

IGF 2016 Workshop Report Template

| | |
|--|---|
| Session Title | VoIP Crackdown: Implications for Government, Telecom, and Civil Society |
| Date | 09 December 2016 |
| Time | 11:30 CET |
| Session Organizer | Keith McManamen, Psiphon |
| Chair/Moderator | Keith McManamen |
| Rapporteur/Notetaker | Keith McManamen |
| List of Speakers and their institutional affiliations | Pablo Viollier, Derechos Digitales Hanane Boujemi, Hivos Peter Micek, AccessNow Robert Pepper, Facebook Amin Jobran, ASL19 Halefom Hailu Abraha, Information Network Security Agency (INSA), Ethiopia |
| Key Issues raised (1 sentence per issue): | <p>The blocking of Voice over Internet Protocol (VoIP) and messaging applications is a violation of net neutrality principles, the right to access information, and economic, social, and cultural rights.</p> <p>Treating this issue as a strictly economic or technical problem often leaves civil society out decision-making and forms regulations that adversely affect the poor and most marginalized.</p> <p>Network and telecommunications policies, practices, and regulations in many countries are based on an old business model based on old technology architectural models, and there have been challenges updating this to reflect current realities.</p> <p>There are good examples where multistakeholder governance processes have been effective in the deregulation of VoIP and messaging applications, but many countries have failed to apply the multistakeholder model successfully, or simply have no multistakeholder process.</p> <p>Challenges remain in making human rights and free expression an incentive in advocacy to policymakers, and linking human rights and economic rights to open, resilient networks.</p> |
| If there were presentations during the session, please provide a 1-paragraph summary for each Presentation | |
| Please describe the Discussions that took place during the | The blocking of VoIP and communication apps emerged as a concerning theme in Internet censorship during 2016. The threats perceived by governments, regulators, and network operators are |

| | |
|---|--|
| <p>workshop session: (3 paragraphs)</p> | <p>(1) these applications allow free calling and messaging, potentially undermining the revenue model of national telecommunications companies; (2) users' communications are often end-to-end encrypted, presenting challenges obtaining user data or national surveillance programmes; and (3) they allow the rapid dissemination of information during protests, elections, or other times of political crisis. Members of the panel identified that blocking VoIP and other communications platforms constitutes a violation of the right to access information (Article 19), as well as social, cultural, and economic rights. In addition, this blocking can cause hundreds of millions of dollars in economic harm. In their policies and practices, governments and infrastructure providers affect human rights and therefore have responsibilities, but a need remains to develop human rights principles on connectivity and development.</p> <p>Instances of blocking or restricting communication apps were noted in the context of an unclear regulatory framework or lack of strong net neutrality laws, and especially where the government owned or worked closely with the national telecommunications companies. It was noted with concern that largely, these governance environments do not allow for a multistakeholder decision-making process to occur. Despite encouraging progress this year in digital rights advocacy at the international level, some noted a recent growth in multilateral initiatives that would result in regulatory frameworks, regulations, or international standards that legitimize VoIP blocking.</p> <p>The basic assumption underlying telecommunications business model – billing for minutes of voice – has been subverted by the dramatic technological evolution of networks over the past 20 years. Today the product is connectivity, the measurement is bandwidth, and networks are time-, distance-, and location-insensitive. Many of the telecom operators implicated in restricting or blocking VoIP services have not updated their business model to fit the changing context. Failing to revise these policies and practices based on an old technology architecture and model has real human rights implications, including bad laws and policies, or the application of laws and policies that predate the internet, were created for a completely different context, or are not informed by multistakeholder processes.</p> |
| <p>Please describe any Participant suggestions regarding the way forward/ potential next steps /key takeaways: (3 paragraphs)</p> | <p>The problem of VoIP blocking highlights a space where the interests of the technical community, Internet companies, civil society, telecom, and government converge – the issue is about people having access to services. The prevailing perspective in the community is that it is not permitted to block access to legal websites and applications, yet many countries block, restrict, or have government regulation against VoIP. Furthermore, internet governance in these states is not a multistakeholder process, so it is crucial to build consensus and engage with governments and lawmakers that are blocking these services, and continue to bring in</p> |

more stakeholders from civil society and the private sector, and have dialogue together with government and telecom authorities.

In advocacy, creating proper incentives for decision-makers involves demonstrating that VoIP blocking fails as a policy on their own grounds – a commercial failure that violates the economic, social, and cultural rights of citizens. Advocacy should point to commitments that governments have already made. For example, 9.c of the sustainable development goals pledges to bring all least developed countries online in an affordable way by 2020. The Human Rights Council resolution from July unequivocally condemned intentional disruptions to connectivity. The economic harms of VoIP blocking continue to be documented, revealing hundreds of millions of dollars lost as a result of these policies. Government stakeholders must be shown that the economic benefits will not be seen unless people are connected to an Internet that is open, safe and secure.

The changing telecommunications landscape and political environment have both contributed to heightened information controls from governments. Stakeholders must work together to invest in, build, and expand networks, with human rights considered in the design of infrastructure. Policymakers need to work towards the capacity-building that will allow for well-informed, well-intentioned decision-making on this issue. Much work remains to be done on the level of policy advocacy. While governments entwined with business interests continue to pursue policies and regulations that violate not only net neutrality but also human rights, outreach to civil society from groups like AccessNow and ASL19, as well as free, open-source circumvention software like Psiphon, will remain crucial to preserving secure access to a free and open Internet in 2017 and years to follow.