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10th anniversary

GLOBAL INFORMATION SOCIETY WATCH

*National and Regional Internet
Governance Forum Initiatives (NRIs)*



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National and Regional Internet Governance Forum Initiatives (NRIs)

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A special edition of GISWatch, "Internet governance from the edges: NRIs in their own words", is being published as a companion edition to the 2017 GISWatch annual report. It looks at the history, challenges and achievements of NRIs, as recounted by their organisers. It is available at <https://www.giswatch.org>



Kenya ICT Action Network (KICTANet)

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Introduction

Kenya was among the first countries in Africa to host a national Internet Governance Forum (IGF) – and the Kenya IGF (KIGF), now in its 10th year, has been touted as one of the continent’s success stories.¹ Since 2008, the event has been convened by the Kenya ICT Action Network (KICTANet).

This report focuses on the evolution of the KIGF, how it is convened, its success and usefulness, as well as the approaches towards the involvement and engagement of stakeholders.

Like the global IGF, the KIGF is not a law-making or a binding process. Nevertheless, it remains quite influential. Over the years the KIGF has provided a platform for highlighting and articulating issues of concern, and changed and shaped debates on issues such as internet access, capacity building and human rights online.

Policy, economic and political background

The information and communications technology (ICT) sector is increasingly playing a key role in the country’s economy, given its contribution to the economy and the reliance of key sectors such as finance, education and governance on ICTs. This has been buttressed by the high penetration rates of mobile phones and the internet, which currently stand at 88.7% and 100.2%, respectively,² the highest in East Africa. The internet continues to play an instrumental role in expanding civic space, as the country has vibrant online communities on the major social networks.

Further, the country has enjoyed relative political stability and an open society that has

been encouraged by a new constitution adopted in 2010. This has also benefited discussions on internet policy, given the constitutional principle of “public participation” in decision making that has further opened up public policy spaces for all stakeholders. Despite resistance and suspicion between the various stakeholders, the multistakeholder model in ICT policy making, if properly implemented, remains a powerful and useful model for public consultation. Increasingly, the various stakeholder groups are getting more organised and are now capable of advancing convincing policy positions.

The Kenya IGF process

KICTANet is the convener of the KIGF, and has also hosted two editions of the sub-regional East Africa IGF. The Network aims to act as a catalyst for reform in the ICT sector in support of the national aim of ICT-enabled growth and development. Processes such as the KIGF continue to play a crucial role in increasing regional participation at the global IGF. Further, KICTANet was a key stakeholder member in organising and hosting the global IGF held in 2011 in Nairobi. In 2017, KICTANet convened the 10th KIGF, which is a significant milestone.

Engaging stakeholders – in and outside the conference room

Right from the start, the KIGF has brought together diverse stakeholders and voices to tackle the emerging challenges that face the internet landscape in the country. These stakeholders include academia, business, civil society, development partners, the government, media and the technical community. In recent years, the event has seen an increase in the participation of youth and students, with the first Youth IGF being held in July 2017 as part of the very first Kenya IGF Week.³ Other activities during the week included the Kenya School of Internet Governance (KeSIG),⁴ the launch of a new policy brief on internet shutdowns produced by

1 Internet Society. (2012, 5 November). First National Study of Internet Governance Arrangements in Kenya Detailed in New Internet Society Report. <https://www.internetsociety.org/wp-content/uploads/2017/08/IGF20Kenya20Study20Internet20Governance20110512.pdf>

2 Communications Authority of Kenya. (2017). Fourth Quarter Sector Statistics Report for the Financial Year 2016/2017 (April-June 2017). www.ca.go.ke/images/downloads/STATISTICS/Sector%20Statistics%20Report%20Q4%20%202016-17.pdf

3 kigf.or.ke

4 kigf.or.ke/kesig

KICTANet,⁵ and a Facebook event on hate speech in Kenya.⁶ All the events culminated in the 2017 KIGF.

