Impact of Internet shutdowns

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Manifest Pedagogy:

India is being called as the Internet Shutdown capital of the world. Though such an extreme measure becomes necessary at times to maintain public order, internet shutdowns are often imposed in an arbitrary manner. They have led to huge economic losses, untold suffering for the public, and 'severe reputational damage' to the country. Hence the government should resort to it only in cases of public emergency and frame a mechanism to tackle the arbitrary internet shutdowns by the authorities.

In News: United Nations-backed report (by OHCHR) has highlighted that shutting down the internet affects people's safety & well-being, hampers information flow and harms the economy.

Placing it in Syllabus: Polity and Governance.

Static Dimensions

- About Internet Shutdowns
- History of Internet Shutdowns

Current Dimensions

- Internet Shutdown in India
- Reasons for Internet shutdown
- Impact of Internet Shut down

Content

About Internet Shutdowns

- Internet 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 online.

- Governments increasingly resort to throttling bandwidth or limiting mobile service to 2G, which, while nominally maintaining access, renders it extremely difficult to make meaningful use of the Internet.

- The episodes make it difficult to share and watch videos, live broadcasts and other journalistic work.
- The shutdowns are often ordered during civil society movements, security measures as well as electoral proceedings, and severely restrict human rights monitoring and reporting.
- The restrictions also have considerable economic impacts.

History of Internet Shutdowns

- The first major internet shut down took place in **Egypt in 2011** which was accompanied by hundreds of killings.
- As per **#KeepItOn** coalition (which monitors internet shutdown episodes across the world), documented **931 shutdowns in 74 countries from 2016-2021**.
- As many as 12 countries implemented more than 10 shutdowns during the period.
- Globally all regions have experienced multiple shutdowns, but the majority reported occurred in Asia and Africa.
- Almost half of all shutdowns recorded by civil society groups from 2016-2021 were carried out in the context of protests and political crises, with 225 shutdowns recorded during public demonstrations relating to a vast range of social, political or economic grievances, as stated in the report.
- Disruptions severely inhibit the work of journalists and the media in general, a key element of fair elections. In Uganda, shutdowns undermined media coverage of the elections in 2021, amid reports of violent repressive

measures, the researchers observed.

- Shutdowns following protests during electoral periods were also reported in countries such as Belarus and Niger, they added.
- As many as 132 of the shutdowns recorded by civil society groups were officially justified by the need to control the spread of hate speech, disinformation or other forms of content deemed illegal or harmful, according to the researchers.

Internet Shutdown in India

- The first recorded internet shutdown in India took place in **Jammu and Kashmir in 2012**, when mobile internet services were suspended for a few hours during protests against a movie
- For the fourth straight year, India recorded the highest number of internet shutdowns in the world in 2021.
- According to digital right advocacy group Access Now's report, India blocked or disrupted internet connections **106 times and at least 85 of India's internet shutdown episodes were in Jammu & Kashmir**.
- Some Examples of Restrictions
    - **The Government of the Union Territory of Jammu and Kashmir (J&K)** has restricted access to mobile data in the Valley of Kashmir. These restrictions have been issued in the wake of the death of hardline separatist leader Syed Ali Shah Geelani.
    - **In Delhi and Haryana**, the internet was shut down following farmers' protests.The Haryana orders are on social media but have not been uploaded on government websites.

- **Laws ,rules and Judgements**

        - Until 2017, India did not have a codified law to order internet shutdowns. The power to do so was vested in district magistrates

under **Section 144** of the Code of Criminal Procedure.

- In 2017, new rules to order internet shutdowns were introduced under the **Indian Telegraph Act of 1885. These rules – the Temporary Suspension of Telecom Services (Public Emergency or Public Safety)** rules – stated that internet shutdowns can now only be ordered by the Home secretary of the union or state governments.
  - Shutdowns could be ordered where "necessary" or "unavoidable", during a "public emergency" or in the "interest of public safety".
  - The order must include the detailed reasons for the shutdown and must be sent to a **review committee** the following day.
  - The committee will submit its report within **five days**. The communications blockade will continue only if the shutdown is justified by the committee.

- **Court Judgements.**

  - **The High Court of Kerala** made a start to the domestic recognition of the right to Internet access with its judgement in **Faheema Shirin R.K. v. State of Kerala & Others** which can be replicated pan India
  - In **Anuradha Bhasin versus the Union of India, 2020, the Supreme Court** ruled that an undefined restriction of internet services would be illegal and that orders for internet shutdown must satisfy the tests of necessity and proportionality.

