



Report

On

The Kenya Internet Governance Forum
Nairobi, Kenya
3rd July 2014

By Internet Society Kenya Chapter.
July 2014

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BACKGROUND

The Kenya Internet Governance Forum was held on 3rd July 2014 at the Strathmore University Business School. The forum was organized by the Internet Society Kenya Chapter. This was the fifth edition of the forum in Kenya and the second to be convened by the Internet Society Kenya Chapter.

The Internet Governance Forum is a multi stakeholder meeting that brings together the government, private sector, civil society, technical community and academia to discuss public policy issues that affect growth and development of the Internet in Kenya.

The ICT sector policy that propelled growth and development of ICT in Kenya is an example of output of multi stakeholder engagement that was developed and strengthened through the Kenya Internet Governance Forum.

OPENING CEREMONY

The Kenya Internet Governance Forum was officially opened by Hon. Engineer James Rege Member of Parliament Karachuonyo Constituency assisted by Fiona Asonga the Chief Executive Officer Telecommunication Service Providers Association of Kenya. In his opening remarks Engineer Rege emphasized on the gains the country had made through multistakeholder engagement that had been facilitated by the Internet Governance process. He also emphasized on the need to strengthen capacity building on Cyber Security related issues since it was a real threat to electronic commerce as well as the well being of nations. On her part Fiona emphasized on the need for stakeholders to continue engaging each other and sharing knowledge for the benefit of the nation

THE KENYA INTERNET GOVERNANCE FORUM 2014

The theme was connecting counties for enhanced multistakeholder Internet governance. More than 140 participants registered for the Kenya Internet Governance Forum 2014. Remote participation was also provided on the Internet Society Live stream channel with the great help of ISOC New York and Joly Macfie as well as through the Webex platform to enable greater stakeholder engagement

The forum was composed of various panels that discussed three main thematic areas:

- Net Neutrality
- Policies enabling access
- Cybersecurity
- Internet and Human rights

The first panel was made up of the International Commission of Jurists Civil Society, Telecommunication Services Providers of Kenya Private Sector, Google and the Chief Guest focused on policies enabling access and net neutrality, the main issues discussed were:

- Improving cost and quality of Internet: price of internet has significantly come down due to the fact that most ISPs are peering at Kenya Internet Exchange point therefore keeping traffic level
- Increasing access. The government of Kenya has made efforts to increase access by ensuring that Fibre connectivity has been spread to all counties in the Republic of Kenya
- Some county governments are making efforts to provide free access to their citizens in major towns. Government services are increasingly being availed online by the national government as well as the county governments
- Need to encourage and promote the use of local content
- The need for a freedom of information act and data protection bill was highlighted

The second panel moderated by the Telecommunication Services Providers of Kenya focused on Cyber Security and was made up of representatives from the government Communications Authority of Kenya, Academia, Strathmore University, Private Sector Microsoft and focused on the key issues that have been summarized below:

- Africa union Draft Convention on Cyber Security that had been recently ratified and was ready for adoption by African States: participants were informed that translation of the convention from the French to English language had created confusion which had earlier on created mistrust in the document but that this had since been resolved. Participants were also informed that they could still provide input into the document through their respective governments.

- National Cyber Security Strategy Republic of Kenya launched by his Excellency the president that was developed through a multistakeholder approach: The communications Authority of Kenya welcomed participants to join hands with the government as it implemented the strategy. Participants were also informed that the strategy had been developed using a multi stakeholder approach.
- Participants were also informed about challenges stemming from hubs where young people are engaging in hacking activities

The third panel was moderated by Google and focused on the role of the Internet as an engine of growth and development. Oakar services presented case studies on how the Internet could be used to manage traffic flow in Nairobi using various geographic information services tools. Participants were also taken through a presentation on how Elimu TV is revolutionizing the education sector by bringing it closer to the informal settlements where citizens can barely afford to take their children to school.

INTERNATIONAL COLLABORATION

The local IGF secretariat should work closely with UA, DESA, and ATU.