In the face-to-face sessions at the KIGF, different stakeholders are represented in the key panels. A panel usually has a theme or a topic about which business, government, civil society and the technical community typically each give a sector perspective. The focus is usually to highlight the key concerns of each sector and then to explore the potential for collaboration and synergies. Sometimes the stakeholders differ in their perspectives and approaches, and very heated debates ensue.

The IGF is a multistakeholder event that is all-inclusive. However, due to both logistical and budgetary constraints, it is usually not possible to have everyone in the room. Therefore, remote participation is offered – and in 2017, for the first time, the event was broadcast on Facebook Live. Forum reports are produced, and media coverage is encouraged to ensure the wider reach of the discussions held during the event.

Previously, the youth were not actively involved in internet governance discussions, but the first Youth KIGF in 2017 enabled young people to meet and debate key concerns affecting them online. These were later presented in a report to the main KIGF plenary, where the youth spoke about the use of technology in schools, and the lack of capacity in state agencies to address violations of young people that occur online. It was also highlighted that some youth still lacked the skills needed to utilise online tools.

Further, representatives of marginalised groups such as people with disabilities, youth and women are involved in the moderation of sessions, report writing and as speakers at the KIGF. By and large, all stakeholders are usually invited, even though not all turn up.

In Kenya, the gender question is not as prominent as it might be in other countries, despite the post-2010 constitutional imperatives to be inclusive and non-discriminatory. Consequently, deliberate steps are usually taken at the KIGF to bridge the divide by ensuring that gender issues are discussed and a gender balance is maintained, not only in terms of participation but also in the composition of panels.

The KIGF has focused on addressing the needs of minorities and marginalised groups. The theme

of access to and affordability of internet connectivity has featured consistently across various forums. The need for inclusion is also what informed the launch of the Youth IGF.

Selecting topics, building capacity

The KIGF usually crowdsources topics of concern in the country every year. These are then framed in such a way that they correspond as much as possible with the global IGF topics for a particular year. The idea of having a Kenyan annual theme in line with the global IGF theme, but at the same time taking into account the local context, is in the spirit of thinking globally, but acting locally.

Once five topics for each day are agreed on, a five-day-long moderated e-discussion and debate follows, two weeks before the KIGF. This is usually conducted on multiple email platforms as well as on social media. The email lists include those run by KICTANet, the Kenyan chapter of Internet Society,⁷ and Skunkworks (a listserv for techies).⁸ The discussions allow the online community and all stakeholders to engage online on the framed issues and present their concerns and recommendations for consideration at the KIGF. This affords those who are not in a position to make it to the face-to-face meeting or to participate remotely to give their views as well as get perspectives from other stakeholders. At the conclusion of the stated period, a report of the e-discussions is prepared and is usually presented during the annual face-to-face KIGF meeting, allowing stakeholders to engage on the issues further.

Shifting power

The power dynamics in the KIGF have been changing since the first KIGF. What is worth noting is that the earlier KIGFs were smaller events, with high-level representatives from various stakeholder groups participating. As the event becomes more mainstream, more groups have been included and are actively participating. During the shift towards making the event more accessible and participatory, some of the key or influential individuals within the sector stayed away from the event under the guise of giving space to new voices. However, they are now slowly returning to share their expertise and wealth of knowledge with the younger participants eager to learn and participate in internet governance.

Some of the strong competitors in the ICT sector are usually not keen on sharing platforms or

5 KICTANet. (2017). *Building trust between the state and citizens: A policy brief on internet shutdowns and elections in Kenya*. https://www.kictanet.or.ke/?sdm_downloads=kenya-policy-brief-on-internet-shutdowns

6 Gichanga, M. (2017, 17 July). Facebook Open House KE. *KICTANet*. <https://www.kictanet.or.ke/?p=26925>

7 <https://internetsociety.or.ke> and <https://www.facebook.com/ISOCKenyaChapter>

8 mailman-prod.my.co.ke/cgi-bin/mailman/listinfo/skunkworks

supporting events such as the KIGF, and this can have negative impacts not only on the quality of discussions, but also on sourcing funding for the forums, as they are potential key contributors. Moreover, the industry regulator, despite being more approachable, usually does not want to appear to be taking away the spotlight from the ICT Ministry.

