MALAWI’S INTERNET SHUTDOWN:
WHEN THE POWERFUL BECOME AFRAID

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Main issues

- There is need to begin to question not only the shutdowns that occur over a period of time such as during elections, but also the lack of political will to make the internet more and more accessible.

- Is Malawi among countries facing an internet shutdown before the shutdown?
The Media Institute of Southern Africa (MISA) Malawi was founded in 1996.

Its work focuses on promoting, and advocating for, the unhindered enjoyment of freedom of expression, access to information and a free, independent, diverse and pluralistic media.

In the defense of freedom of expression we therefore advocate for internet access as one of the platforms where Malawians can express themselves.

This is among others done through the advancement of the passing of favorable laws and ensuring that there are no efforts to limit enjoyment of various freedoms online and other platforms.
Malawi has a number of policies that touch on ICT including:

- Communication Sector Policy - 1998
- National Decentralization Policy - 1998
- Digital Broadcasting Policy - 2013
- Science and Technology Policy - 2013
- Vision 2020
- Malawi Growth and Development Strategy II & III
- The National ICT Policy - 2013
- National Access to Information Policy - 2014
- *Electronic Transactions and Cybersecurity Act* - 2016
All these policies recognize the importance of communication and ICT in promoting national development but they have not been able to translate into practice and we have a number of gaps and concerns despite the presence of these policies.

There is failure by government to tackle key issues within the sector such as access, production of local content, illiteracy and cost.
Internet access in Malawi

• The number of people with access to the Internet in the country has improved from 9.6 percent in 2016 to 13.1 percent in 2018; the number remains significantly low. Malawi’s population is around 18 million

• The country has the lowest internet access in comparison with regional neighbours such as Zambia where those with access to the internet are more than twice that of Malawi
Internet access cont.

The Inclusive Internet Index 2019

Overall rankings
- 96th: Liberia
- 97th: Sierra Leone
- 98th: Malawi
- 99th: Niger
- 100th: Congo (DRC)

Malawi is third to last out of 100 countries globally—ahead only of Niger and Congo among 31 African nations. The country is close to the bottom of the global rankings on Availability, Affordability and Relevance. It fares better on Readiness, however, where it ranks 9th out of 17 low-income countries.

Want to know more? Download the complete dataset:
- Excel
- CSV

Commissioned by Facebook
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The country is close to the bottom of the global rankings on Availability, Affordability and Relevance.

It fares better on Readiness, however, where it ranks 9th out of 17 low-income countries. This means the environment or acceptability is already there, supporting policy frameworks and skills.

This is according to the Inclusive Internet Index 2019 - https://theinclusiveinternet.eiu.com/explore/countries/MW/
Internet Access Limitations / Shutdowns

• IN 2016, the United Nations Human Rights Council passed a resolution for the “promotion, protection, and enjoyment of human rights on the internet” which condemns any country that intentionally disrupts the internet access of its citizens.

• Would it be deliberate that despite the favorable environment and being ranked well on readiness that nothing much is being done to improve internet access in Malawi?
Limitations / Shutdowns Cont.

• There is no free internet access in public places in Malawi. You will need to buy mobile data for the internet or use vouchers. This is so costly as there is also a tax on data.

• So why would a government which has committed to universal access to the internet also introduce a tax on mobile data that ends up limiting internet usage?

• MACRA established telecentres in rural areas to help improve ICT and internet access, BUT should we worry that none seems to be fully operational?

• It’s important to remember that in reporting in international forums, Malawi is usually applauded for establishing these telecentres.
Planned Internet Shutdown
Internet shutdown

- MISA Malawi received reliable information on a planned internet shutdown from polling day until after the announcement of the election results.
- MISA took a pro-active approach by writing the Malawi Communications Regulatory Authority on our concerns.
- Section 24 of the Electronic Transactions and Cybersecurity Act provides that online public communication may be restricted in order to protect public order and national security.
- However, applicable international human rights standards require that freedom of expression should not be restricted on public order or national security grounds unless there is a real risk of harm to a legitimate interest and there is a causal link between the risk of harm and the expression.
Our concerns:

- Journalists and media houses would not be able to receive data for news
- Journalists will not be able to disseminate election results
- That absence of reliable news may actually lead to increased speculation and fake news which is detrimental to peace and security in the country
- That audiences will be deprived of accurate and timely election updates and news
- That this essentially meant interference with the freedom of opinion, of expression and of the press
Internet shutdown: The Demands and Result

- We asked for a written assurance that government was not to implement a shutdown
- We warned them that we were to take them to court if they shut down the internet
- Without necessarily responding to MISA, government released a statement in which among others they made an assurance there was not to be any internet shutdown
Broken promise?

• The Malawi Telecommunications Limited MTL cables were cut in five different places simultaneous which rendered broadcasting and a part of internet services inaccessible for a period between 3 -5 hours

• It is important to note that MTL was actually among the service providers engaged by the Malawi Electoral Commission to provide internet services to facilitate receipt of election results.

• This resulted in delays by media houses such as Zodiak and Times failing to broadcast/ publish results online or on television. Broadcasting services are also streamed live

• Pressure mounted on MTL and government to restore connectivity and they did hours later
Conclusion

• There is need to look at both limitations that are placed on access to the internet and the shutdowns..........the result is the same. A less informed society which impacts decision making and their constitutionally enshrined freedoms