Cybersecurity and Internet governance in Africa
Key concepts

• Cybersecurity
  • Confidentiality: prevent unauthorized access to and reading of information (examples)
  • Integrity: assurance that the information received is exactly as sent by an authorized entity (i.e. no manipulation, modification, insertion, deletion) (examples).
  • Availability: information and network resources available to legitimate users (examples).

• Major assumption that the state is not the source of threats

• Cybercrimes
  • Offence is not cybersecurity but cyber-insecurity.
Key Concepts

• National security (human security, economic security)
  • Cybersecurity is broader than national security.
  • “Humanized” approaches to cybersecurity? (putting the person at the centre)

• Cybersecurity governance
  • What does it mean?

• Internet governance
  • Cooperative governance: a space for equals multi-stakeholders
  • Is internet a coherent space of governance?
Key Issues

• Is there a distinction between cybersecurity governance and internet governance
  • Overlaps, an insecure internet during foundational stages?
  • Are they separate domains? Challenging the distinction
  • A global open internet, interoperable?

• Who is responsible cybersecurity governance?
  • National level
    • States (national security dimension) (primary duty bearer and security not to the exclusion of others)
  • Regional or Continental or Global
    • Group of nations (multi-state stakeholders)
  • Stakeholders (multi-stakeholderism)
    • States, group of nations, private sector, civil society, etc
    • Do you have direct connection or operational control? Or the slightest interest through use is sufficient to be a stakeholder
Key Issues

• State capacities in Africa
  • Outsourcing of services to private sector
  • Accountability/deliberate vulnerabilities?

• Conversations with multi-stakeholders is sufficient?
  • Security of supply chain
  • People, processes, knowledge
  • Inclusion (national and regional levels)

• Protection of fundamental rights/undermining in the name of security?

• International responsibility for individuals/companies and states to report vulnerabilities (voluntary reporting UN GGE 2015)

• GDPR requirements for notification
Global Frameworks

• Multilateral and bilateral frameworks that exist
  • UN Group of Governmental Experts (last session 2017)
    • Deadlock on IHL, China, Russia and Cuba suggested a new arrangement with full representation of member states for transparency
  • OSCE
    • Largest security organization in the world, 57 member states
    • Decision 1039, 1061 on Confidence Building Measures (2013, 2016)
  • Organization of America States (Inter American Cybersecurity Strategy 2004)
    • Supports multi-stakeholder approaches
  • ASEAN Regional Forum
  • African Union
African Union Convention (Malabo Protocol)

• First continental binding instrument on data protection, electronic transactions and cybersecurity (cumbersome 3 in 1?)
• 10 signatures 2, ratifications (not in force)
• Clear focus on Cybersecurity Chapter III
• Does not define cybersecurity but links with legislation against cybercrimes
• Article 25(1), confidentiality, integrity, available and survival of information and communication technology systems
• Includes Cybersecurity Governance Article 27 (1) which has a multi-stakeholder approach.
## Comparison of Frameworks

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Official Regional Economic Communities

- CEN-SAD: Community of Sahel-Saharan States
- COMESA: Common Market for Eastern and Southern Africa
- EAC: East African Community
- ECCAS: Economic Community of Central African States
- ECOWAS: Economic Community of West African States
- IGAD: Intergovernmental Authority on Development
- SADC: Southern African Development Community
- UMA: Arab Maghreb Union
- CEMAC: Central African Economic and Monetary Community
- SACU: Southern African Customs Union
- UEMOA: West African Economic and Monetary Union
Key Debates

- Multiple regional economic communities (RECs), AU takes precedence?
- Contradictions with RECS/RECs frameworks more established than AU Convention
- Enforcement of violations at national and regional levels? ECOWAS Directive, EAC 1 and 2? SADC Model Laws?
- Harmonization Article 28 (1),
- Support and technical implementation of a continental framework, is there need?
- States to adopt necessary, appropriate and effective measures (broad)
- A human rights approach to cybersecurity? Prospects?
  - Convention does recognize need to protect rights Article 32 provisions
- Terminology and definitions compared to domestic practices/laws (e.g. Child in Zimbabwe laws)
Key Debates

• Threat to multilateralism, UN role, HRC?
• Nation state model vs. multi-stakeholder cybersecurity governance?
• China +/-/=3Fs (friend, foe, frenemy)(security, bilateral)?
• The application of existing IL/IHL/UN treaties vs/in addition to cyber treaty
• Navigating tension between rights and security?
• Multi-stakeholders appears to be exclusion of civil society/rights watchdogs?
• Space for distributed and private governance. Microsoft Digital Geneva Convention?
• Global standards binding/voluntary/bilateral/multilateral (smorgasbord?)
A conclusion is the place where you got tired of thinking.