

Access to the Internet is fast growing in African countries representing not only an efficient development tool, but at the same time, posing a serious threat to human rights. In a bid to mitigate this risk, the African Declaration on Internet Rights and Freedoms (www.africainternetrights.org) with its 13 key principles was adopted by the African Commission on Human and People's rights at Banjul (Gambia) the 04th of November 2016. In Cameroon, despite the numerous programmes put in place by the government with the support of the ICTs (deployment of Multipurpose Community Telecentres in rural areas, programmes fostering the numeric economy, online tax declaration, the online follow-up of civil servants career development, etc), it has happened that the same government voluntarily suspend partially or totally the Internet services during some crisis situations.

The 13 key principles of the African Declaration on Internet Rights and Freedoms

1-Openness

Principle 1 - Openness : *« The architecture of the Internet should be preserved as an open, free, equal and non-discriminatory means to communicate, access and exchange information and culture.*

In a bid to comply with the open and distributed architecture of the Internet, Cameroon enacted the law 2010/013 of the 21st December 2010 enshrining the network access interconnection. The distinctive « end to end » feature of the Internet architecture fosters both the digital economy and innovation and has allowed the creation amongst others of the Cameroon's made cardio-pad.

On another note, even though no text in the legislation alludes to the net neutrality, there is not any special privilege restricting the online information exchange.

2-Internet Access and Affordability

Principle 2 - Internet Access and Affordability : *« Access to the Internet should be available and affordable to all persons in Africa without discrimination on any ground such as race, color, sex, language, religion, ... or other status».*

In Cameroon, the Special Telecommunications Fund with resources coming from the annual contributions of operators, up to 3% of their turnover, allows the funding of the universal service and inter alia since 2002, the construction of 177 Multipurpose Community Telecentres providing Internet and telecommunications services to underprivileged urban areas, rural areas and hemmed zones. To date, the vast majority of these telecentres merely survive, burdened by issues and despite efforts, the bulk of the Internet users deem the Internet service both unstable and difficult to afford.

3-Freedom of Expression

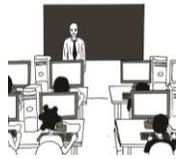
Principle 3 - Freedom of expression : *« Everyone has the right to seek, receive and impart information through the Internet and regardless of frontiers »*

This principle even though not well understood by the surveyed Internet users (only 30.2%) is governed in Cameroon by various laws and texts that unfortunately do not specifically refer to the Internet use. However, users sometimes experience the restriction of their right of expression either because of the national security (case in the North West and South West regions 17th January-20th April 2017) or because of disputes between operators and CAMTEL, the state own corporation with the monopoly on the optic fiber. This was the case with Orange-Cameroon in October 2017, leading to the deprivation of the online right to expression of almost 5 million of their subscribers for a week.

4-Right to Information

Principle 4 - Right to Information : *« Everyone has the right to access information on the Internet, including scientific and social research produced with the support of public funds »*

In Cameroon, information of the public sector are available online either on the government website or on those of the public institutions. It is the case for laws, decrees, regulations as well as competitive bid calls for government procurement. Several local collectivities (Bangangte, Dibombari and Kumbo councils, Douala and Bafoussam urban communities...) also use their website as a communication channel. Besides, results of official exams are also made available on the Internet for some years now. Civil servants can as well follow their career evolution online. So are information related to taxation.



5-Freedom of Assembly and Association and the Internet

6-Cultural and Linguistic Diversity

7-Right to Development and Access to Knowledge

8-Privacy and Personal Data Protection

9-Security, Stability and Resilience of the Internet

10-Marginalised Groups and Groups at Risk

Principle 5 – Freedom of Assembly and Association and the Internet: « *Everyone should enjoy unrestricted access to the Internet to form associations* »

In Cameroon this principle is rooted in the 90s laws on freedoms, even though these laws don't clearly mention the Internet. The freedom of assembly and association online has led to the increase of citizens' political participation (pre and post electoral contexts for the 2018 presidential election) notably through cyberactivism and popular mobilizations. It is worth bearing in mind the fact that the cyberspace is also a fertile ground for misinformation and propagation of groundless rumors.

Principle 6 – Cultural and Linguistic Diversity :

« *Individuals and communities have the right to use their own language or any other language of their choice to create, share and disseminate information through the Internet* »

Within the framework of the « Strategic Plan for a Digital Cameroon by 2020 », the government is committed to « digitalize and make public the national cultural and touristic heritage » and « produce contents in local languages, namely within the education sector ». In this country where 200 cultures of more than 200 ethnies coexist –with some on Internet, the production of contents on local languages largely remain at the research stage.

