

GLOBAL INFORMATION SOCIETY WATCH 2021-2022

Digital futures for a post-pandemic world



ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS (APC)
AND SWEDISH INTERNATIONAL DEVELOPMENT COOPERATION AGENCY (SIDA)

Global Information Society Watch 2021-2022

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Introduction

In 2020, instead of lockdowns, Benin opted for sanitary cordons around the regions affected by the virus, allowing the free movement of people within the restricted area. This was done alongside measures such as promoting hygiene, social distancing, and the shutting down of non-essential services. Despite this “softer” approach to containing the virus, the measures nevertheless appeared to increase the use and reach of the internet during the first years of the pandemic.

While the number of internet and social media users increased between 2020 and 2021 – the latter almost doubling – there were also indications that the government’s online public services were more widely used.

The government’s flagship projects on e-governance, e-education and e-commerce, initiated before the coronavirus pandemic, were instrumental in making these public services available. By 2020 an impressive number of online services were already offered by the government,¹ in particular through its online administration project called Smart Gov.

With evidence of the success of these services during the early stages of the pandemic, one of the key policy questions for decision makers now is how to capitalise on their use as a basis for the consolidation of democracy. This not only through finding shortcuts to reducing inequalities by providing access to technology and enabling the right to information, but also by encouraging popular participation in the formulation of public policies and developing mobilisation strategies around electoral processes. In the wake of the successful organisation of an e-voting process to elect trade union representation in January 2021, the potential for wide-reaching changes feels stronger now than it has ever before.

The political will and the necessary mobilisation of resources to design and implement, as far as possible, a system of direct democracy online, while

institutionalising e-voting in parallel,² would be an invaluable opportunity for the country to meet its human rights targets, while keeping pace with the rapid technological changes taking place across the world.

The state of democracy in Benin

The Republic of Benin (formerly the Republic of Dahomey) gained international sovereignty on 1 August 1960. From 1960 to 1989, the country experienced a turbulent constitutional and political evolution. Following a deep economic and socio-political crisis, the country organised a national conference to define a new type of government. The *Conférence des Forces Vives de la Nation* ran from 19 to 28 February 1990, opening a new era of political liberalism.³ Political leaders participated in the conference, paving the way for democratic elections and political change not only in Benin, but also in most other countries in Sub-Saharan Africa.⁴

Afrobarometer, a pan-African non-partisan research network on democracy, governance and related issues in Africa, noted that almost three-fourths of people in Benin prefer democracy to other types of governments.⁵ However, Benin’s democracy remains on shaky ground.

While from 1990 to 2021 Benin held seven presidential and eight legislative elections in addition to a referendum in 1990, in 2019 violence erupted in the country, particularly during the legislative election process in which the opposition was not able

1 See, for example: <https://www.service-public.bj> and <https://numerique.gouv.bj/reformes/les-projets#>

2 “Päivärinta, T., & Sæbø, Ø. (2006). Models of E-Democracy. *Communications of the Association for Information Systems*, 17. <https://doi.org/10.17705/1CAIS.01737>; Freeman, J., & Quirke, S. (2013). Understanding E-Democracy Government-Led Initiatives for Democratic Reform. *JeDEM - EJournal of EDemocracy and Open Government*, 5(2), 141-154. <https://doi.org/10.29379/jedem.v5i2.221>; Blumler, J. G., & Coleman, S. (2001). *Realising Democracy Online: A Civic Commons in Cyberspace*. IPPR/Citizens Online. <http://dlc.dlib.indiana.edu/dlc/bitstream/handle/10535/3240/blumler.pdf>

3 Heilbrunn, J. R. (1993). Social Origins of National Conferences in Benin and Togo. *The Journal of Modern African Studies*, 31(2), 277-299. https://www.academia.edu/7503344/Social_Origins_of_National_Conferences_in_Benin_and_Togo?from=cover_page

4 Amuwo, K. (2003). The State and the Politics of Democratic Consolidation in Benin 1990-1999. In J. O. Ihonvbere & J. M. Mbaku (Eds.), *Political Liberalizations and Democratization in Africa. Lessons from Country Experiences*. Praeger.

5 Scheller, C., & Lazar, M. (2019). *Is Benin’s democracy living up to its reputation?* Afrobarometer. https://www.afrobarometer.org/sites/default/files/publications/Dispatches/ab_r7_dispatchchno321_is_benins_democracy_living_up_to_its_reputation.pdf

to take part due to new electoral rules. There was also political unrest in 2021 during the presidential election process and several politicians close to the opposition were arrested.

In March 2020, in its concluding observations on Benin's third periodic report, the UN's Committee on Economic, Social and Cultural Rights highlighted that one of the strategic axes of the government's action programme for 2016-2021 aimed to strengthen fundamental social services and social protection. However, the Committee also recommended that Benin review the legal provisions relating to gatherings and the dissemination of false information in order to allow human rights defenders to work freely and without fear.

