

## Internet Shutdowns

Shutdowns are measures taken by a government, or on behalf of a government, to intentionally disrupt access to, and the use of, information and communications systems, by

- slowing internet access, e.g. through bandwidth throttling;
- blocking specific apps such as social media or messaging services; and
- disrupting internet access, partially or completely, and sometimes entire telephone networks.

Shutdowns restrict people's ability to access and share information and to communicate. As access to information and communication are central to ever more aspects of life, shutdowns affect many rights, such as the rights to work, health, and education in many regions of the world. In situations of conflict and unrest, shutdowns exacerbate risks of further violence and insecurity. They have massive economic cost and undermine development.



### HOW DO SHUTDOWNS VIOLATE HUMAN RIGHTS?

Shutdowns **contravene human rights law as they fail to meet the criteria for restricting rights** outlined in the International Covenant on Civil and Political Rights (ICCPR), including Articles 19 (freedom of expression), 21 (peaceful assembly), and 22 (association):

#### IS THE SHUTDOWN "NECESSARY"?

Restrictions must be "necessary" for certain specified purposes such as the protection of national security or of public health. However, in reality, restrictions are frequently imposed for other purposes, including in response to protests and elections, or without any stated justification.

#### IS THE SHUTDOWN PROPORTIONATE?

Restrictions must use the least intrusive method to accomplish a legitimate

aim. Blanket shutdowns have severe consequences and can never be justified; other forms of shutdowns are also likely to have indiscriminate adverse effects, rendering them disproportionate.

#### DOES THE SHUTDOWN HAVE A VALID LEGAL BASIS?

Shutdowns are often ordered covertly or without a clear legal basis. Even when ordered based on laws and regulations, shutdowns may not satisfy the legality requirement, if the legal criteria are overbroad, vague, or adopted through opaque procedures.

#### IS THE SHUTDOWN TARGETING A SPECIFIC GROUP?

Restrictions must be in line with the principle of non-discrimination. The impact of shutdowns may be aggravated when they target communities concentrated in specific geographical locations or heavily dependent on certain communication channels. Shutdowns can significantly increase marginalization and social and economic inequalities.

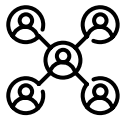
“ Blunt measures such as blanket Internet shutdowns, sometimes for prolonged periods, contravene international law, affecting States' obligations to respect, in addition to freedom of expression and the right to peaceful assembly, a wide range of rights, including freedom of association and of movement and the rights to health and education.

[UN Human Rights Council Resolution 44/20](#) ”

## PREVENTING AND RESPONDING TO SHUTDOWNS

“ States “should refrain from imposing shutdowns, maximize Internet access and remove the multiple obstacles standing in the way of communication.

[Report of the Office of the United Nations High Commissioner for Human Rights 50/55](#)



### ALL ACTORS SHOULD SEEK TO:

#### PREVENT

- Support increased digital literacy and promote access to circumvention tools, ensuring these are safe, accessible, and affordable.
- Proactively engage with authorities before disruptions are likely to occur, e.g. in the run up to/during elections and public protests.
- Network and strategize with local digital rights organizations, to promptly respond when shutdowns occur.

#### RESPOND

- Report disruptions and quickly corroborate community reports with support of open source data and specialized organizations.
- Ask State authorities and companies to provide information on shutdowns, including their duration, scope, and legal basis, and where appropriate, to challenge shutdowns in courts.



### TELECOMMUNICATIONS COMPANIES

- Take all lawful measures to challenge requests for shutdowns.
- Promptly inform the public about any disruptions and provide regular updates on their efforts to re-establish communications whenever communications are shut down.
- Carry out human rights due diligence with regard to potential adverse impacts from shutdowns when entering or renegotiating license agreements with governments at all levels.



### INTERNATIONAL ORGANIZATIONS

- Ensure that international aid to expand connectivity includes explicit references to preventing shutdowns, including in licensing agreements.
- Support the access to encryption and other circumvention tools, and promote digital literacy as part of efforts to expand connectivity.
- Review existing systems of data collection relating to Internet access, including the monitoring of the implementation of target 9.c of the Sustainable Development Goals, to ensure that they reflect occurrences of State ordered disruptions and their impact on the achievement of meaningful connectivity.

