioned the **omnipotent power of large technology companies** that set algorithms restricting human rights in the MENA region. Experts also cited the blocking of independent websites and media by authoritarian government authorities using technologies to intercept messages.

Participants denounced the security cooperation between repressive regimes and the importation of mass surveillance software, especially from Europe. The lack of a satisfactory level of analysis to measure the impact of misinformation and digital technologies on human rights, both online and

offline, in the MENA region was also discussed.

For some participants, the question of a free, open, interoperable Internet depends solely on the political will of States and whether they are willing to address shortcomings, for example by developing effective laws and regulations. Other participants mentioned the role of civil society organizations in implementing a clear legal framework with oversight bodies to protect digital spaces and privacy online and offline. Mention was made of the notion of UNESCO's ROAM indicators for measuring Internet compliance with human rights to better understand digital fragmentation and the causes of digital inequalities.

Participants spoke about the support of Western governments in the digital transformation of MENA countries, especially in the areas of basic education, higher education, health and effective access to information. The provision of digital educational content in Arabic would help bridge the digital divides related to language barriers. International assistance should also focus on the private telecommunication sector to counteract the state monopolies in this sector in MENA countries. Internet infrastructure and its proper functioning in both urban and rural areas was mentioned as a vector for bridging the digital divide and promoting inclusion. This could be achieved by building decentralized networks of actors supported by governments and the private sector to help citizens better understand digital spaces in a secure manner. In addition, experts felt that government officials and leaders should have an adequate understanding of digital literacy.

Experts suggested that MENA countries' legislation should enshrine the right to privacy and the right to access information as set out in international standards. They called for laws protecting journalists to be adopted. Participants called for the end of Internet shutdowns, which continue to proliferate in an era of increasing **digital authoritarianism**. In the same vein, experts noted that government officials should be held accountable for their abuses both offline and online. Activists, human rights defenders and other whistleblowers should be able to benefit from a civic space online that is also secure.

Participants discussed the need to implement a ban on authoritarian MENA governments importing surveillance and spying software that undermine human rights. Financial support to MENA governments should be conditional on respect for human rights online and offline. A second step would be to increase the administrative capacity of the coalition so that it can develop projects such as creating databases of good practices and identify digital rights violations in the MENA region and around the world. Some participants denounced laws in their countries that prohibit NGOs from participating in foreign consultations without the approval of the relevant authorities or that prohibit celebrating International Press Freedom Day.

Participants recommended that the FOC should also focus on the primary role of civil society: free expression, association and assembly. The FOC's engagement with the private sector should be further deepened to facilitate dialogue with human rights activists and allow them to benefit from existing digital technologies. The FOC should open channels of communication with the private sector by connecting civil society with technology companies. Experts also mentioned fostering an open conversation with large technology companies and placing pressure on these large companies to take into consideration the political context of MENA countries. The FOC should focus on human rights and digital security that benefit activists and civil society members.



Recommendations

Participants recognized that the FOC can play an essential role in articulating and defending a democratic and inclusive vision of the global Internet. Participants recommended several actions that FOC members, individually or collectively, could undertake to increase Internet freedom regionally and worldwide. The FOC should:

- Provide a neutral, sustainable platform for regular, open, multi-stakeholder meetings between non-governmental actors (NGOs and civil society) and governments to channel discussions and enhance the impact of FOC consultations.

- Work bilaterally to encourage the adoption of data protection laws and the safety of journalists.
- Support more digital human rights defenders, including independent media, to protect and promote civic space and democracy.
- Promote digital literacy and safety through increased collaboration with industry.
- Take a more active role in addressing the threat of spyware.

Annex

Discussion Questions

- What regional or global trends related to the evolution of digital technologies and the internet will have the greatest impact on human rights online and offline in the coming 5-10 years?
- What are the most pressing challenges to the protection and promotion of human rights online, both regionally and internationally?
- How do we define free, open, interoperable, secure and reliable Internet at the infrastructure and governance levels? How can governments defend against Internet fragmentation?
- Where should governments focus their attention and international assistance support in bridging digital divides and increasing digital literacy?
- How should the FOC respond to growing attempts made to restrict democratic voices online (i.e. internet shutdowns, disinformation, spyware technologies)?
- What programs, initiatives or processes should the FOC engage on in the next 5-10 years to help protect human rights and fundamental freedoms and advance meaningful digital inclusion?
- How can the FOC deepen dialogue and cooperation with the private sector on the effective implementation of the UN Guiding Principles on Business and Human Rights?