



United Nations
DESA/ECA



Parliament - Republic of Rwanda



Pan African Parliament

International Conference

Development of an equitable Information Society: the role of African Parliaments



Kigali, Rwanda

4th-5th March 2009



Information Rights Issues on the Parliamentary Agenda: Guaranteeing fundamental rights

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About APC

International network of 53 member organisations promoting the use of ICTs for development and social justice implementing programmes in 3 areas:

- Communications and Information Policy
- Women's Networking Support / Gender justice
- Strategic Technologies and Network Development

Strong presence in Africa, also in Latin America, Europe, Asia

Annual review: Global Information Society Watch



Information rights: Issues for parliaments to consider

1. What are 'information rights'?
2. Information rights and an equitable information society
3. The role of parliaments
4. Examples of areas of policy and regulation that contribute to information rights using the APC Internet Rights Charter
5. Going forward: challenges and opportunities



Information rights are not new rights...

- Universal Declaration on Human Rights
- African Charter on Human and People's Rights (Banjul, 1982)
- WSIS principles (Geneva, 2003)

Traditionally seen as 'civil and political rights', but are also 'social and economic rights'



1. What are information rights?

- Rights related to **seeking, accessing, using** and **imparting** information.
- IRs are expressed, respected and defended in a wide range of overlapping policy and regulation... and also by decisions made outside of parliamentary processes.
- IRs apply to information held by **public** and **private** bodies.
- Encompasses freedom of expression, but have far broader reach than FX
- Cannot be considered separately from 'ICT' rights... rights to access to the **MEANS** to seek, access and impart information



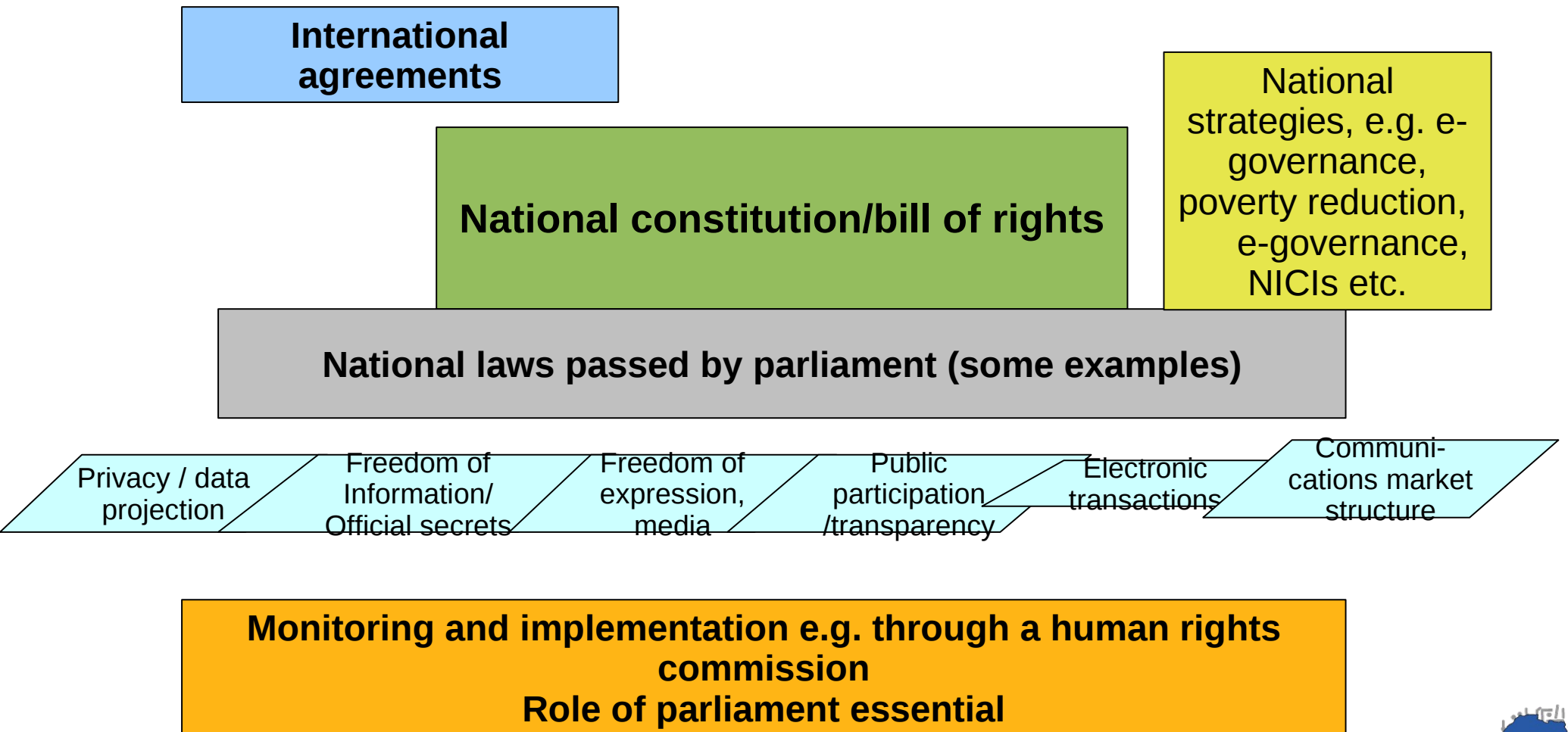
2. Why IRs are integral to an equitable information society

