

Sunday Times
South Africa

When internet access becomes a human right

The world scoffed, in the early years of this century, when institutions in countries such as Estonia,

Finland and France declared internet access a basic human right.

Then, in 2016, the Human Rights Council of the UN General Assembly noted that the internet was a catalyst for the right to freedom of expression.

A year later, a campaign for similar recognition was launched in SA by the Interactive Advertising Bureau of SA, along with the South African National Editors' Forum, Media Monitoring Africa, the Association for Progressive Communications and Applied Law and Technology.

The South African Human Rights Commission gave the campaign tacit backing, but that has not translated into government support. The closest we have come is the requirement announced by the Competition Commission in December that all mobile network operators had to provide a daily quota of free data to all customers.

That obligation was watered down, in the recent agreement between Vodacom and the Competition Commission, to zero rating educational, health, government and information sites. In other words, free access to a pre-defined list of sites.

That's a start but, as we have seen in the past week, utterly inadequate in the face of a national lockdown. Access to information is one thing; access to the tools for maintaining a semblance of normal life altogether different.

The penny is slowly dropping, though. Following last week's call by the Federal Communications Commission in the US to "keep America connected", the local equivalent followed suit on Thursday.



Arthur Goldstuck

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The Independent Communications Authority of SA (Icasa) called on service providers "to ensure they make communication services available to all South Africans".

It warned of an "expected surge in usage of data as the majority of South Africans across all sectors have no option but work from home, learn from home and carry on their day-to-day life activities from home through technological means".

It said this would result in "a spike in data usage, particularly as consumers also access information with regards to the pandemic".

It did not go as far as to invoke human rights, but acting chair Dr Keabetswe Modimoeng did announce

"regulatory concessions or relaxations to enable the sector to meet the demands of the business unusual environment".

The most dramatic of these concessions, almost an afterthought, was the opening of "TV whitespaces", the unused broadcasting frequencies between TV channels. These are ideal for low-cost internet data access in rural areas. Despite being piloted for years by the likes of Google and Microsoft, they have never been licensed.

Arguably, this is because the government has long seen internet access as the province of the privileged. Only now has it woken up to the importance of internet access for all.

As a result, "in order to ensure that rural and marginalised communities are also catered for during this period", it has called on service providers who meet "certification requirements" to use this spectrum for affordable or free access to rural consumers.

Now can we accept that the internet is a basic human right?

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