Principle 7 – Right to Development and Access to Knowledge: « *... School children and other learners should have access to Internet-enabled device... »*

The Education Sector Plan 2013-2020 states that : « ICTs and the Internet facilitate communication and access to knowledge ». As earlier as in 2001, the Head of State inaugurated the Multimedia Resource Centers (MRC) in two secondary schools in Yaounde. But, more than 15 years later, only 07 government high schools in Yaounde are equipped with MRC and they are marred with issues such as maintenance and the availability of the electricity. However, 50 government high schools are connected to the Internet. Besides, there is an ongoing presidential program to distribute 500.000 computers to all students, starting from the 2016-2017 academic year.

Principle 8 – Privacy and Personal Data Protection:

« *Everyone has the right to privacy online, including the right to the protection of personal data concerning him or her.* »

This principle constitutes one of the major stake of the information society. Indeed, « traces » left by web users voluntarily or not are part of strategic issue for states as well as for commercial enterprises. In Cameroon law 2010/012 of 12th December 2010 defines Internet-related offences that are prohibited and penalized. Besides, within the Agency for ICTs there is a Computer Emergency Response Team (CERT) that ensures the security watch of the information systems.

Principle 9 - Security, Stability and Resilience of the Internet

: « *Everyone has the right to benefit from security, stability and resilience of the Internet.* »

In Cameroon as well as in other countries, the Internet use is far from being an activity whose protection is guaranteed from end to end by the states. Cameroon is ranked 5th in Africa and 15th exequo in the world within the cyber security scale index. This indicates that our current access level is fairly well secure. Nevertheless, intrusions and attacks are ongoing notably the hacking of the official site of the Presidency of the Republic as well as the one of the National Assemble. On another note complaints are still numerous, in relation with the network stability.

Principle 10 – Marginalized Groups and Groups at Risk : « *The right of all people without discrimination of any kind to use the Internet ...should be respected and protected.* »

In Cameroon where this principle is not well understood by Internet users, the government promised in 2016, to equip the Club of the Young Rehabilitated Blind of Cameroon with a multimedia center. The National Rehabilitation Center for People with Disabilities Cardinal Paul Emile Leger located in Yaounde is also fitted with a multimedia center for its residents. This appears to be a drop in the ocean for, even the Strategic Plan for a Digital Cameroon by 2020 does not feature any specific action to the benefit of this group of people.



11-Right to Due Process

Principle 11 – Right to Due Process: « *Everyone has the right to due process in relation to any legal claims or violations of the law regarding the Internet* »

In Cameroon, even though a special jurisdiction for trying Internet related violations does not yet exist, any obstacle was detected as concerning legal action before ordinary courts for these infractions. It is therefore fitting that 66.4% of the cybernauts targeted by the research have a good knowledge of the principle. Nevertheless, the country would greatly benefit the establishment of specialized jurisdictions with well trained staff to capable to address these violations and to rule diligently according to the lightning development of the ICTs and the more and more sophisticated technics used by malicious persons.

12-Democratic Multistakeholder Internet Governance

Principle 12 – Democratic Multistakeholder Internet Governance : « *The Internet governance framework must be open, responsible, transparent and collaborative.* ».

The Internet Governance was born out of the United Nations will –through its specialized organization the International Telecommunications Union, to reduce the inequality of the world's inhabitants with regard to access to ICTs. The research has allowed us to point out with regret that the IGF model launched in Cameroon since August 2013 is far from being inclusive and was, since its inception, abandoned by the other stakeholders to the good will of the National Agency for the Information and Communication Technologies (NAICT) which conducts the whole process at its own pace.

13-Gender Equality

Principle 13 – Gender Equality: « *Men and women should have equal access to learn about, define, use and shape the Internet* »

The Multisectoral Action Plan developed in 2016 to foster Gender promotion gives top priority to the improvement of girls and women access to the ICTs. Since 2002 and under the patronage of the country's first lady, the « operation 100 000 women trained in computing » has equipped 103.350 women of all ages and social strata. With respect to governance, for more than 8 years, the minister in charge of telecommunications and the Deputy General Manager of the Agency in charge of the ICTs development are both women. However, Gender equality remains an unkept promise and is often a laughing stock.

To tackle

The tool used is the Index of Internet Rights and Freedoms (IIRF), it is a synthetic index (with value moving from 0 to 1) that has been developed following the graph proposed by J. M Boulanger (2005). Based on some examples in the domain of ICTs, it is calculated as a weighted arithmetic means of the 13 sub-indexes, each linked to one of the ADIRFs key principles. Each of the sub-indexes is illustrate by indicators. The indicators' identification that respected the international RAND method, one of the well-known method to elaborate or select the most relevant indicators, was made thanks to the literature review. As an example, the following indicators have been used for the key principles

- Access and Accessibility to the Internet : Mobile telephone lines per 100 inhabitants ;
- Right to Information : Percentage of ministries with updated websites
- Cultural and Linguistic Diversity : Online existence of contents in local languages
- Gender Equality : Parity index with regard to the Internet access

A computer application has been developed to automate the calculation of the IIRF for any African country and to allow the index and its sub-indices to be displayed in different forms at the request of users

Let us recall that on the IIRF scale, when the value is below 0.5, it is low or poor. Between 0.5 and 0.75 it is average. When above 0.75, the value is high or good.