The more individuals, communities, businesses, and governments use ICTs in every day life the more critical are **rights** to ensure that people have **affordable, reliable** and **equitable, access** to information rights, including to the **ICTs** without which information cannot be effectively shared and communicated in today's world.

This is recognised in WSIS decisions.. but needs to be operationalised... an ongoing process.



How does this happen at national level?



3. The role of parliaments

- Strengthen public interest through effective integration of information rights into ALL national legislation.
- Navigate complex terrain of overlapping legislation... but keep things simple..rights approach
- Monitor implementation, and, voice the interests, concerns of citizens and other stakeholders (e.g. through consultations with constituencies, parliamentary committees)
 - help build active citizenship



4. Examples of areas of policy that contribute to IRs using the APC Internet Rights Charter

APC IR Charter - www.apc.org

Adopted in 2001

Updated in 2006

7 thematic areas

Interprets articles from the UDHR in context of information society and ICT for development



Theme 1: Internet access for all

- Universal Service (consider mobile telephony as devices that enable access to the internet)
- Basic infrastructure, and access for institutions
- **Public access**
- **Access for women** and men, for people of different age groups, people living in remote areas, people with disability and so on
- Affordability
- Access in the workplace
- Access in 'your own language'



Theme 2: Freedom of expression and association

- Right to free expression on the internet, on mobile networks
- Freedom from censorship
- Rights to 'online' freedom of association, e.g. the right to campaign using the internet and mobile phones
- Rights, protections for whistleblowers



Theme 3: Access to knowledge

- Access to information without having to 'buy' either the access, or the information, is the most basic building block for human development
- Access to publicly funded information, research
- Access to government information
- Access to parliamentary information, processes
- Access in open, shareable formats
- Intellectual property.... more on this in the next presentation



Theme 4: Shared learning and creation

- The right to share information, ideas, innovation
- Open source software
- Open standards
- Open content
- Open records



Theme 5: Privacy, surveillance and encryption

- Data protection.. only justifiable information should be collected and retained by government and business (e.g. in health sector)
- Privacy policy that allows people to find out what is collected about them, and correct inaccuracies
- Protection from un-authorized disclosure of data
- Deletion of data when it is no longer necessary for the purpose it was collected
- Warning the public about potential mis-use of data they provide
- Widespread information literacy development



Theme 6: Governance, including internet governance

- Strengthening governance essential for development and democracy
- e-governance... but linked to transparency, accountability, participation of citizens
- Involve ALL stakeholders in internet governance and policy ... and broader ICT policy e.g. through regional and national forums, like the *East African Internet Governance Forum* convened by Kenya (in a multi-stakeholder process) in 2008



Theme 7: Awareness, protection and realisation of rights

- Consumer rights, protections
- Civic education
- Utilise ICTs to build active citizenship through public participation, transparency, access to information
- Mobile penetration provides ENORMOUS opportunity for all the above



5. Going forward: challenges and opportunities

Critical role for parliaments

Opportunity to adopt a 'fresh' approach focused on 'freedom of information' as a means of creating more open and informed and interactive societies, citizens, and government

Parliaments can be both supportive to government in building an equitable information society, as well as apply pressure when needed

They can provide leadership in facilitating inclusive, open approaches, working with the media, business, civil society, international community ... and they can lead by example.



Thank you!

