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# ACCESS & TRADE: 2 Recommendations for Advancing Internet Policy in India

## Executive Summary

Internet shutdowns have a significant impact on citizens' safety and economic resources worldwide. Trade relations are frequently used to support policy initiates. Yet, at the same time, the field of study and analysis of internet shutdowns is highly esoteric with complex data sources that require domain and technical understanding. Considering the risk of both economic and personal freedom there is a necessity to pursue immediate policy solutions and longer-term increase in citizen engagement in this field. Through identifying the strength of policy advocacy derived from trade agreements, and the need for increased accessibility of internet connectivity and censorship data, we provide 2 recommendations for The Atlantic Council to pursue.

## Context

India has had 121 recorded blackout events in 2019 and nearly 55 blackouts already in 2020. Section 69A and Section 79 of the Information Technology (IT) Act empowers the central and state government to shut down the Internet on precautionary and security basis. Being the largest democracy in the world and one of our strongest partners in Asia, acts of internet shutdowns in India are harmful, to the people of India, and to the United States' social and economic interests.

In 2012, the United Nations Human Rights Council adopted a resolution that confers the offline rights of an individual the same as digital rights which must be respected. India's acts of Internet blackout constitute a violation of this human right which further widens the digital divide in the nation. Below we outline feasible actions steps by which the Atlantic Council can advocate for a free and safer internet for all in India.

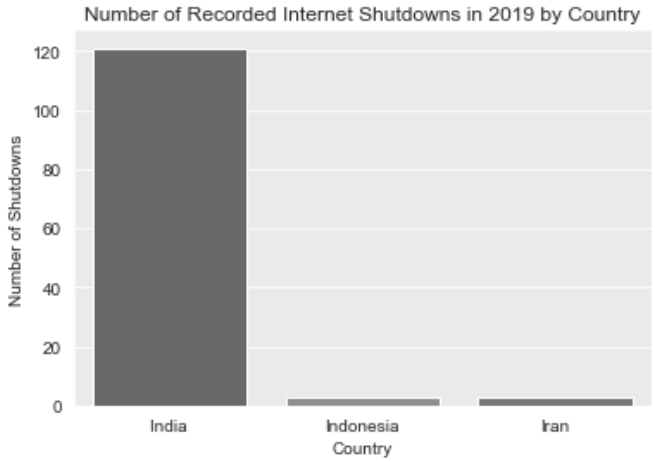


Figure 1: Reported Internet Shutdowns. *Keep It On 2019 Report on Internet Shutdowns, May 30th 2020*

## Recommendations

Based on our analyses and research we propose the following recommendations:

1. Encourage increased accessibility of internet shutdown and related data sources by advising organizations to curate additional structured models to engage a broader audience of researchers and policy advocates.
2. Advocate for the U.S. Trade Policy Agenda with India to discourage military action during internet shutdowns.

## An accessible approach to Internet Policy Data

OONI provides a vast amount of information on internet connectivity and censorship that is matched by few other organizations in scope and depth. However, the barriers to entry into the field of internet policy analysis can be seen from the difficulty navigating the large amounts of unstructured data. Especially difficult is the process of defining metrics from raw data elements to support policy.

We recommend that to support policy proposals and pave the way for greater inclusion in internet policy analysis, internet access rights organizations provide abstracted editions of cultivated data in order to engage more people. Research organizations such as OONI strive to provide publicly available datasets to drive internet policy, however the data released can be esoteric and difficult for researchers to work with.

Figure 2 shows an example of this abstracted structured approach to providing data analysis. This minimalistic model would hold record probes over time as well as the many-to-one relationship with a choice number of interaction types and results as well as recorded application types (applications or notable websites)

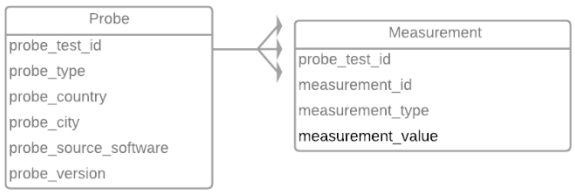


Figure 2: An example of a supplemental structured form of the OONI dataset

Central to this idea is to use a cultivated light framework that supports only a fraction of information available from the larger unstructured dataset but focuses on the creation of metrics that policy makers find most accessible. This includes counts of abstracted instances of blocking on popular applications, as well as attributes describing the various web connectivity tests (DNS, HTTP, TCP/IP). Network diagnostic tests can also be represented as another measurement_value (Figure 2). There is a large depth of information that OONI provides, but there are also a select number of abstracted measures that should be made more accessible in the form of a supplementary structured data set offering.

## Benefits and Trade-Offs

The most direct benefits from a policy of emphasis on the addition of lighter structured datasets to open source internet connectivity data providers come from the engagement of a larger number of researchers and policymakers. The necessity of internet freedom and the detriments of its removal are wide ranging but the knowledge of how to measure it is extremely limited. Furthermore data in this format can be more widely disseminated (and shared in public and accessible platforms such as drivendata.org) and used to explain and teach how to measure internet censorship and interactivity in a way that unstructured data cannot. Additionally organizations like OONI can expand the amount of data captured by expanding those who are engaged and using their services.

However, the time investment and cost of storing additional structured data could be a strain on non profit organizations like OONI who work with limited capacity for both. There would also be a large reduction in the number of measurements available, although this format would take a supplemental role not replacement of the unstructured form.

## Tangible Trade Policy Additions

In 2019 the practice of Internet shutdowns has become more targeted, geographically, and services-only. It is particularly important to highlight that:

i) Targeted shutdowns are a highly effective way of silencing those who are in conflict with local government and potentially facing human rights violations.

ii) Targeted shutdowns are easily mistaken for technical problems and hard to detect, making it harder for the public to be aware of them.

iii) India has increased such behavior in recent years, associating targeted internet shutdowns with the violation of human rights and the use of military forces.

iv) Making the internet a reliable universally accessible resource for India is crucial in terms of human right protection and social economic development of the region.

As the U.S. works towards a Free Trade Agreement with India, we advocate for the U.S Trade Representative (USTR) negotiating team to include the U.S. Trade Policy Agenda, a provision to:

a) reduce and directly report blackouts and slowdowns to the U.S. government through already established diplomatic communication channels.
b) discourage the deployment of military forces while access to the internet is limited.

## Benefits and Trade-Offs

More control over India's regulation on Internet blockage might have to be achieved through trade incentives. To enforce and monitor the application of the trade agreement, new monitoring mechanisms might have to be applied; in doing so we highly advise the application of best-in-class encryption and anonymization systems. However, it might be difficult to get India to agree to a trade deal that weakens her control over critical internet infrastructures.

## Conclusion

Countries worldwide are facing a variety of challenges to internet freedom protections. Through the two recommendations identified from the research, we highlight a need for a dual sided approach to enhancing internet freedoms: to concentrate efforts at current, tangible policy implementations and at the same time take steps towards greater inclusion and engagement to increase inclusion in this field. Trade policy provides a powerful vessel for pushing concrete defenses against the curtailing of digital freedoms, and strides taken to expand inclusion in the mission creates long term success.

## References


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