Nevertheless, the government of Kenya has consistently participated, and this is exceptional considering that some cabinet secretaries have been viewed as hostile to some members of the internet community, in particular civil society. These same cabinet members have been seen to favour the private sector more than other sectors.

Regional reflection

The importance of the IGF in the region is evident in the fact that the national IGFs continue to have strong links with the regional and global IGFs, and have gained traction and relevance within each country since they were first held. The East Africa IGF (EAIGF) is held regularly on a rotational basis among the five East African states and has been convened annually since the inaugural event in 2009 in Kenya. During each EAIGF the theme of the global IGF is customised and localised to fit the needs and priorities of the countries and the region. Thereafter, the discussions are collated to allow feedback and sharing from the various countries at the EAIGF. Further, the thematic sessions which draw representation from each country are designed to allow countries to present reports of the discussions from their national IGFs. This feedback is also summarised and presented at the Africa IGF.

In East Africa, the EAIGF has proven to be a unique multistakeholder environment for information sharing, constructive dialogue and open exchange of ideas on internet governance. Unfortunately, it was not convened in 2016 and 2017 due to challenges in meeting the financial and logistical costs of hosting the event.

Conclusions

The KIGF has emerged as a platform that highlights key issues that need policy intervention. In this regard, it has been viewed as a platform where stakeholders can engage equally. Since its inception, the forum has endeavoured to bring the different stakeholders together.

The forum's experience shows that it is important for all stakeholders to be included in the planning and execution of the national IGF. This

can be achieved through an open call to form the multistakeholder advisory groups to coordinate the event. This means that the different stakeholder groups should have representatives who also contribute to shaping the IGF programme, and help securing the best speakers that are suited for the selected topics.

The multistakeholder approach has encouraged a similar approach to internet policy making in Kenya. A case in point is the ICT policy review of 2016,⁹ where different stakeholders were tasked with managing the finalisation of different sections of the review.

National IGFs should focus on topics of national concern while keeping the global theme in mind. This focus on local issues stands a better chance of influencing policy on internet governance. Further, local stakeholders stand to make a difference through engaging with the government as well as different members of the ICT community in discussions. It is also important to have remote participation facilities to allow those who cannot attend the face-to-face meetings to follow and contribute to the event.

Action steps

As we move into the future, civil society should:

- Actively involve and include non-traditional internet stakeholders who impact on or are affected by internet policy decisions, such as mainstream human rights organisations, the health sector, the financial sector, agriculture and manufacturing.
- Encourage governments and the business community not only to participate, but also to continue supporting national and regional IGFs.
- Work with other stakeholders to ensure the continuity of discussions throughout the year, instead of squeezing everything into a one-day annual event.
- Improve the dissemination of information about the IGF and the results of discussions held at the forum to other stakeholders, in order to close the feedback loop. For example, this should be done by ensuring that when views are submitted to the government, they are reviewed and responded to, and those responses are also shared widely. There should be continuous engagement and follow-up on key issues.

⁹ icta.go.ke/pdf/National-ICT-Policy-20June2016.pdf

National and Regional Internet Governance Forum Initiatives (NRIs)

National and Regional Internet Governance Forum Initiatives (NRIs) are now widely recognised as a vital element of the Internet Governance Forum (IGF) process. In fact, they are seen to be the key to the sustainability and ongoing evolution of collaborative, inclusive and multistakeholder approaches to internet policy development and implementation.

A total of 54 reports on NRIs are gathered in this year's Global Information Society Watch (GISWatch). These include 40 country reports from contexts as diverse as the United States, the Democratic Republic of Congo, Bosnia and Herzegovina, Italy, Pakistan, the Republic of Korea and Colombia.

The country reports are rich in approach and style and highlight several challenges faced by activists organising and participating in national IGFs, including broadening stakeholder participation, capacity building, the unsettled role of governments, and impact.

Seven regional reports analyse the impact of regional IGFs, their evolution and challenges, and the risks they still need to take to shift governance to the next level, while seven thematic reports offer critical perspectives on NRIs as well as mapping initiatives globally.

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