EVOLUTION OF GLOBAL CYBER SPACE

According to statistics by Microsoft, there will be new security challenges with the growth in internet use as more people get to use more gadgets to access internet. These will definitely provide security challenges in the next decade.

CLEAR EFFECTIVE GOVERNANCE AND STANDARDS

These will require frequent national policy and regulatory framework reviews in order to provide a conducive environment for both technology economic growth.

Develop cooperation and partnerships within the region to look at policies and regulatory frameworks, as well as harmonization of laws because of cross border transfer of data and internet traffic.

Development of trust and understanding that will lead to stability and reliability in cyber space

CAPACITY BUILDING:

There is need for Training the right workforce to be able to maintain and sustain innovation, as well as undertake research studies to help tackle challenges of the future.

CYBER SECURITY STRATEGY – WAY FORWARD

In order to deal with threats of the future it is important for us to have the right legislation and effective public policies in place. Fast track the data protection and privacy ACT changes to the following communication Bills that has been pending for some time, so that we able to able to tackle future cyber threats

CYBER SECURITY CONVENTION: AU RESPECTIVE

In spite of getting so much feeds and information from stakeholders from member states, the AU developed the draft convention amidst controversial claims that majority felt could have been improved by inclusion of proposals that had been presented from various contributions stakeholders.

However, it was noted that soon, the AU expects that 15 countries will ratify and deposit the instrument in Addis Ababa and 30 days from that day it will become part of the law according to the constitutions of many Africa countries. "... any international treaty or convention that the member states signs becomes part of the national laws."

So it is critical that stakeholders in IG and ISOC need to focus on this matter because it will affect our local IG issues in its own way directly or indirectly.

The convention lacked proposals on 4 sectors, namely;

- Online transaction & economy
- Data protection (personal)
- Cyber security
- Combating crime

The convention states that people will have to provide physical addresses, telephone contacts as a requirement for online transaction. It is important to note that the document criminalizes too much, and Service Providers will have a difficult time to operate under this convention on content and usage.

The convention also provides that one's data can be accessed for public interest. This public interest is not defined in detail and there is no statutory definition on the convention. This amounts to giving a blank check (do whatever you want to governments) without clearly defining these' national interests.

Most countries still depend on mutual (international relations) so there is no legal binding on cross border criminality. Research shows that the reason international crimes are so hard to prosecute are because most countries are always unwilling to hand over their citizens for prosecution in other countries. Some legally binding provisions should have been considered.

The document was put together by an AU Special Committee in which Kenya was represented by an officer from the legal department, the Deputy Solicitor General, Madam Dorcas Mchapa. When contacted she asserted that some of those technical areas were issues under the docket of the Ministry of ICT.

However, the document as it stands provide room for improvement but unfortunately it cannot be access online on the AU website and in it`s entirely the way it is written .What is provided online is just a summary that does not have the key contentions clauses, despite the AU having all the machinery, time and resources to provide a good and complete document.

INTERNET AND HUMAN RIGHTS

The fourth panel was moderated by the Kenya Human Rights Commission, it focused on social media and hate speech. The main issues discussed by the participants included:

- What constitutes hate speech?
- The need for a freedom of information act.
- The need to educate online users and leaders on responsible use of online tools, Facebook, twitter

As part of the current constitution access to information means that whatever information the government has, the government should be able to freely share it with its citizens, such as contracts, what the government is doing, its expenditure, anything that the citizens may want to know or find out. This is because it's the citizens who voted in the government so they have the right to demand for accountability, transparency and access to just information so that citizens can manage their daily lives and further their personal development. Currently the constitution recognizes the right under Article 35 gives that right, but it is well known that its implementation is still ongoing. Apart from that part of access to Information, there are other parts that capture public participation, in Article 118 states that Parliament shall conduct its business in an open manner and its sittings and committees shall be open to the general public

OPEN SESSION

The final panel was an open microphone session. Participants discussed the need for the Internet Governance forum to be all inclusive and to bring on board more participants from rural areas. Participants also noted that there was need to formulate a consumer protection act to protect internet users from spam emanating from various service providers.