Drafted by the association PROTEGE QV (<http://www.protegeqv.org>) with the support of the Association for Progressive Communications (APC) (<http://www.apc.org>) and the Swedish International Development Cooperation Agency (SIDA)



The graph exploitation may lead to be more accurate on aspects where progress need to be made and even on the margins where there is room for improvement.

For Cameroon, we obtain an IIRF of 0.59 on a scale of 0 to 1 in 2017. This reflects a fairly average situation with regard to the respect of Internet rights and freedoms. This average situation hides significant disparities among the fields concerned.

A close look at Figure 1 shows that improvements are needed for some key principles: Freedom of Expression (IIRF=0.11); Freedom of Assembly and Association and the Internet (IIRF=0.17); Internet Access and Affordability (IIRF=0.37) and to a lesser extent, Gender Equality (IIRF=0.41).

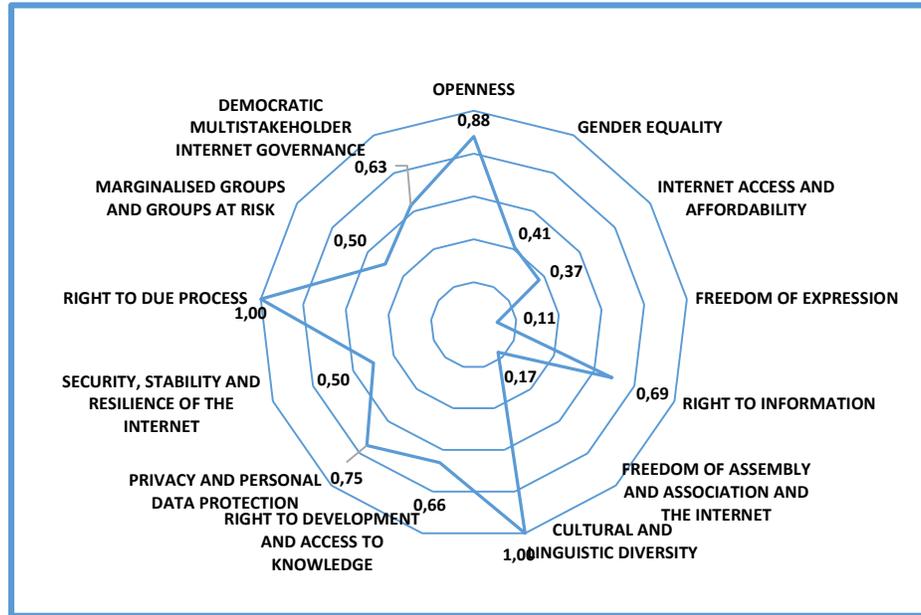


Figure 1: Graphical illustration of the IIRF for Cameroon in 2017

Some recommendations/Areas for improvements?

Access and Accessibility

- Replace the Telecommunications Special Fund by a National agency of the Telecommunications universal service / ICT;
- Popularize public access solutions - including the funded / subsidised access to schools and local centres and community networks- to reach groups unable to afford a regular Internet use.

Freedom of Expression

- Reformulate the Internet Access as a right ;
- Sensitize citizens on the African Declaration on Internet Rights and Freedoms;
- Refrain or stop using the Internet as a tool of users' surveillance;
- Train and sensitize on the Freedom of Expression as a fundamental right.

Freedom of Assembly and Association

- Define more explicitly legal conditions surrounding websites filtering and blocking;
- Update the law n°90-053 of 19 decembre 1990 on Freedom of Association in Cameroon by granting the latter the full benefits drawn from the Internet use.

Gender Equality

- Establish a Gender parity observatory;
- Integrate a "Gender" component while drafting the Strategic Plan for a Digital Cameroon by 2020;
- Organise campaigns showcasing opportunities offered by the Internet towards women poverty reduction and promotion of their access to employment.

Drafted by the association PROTEGE QV (<http://www.protegeqv.org>) with the support of the Association for Progressive Communications (APC) (<http://www.apc.org>) and the Swedish International Development Cooperation Agency (SIDA)

This Policy brief summarizes the results of a research published in 2018 in a document titled « Watching Cameroon through the lenses of the African Declaration on Internet Rights and Freedoms »