Reasons for Internet shutdown

- **National interest**-The Internet cannot be independent of national sovereignty. Therefore, the necessary regulation of the internet is a reasonable choice of sovereign countries based on national interests.
- **Preventive Measure**-Cutting off the Internet is both an early and preventive response to block restive groups to organise riots against the Government.
- **Public order**-Used when there is civil unrest, in order to block the flow of information about government actions or to end communication among activists and prevent the spread of rumours and fake news
- **Examination**-To prevent cheating in exams. Eg- In Jaipur Rajasthan.

Impact of Internet Shut down

- **Rights**-It violates the basic Human right and Fundamental rights of the citizen.
- **Trust deficit**-Creates a trust deficit between the government and the citizens of the country.
- **Economic**-Internet shutdowns also carry major economic costs for all sectors, disrupting financial transactions, commerce and industry
  - India accounted for 75 percent value loss from internet shutdowns across the world in 2020, **losing an estimated $2.8 billion**.
  - India has more than **15 million WhatsApp Business** users, a lot of whom are small and medium businesses whose business gets severely impacted.
  - According to Cellular Operators Association of India, telecom operators lose **Rs 24.5 million (Rs 2.45 crore) per hour** in every circle area where there is a shutdown.
  - The World Bank recently calculated that Internet shutdowns in Myanmar alone had cost nearly $2.8 billion from February-December 2021, reversing

economic progress made over the previous decade.

- **Elections**-Shutdowns affected at least 52 elections in the period, according to the findings. In 2019 alone, 14 African countries disrupted access to the internet during electoral periods.
    - Such disruptions undermine or eliminate access to digital tools that are critical for campaigning, promoting public discussion, conducting voting and overseeing the electoral processes
    - Voters being deprived of information about candidates,
- **Healthcare**-Hospitals being unable to contact their doctors in cases of emergency. affects telemedicine services.
- **Education**-The episodes undermine learning outcomes and interfere with education planning and communication among teachers, school administrators and families
- **Civil Society**— peaceful protesters who fall under violent attack being unable to call for help, when an Internet and telecommunications services shutdown occurs
- **Artisans**— handicraft makers being cut off from customers and potentially facing imminent economic ruin.
- **Impact on Governance**:-In the wake of Digital India, universal payments, and cashless India, availability of the mobile Internet is absolutely necessary for the flow of the economy and governance but these shutdowns hamper them as well
- **Violence-Internet** shutdowns might actually lead to an increase in instances of violence at a protest.
    - Without social media such as Facebook and WhatsApp, where peaceful protest can be organised and coordinated, in the absence of the internet, people may resort to a spontaneous and unplanned response: violence
- **Daily Lives**-Internet shutdowns drastically disrupt the daily life of ordinary citizens and they might feel isolated from their community and a disconnect from the

rest of the world.

Way Forward

- **Last resort**-States to refrain from imposing shutdowns, to maximise Internet access and remove the multiple obstacles standing in the way of communication. It must be used only in the rarest of rare cases.
- **Oversight**-There should be an unambiguous, publicly available and legitimate policy for any shutdown.
    - A **Parliamentary panel** has suggested, the government should frame a mechanism to tackle the arbitrary internet shutdowns by the authorities.
- **Rights**— The government must take all the measures to protect and Uphold the Fundamental right of citizens to access the internet.
- Governments need to do a **cost-benefit analysis** of the impact of the cost of Internet shutdowns before taking such action.The government should resort to it only in cases of public emergency.
- **Role of Private companies**-Companies to speedily share information on disruptions and ensure that they take all possible lawful measures to prevent shutdowns they have been asked to implement
- **Collaboration**-Governments should identify best practices in addressing issues at their source, prioritising alternative measures to Internet shutdowns. Sharing experiences within and across regions could bring solutions that do not rely on restrictions to access
- **Civil Society**-Government accountability and transparency on Internet shutdowns should be demanded by civil society organisations and other stakeholders, who should also continue to monitor the effects of Internet outages.

Mould your thoughts

1. India is being termed as " Internet Shutdown capital of

the world". Analyze the impact it can have on the country and how to protect the rights of the people in this regard. (250 words).

Approach to the answer

- Introduction about the gravity of the problem.
- Reasons for the shutdown.
- Impact of shutdown.
- Related laws and court judgements.
- Suggestions- how to prevent it.
- Wayforward and conclusion.