The need for the freedom of information and data protection act was also underscored. Stakeholders were encouraged to join hands to ensure quick realization of the two acts.

KEY OUTCOMES OF THE KENYA INTERNET GOVERNANCE

FORUM

- The need for greater engagement between the government, private sector, civil society, technical community and academia and strengthening of the multistakeholder model.
- The need for more inclusivity, ensuring people from different parts of the country participate in the forum.
- The need for the freedom of information act to be fast tracked
- The need for the data protection act to be fast tracked.
- The need for greater capacity building in Cyber Security
- The need for a consumer act to protect consumers from spam

The forum was a great success with positive feedback from the participants on the content and quality of presentations and the variety of panelists drawn from the government private sector, civil society, academia and technical communities.

ACKNOWLEDGEMENT OF SPONSORS

The Kenya Internet Governance Forum was made possible by the kind sponsorship of various partners. We are grateful to them for their contribution. The following support was provided:

Sponsor	Type of Support Received	Remarks
Microsoft	USD 2000	Paid for Conference Venue
Ogilvy	USD 2500	
OAKAR	USD 300	
KeNIC	In Kind	Event Coverage photography, hosting of event website
TESPOK	In Kind	Internet Sponsor
Kenya Human Rights Commission	Kes 100,000	Meals
IHUB	In Kind	Meeting rooms for planning meetings
Internet Society	In kind	Remote participation, secretariat to the Kenyan IGF

The Internet Society Kenya Chapter appreciates the contribution of the sponsors towards the success of the forum.

MEDIA:

CIO Special Feature - Kenya Internet Governance Forum 2014:

<https://www.youtube.com/watch?v=LaJqNRycN3Q>

Website: www.isoc.org

Twitter: https://twitter.com/isoc_ke/

Email: info@isoc.or.ke

EVENT PROGRAM

Time	Event
7.30-8:30 AM	Registration
8:30- 9:00 AM	<ul style="list-style-type: none"> · Keynote Speeches · ISOC / Kenya IGF Committee welcome guests and invite Chief Guest · Keynote from the Guest of Honour: Hon. Eng. James Rege
9:00-11:00 AM	<p>POLICIES ENABLING ACCESS: / NET NEUTRALITY</p> <p>Sub topics:</p> <p>Improving cost and Quality of Internet</p> <p>Increasing access</p> <p>Panelists: Anne Nderi (ICJ-Kenya), Michael Murungi (Google), CAK</p> <p>Moderator: Ali Hussein</p>
11:00-11:30 AM	Tea Break
11:30-1:00 PM	<p>CYBER SECURITY</p> <p>The Integrated Public Safety Communication and Surveillance System</p> <p>Emerging Legal issues, Challenges and Issues with Cybersecurity</p> <p>Awareness, Partnership and Incident Management</p> <p>Panelists: Dr. Tonny Omwansa (UoN), Angela Ng'ang'a (Microsoft), Moses Karanja (Strathmore University), Dr. Joseph Sevilla (iLabAfrica)</p> <p>Moderator: Microsoft</p>
1:00-2:00 PM	Lunch Break
2:00 – 3:30 PM	<p>INTERNET AS AN ENGINE FOR GROWTH AND DEVELOPMENT</p> <p>Panelists: Oakar Services,</p> <p>Moderator: Google</p>
3:30 - 5:00	<p>Internet and Human rights</p> <p>Social Media and Hate Speech</p> <p>Panelists: iHub - Nanjira Sambuli, CAK, ICJ-Kenya</p> <p>Moderator: KHRC</p>
5:00 - 5:45 PM	<p>Open Mike Session: Diversity, Equal participation of all stakeholders, based on the "multi stakeholder" policy development model.</p> <p>Public participation in Internet Governance and ICT development</p> <p>Open to the audience.</p> <p>Moderators: James Ndiga</p>
5:45-6:00 PM	<p>IGF Rapporteur, Key Outcomes of Kenya: Mwendwa Kivuva</p> <p>Vote of thanks by ISOC Kenyan Chapter & KIGF WG Chairs</p>
6:00pm	Tea Break & Participants leave at their own pleasure