



## Enhancing Digital Civic Space through OGP

# Promoting Access to an Open and Free Internet

Access to an open and free internet is integral to individuals' and organizations' ability to exercise fundamental freedoms online, and to benefit from, and contribute to, digital open government initiatives. Achieving meaningful access requires investments that make the internet and digital platforms available to all, especially those who have been traditionally excluded from public fora and effective service provision, while lifting and avoiding the imposition of restrictions on internet access that discourage, stifle, or frustrate online participation.

Here are a few recommended actions governments can implement to empower all citizens to benefit from the internet and leverage digital tools to contribute to better and more accountable governance.

*Caption: Using the Forest Watcher app in Peru to monitor deforestation, fires, and other issues, illustrating the importance of expanding access to the internet and digital tools. Photo by World Resources Institute*

Open government thrives when people can freely access government information and services, share opinions and information among themselves and with their leaders, and act individually and collectively to influence decision-making and hold governments accountable—both online and offline. While the internet and digital tools can play an important role in empowering the public, more action is needed to ensure that these spaces enable robust civic action and participation. This series highlights the recommendations from the International Centre for Not-for-Profit Law's [Enhancing Digital Civic Space through the OGP Process](#).



## Recommended Open Government Commitments

### Making the Internet and Digital Platforms Available to All

- **Recognize internet access** as a right and enabler of other fundamental rights, such as the rights to freedom of expression, peaceful assembly, and association, through a constitutional amendment or legislation. Laws and policies related to internet access should be drafted, adopted, and enforced with active public consultations, scrutiny, and oversight.
- **Prioritize investments in network infrastructure** to better ensure that all people—especially underserved and unconnected urban and rural communities—can equitably access and participate in decision-making. This can include setting up secure public WiFi access points and incentivizing the development of [community networks](#). Equitable internet access also requires that policies make the internet more affordable. This can include instituting more consumer protections, rescinding existing taxes on broadband or cellular internet access, subsidizing the cost of connectivity for individuals with lower income and persons with disabilities, and prohibiting [discriminatory](#) consumer practices by internet service providers.
- **Conduct a transparent review of digital platforms and tools for accessibility and aptness.** Such review should include consultations with disability rights organizations and the wider public. Governments should also make appropriate modifications to digital platforms and tools to ensure accessibility and aptness for all communities: youth, women and girls, migrants and refugees, minority language speakers, persons with disabilities, LGBTQIA+ persons, and others. If they do not already exist, responsible agencies should create and publish government-wide standards for accessibility and aptness for all communities and ensure that procurements of new digital tools include those standards and are made available for public review.

- **Incorporate digital literacy education** in all levels of primary and secondary school curricula and provide opportunities for adult learners to gain the knowledge and skills needed to advance their digital literacy. Robust digital literacy programs can better ensure that all communities can safely and effectively navigate the internet, thereby empowering them to participate in and benefit from digital governance initiatives.

### Removing Restrictions on Meaningful Internet Access

- **Remove SIM card registration requirements** that ask for an individual's national identification to be linked to their mobile device. Such requirements can have a chilling effect on civic participation in decision-making if those who wish to express criticism of a government policy through an online platform fear that they could be tracked through their SIM. In addition to these privacy and free expression concerns, SIM card registration requirements unduly restrict internet access, as individuals lacking official identification—often due to historic exclusion—cannot obtain SIM cards and thereby use the internet, including to access digital governance initiatives and services. Research has shown SIM card registration laws disproportionately exclude women and marginalized populations from using mobile devices.
- **Repeal any legal basis to intentionally disrupt internet access** that renders the internet unusable in whole or in part, whether nationwide or in specific locations. This [includes](#), but is not limited to, blanket internet shutdowns (such as internet kill switches), internet throttling, and blocking entire social media or messaging platforms. States should conduct a thorough, transparent review of the current legal and regulatory framework relating to the [disruption](#) of telecom services. Such a review includes inviting and incorporating feedback from all stakeholders, such as civil society, telecom and internet service providers, the media, and the public at large.
- **Prohibit extralegal practices of shutting down, throttling, or blocking internet services**, in whole or in part, by developing guidance and regulations for ministries and law enforcement officials.
- **Promote meaningful internet access through foreign policy** by issuing guidance to embassies and working with like-minded governments to engage governments with practices of shutting down, throttling, or blocking internet services, in whole or in part. Governments should ensure that coercive economic sanctions include exemptions for internet and tech services that enable the public, including journalists and human rights defenders, to meaningfully access and use the internet.
- **Mandate public disclosure of telecommunication service provider agreements** that authorize the government to issue requests for data or order the restriction of access to services. Governments should issue guidance and regulations prohibiting the inclusion in such agreements of terms preventing service providers from publicly reporting information and statistics on network disruptions and takedown orders.



### Positive Examples from OGP Action Plans and Beyond

- **Colombia** [created](#) an interactive web platform and call center to promote access by blind and deaf citizens to public information and government services.
- **Costa Rica**'s Supreme Court has declared that access to the internet is a fundamental right, similar to the rights to information and communication. [Law No. 8660 of 2008](#) requires that telecommunication operators provide open access to networks and services and observe non-discrimination between public and private users. Costa Rica also has an Internet Advisory Council that [facilitates](#) multi-stakeholder and interdisciplinary cooperation from government, academia, the private sector, and civil society in developing policy on internet governance and access.
- **Lesotho** has a [universal access fund](#) that aims to provide affordable and accessible telecommunications services to all citizens, particularly those living in rural and underserved areas. The fund operates by financing the expansion of mobile networks and the rollout of fiber-optic cables, which has in turn led to a significant increase in internet penetration rates. Lesotho is turning now to [invest](#) in digital skills, including amongst women and girls.
- **Tanzania** has [established](#) a Universal Communications Service Access Fund, which aims to support the provision of affordable and accessible communication services, including internet access, in underserved and rural areas.
- The **United States** has [allocated](#) US \$65 billion to boost broadband deployment and adoption, with funds earmarked for broadband deployment in unserved and underserved communities, development of low-cost broadband options for eligible families, digital inclusion and digital equity programs, and investment in tribal and rural areas.

Many obstacles can hinder participation in the digital commons—from limited digital skills and literacy, to unnecessary conditions and taxes imposed on digital access, to blanket shutdowns of internet services. Governments can remove such obstacles by increasing access and affordability for all people as a part of their [digital governance](#) agendas and by refraining from measures that constrain the exercise of freedoms online. These measures will help maximize the benefits of open government practices both online and off.