In this context, voter turnout appears to be dwindling. Turnout in the legislative elections in 2019 was only 27.1% compared to 65.9% in 2015,⁶ while 50.17% of voters cast their ballot for the presidential elections in 2021, compared to 66.13% in 2016.⁷

Beyond e-government: Using ICT projects to consolidate democracy

The fast-tracking of e-government projects like Smart Gouv during the first year of the COVID-19 pandemic has created the necessary momentum to capitalise on the potential of strengthening a participatory democracy in Benin through institutionalising online democratic participation. There are several levers to this that need to be supported by civil society. These include: the promotion of affordable and meaningful internet access; the ongoing provision of government services and access to information online, particularly with the view of strengthening transparency and accountability; the strengthening of the independence of a free and fair media, especially online; the practical application of e-voting to motivate an interest in democratic participation, especially among the youth, while also aiming at increasing voter turnout; and advocacy campaigns that encourage the government to not resort to internet shutdowns as a mechanism of control.

Affordable internet access

When it comes to internet affordability, a recent UNESCO report ranks Benin among the top 10 countries of Africa.⁸ However, in November 2021 during a

press briefing, the NGO *La Voix des Consommateurs* asked for a reduction in the cost of internet data in Benin while denouncing the poor quality of mobile network services.⁹ For mobile data, the cost of 1.5 GB is about USD 4.¹⁰

The number of internet users (+18%) and of social media users (+45%) increased in Benin between 2020 and 2021 while there were 10.27 million mobile connections in Benin in January 2021 (+3.8%).¹¹ There is, however, no known data that shows an increase in internet use due to the virus.

The provision of e-government services

Smart Gouv is one of the six flagship projects of the government's digital strategy. It aims to promote good governance and the transparent management of public resources, and was implemented from 2016 to 2021 with the support of the Estonian e-Governance Academy. Given it was only completed the year the pandemic hit,¹² its practical effectiveness had not yet been tested when it was needed the most. However, the usefulness of the project to the public became evident in the first year of the virus.

Smart Gouv gives people access to hundreds of official documents and services online, including criminal records, and facilities to pay taxes and for electricity. The benefits of the project are demonstrable, as in this example:

To apply for a position in the civil service, Delali¹³ needed to get her criminal record, one of the documents required in the application process. As she was born in Malanville in the north of Benin, Delali, who now lives in Cotonou, had to travel to Malanville, 732 km away, to get her criminal record. Like her, each of the 63,700 candidates whose applications were accepted and who competed in November 2017 for one of the 326 positions at the Ministry of Economy had to go and get their criminal record where they were born. And, like them, all applicants to public administration positions have to provide a criminal record. With the Smart Gouv,

6 <https://www.jeuneafrique.com/770256/politique/legislatives-au-benin-un-taux-de-participation-de-27-selon-la-cour-constitutionnelle>

7 <https://www.jeuneafrique.com/1154144/politique/benin-patrice-talon-reelu-des-le-premier-tour-selon-la-commission-electorale>

8 Kiyindou, A. (2020). *Evaluation du développement de l'Internet au Bénin: utilisation des indicateurs ROAM-X de l'universalité de l'Internet de l'UNESCO*. <https://unesdoc.unesco.org/ark:/48223/pf0000374577>

9 <https://www.beninwebtv.com/benin-la-voix-des-consommateurs-milite-pour-la-reduction-du-cout-de-linternet>

10 <https://www.mtn.bj/particuliers/internet/forfaits-volumes/data-volumes>

11 <https://www.datareportal.com/reports/digital-2021-benin>. The report states that its statistics on social media users should not be equated with unique users.

12 Lani, M. (2021). Case study: Benin and Estonia's e-government partnership. In OECD. (2021). *Development Co-operation Report 2021: Shaping a Just Digital Transformation*. <https://doi.org/10.1787/37ad9025-en>

13 Delali is an imagined character who is nevertheless representative of an everyday experience.

the criminal record is obtained online. This is a great relief for all candidates in all competitions for civil service positions.

From July 2020 to August 2021 – roughly the first year and a half of the pandemic – more than 100,000 criminal records were issued in this way.

Benin's digital strategy aims to create digital services platforms for accelerating growth and social inclusion in the country. By doing so, it aims to offer better access to information and knowledge, catalyse the economic development of all sectors of activity, and improve the transparency of governance and the efficiency of administration centred on the citizen. For example, the implementation of the personal identification number has facilitated access to social protection and has simplified administrative procedures.¹⁴

Several agencies have been created for the implementation of the digital strategy, in particular to prepare and monitor national digital policies. Among other government agencies, there is the Digital Development Agency, responsible for high-speed and very high-speed infrastructure; the Information Services and Systems Agency, which is in charge of the execution of the flagship projects including Smart Gouv, and the implementation of the national information systems master plan; and the National Agency for the Identification of Persons, which is responsible for operationalising the biometric database and storing personal identification numbers in a database.

Several other institutions help coordinate the regulation and monitoring of specific digital operations: the Regulatory Authority for Electronic Communications, the Personal Data Protection Authority, the National Agency for the Safety of Information Systems, the Central Office for Combating Cybercrimes, and the Authority for Audiovisual and Communication.

COVID-19 accelerated the implementation of dozens of electronic government services, such as applying for visas and tax clearance certificates, through this digital strategy. This is an important step towards meeting citizens' rights through providing access to information and key public services online.¹⁵ These initiatives have also been set up to encourage transparency and fight corruption. For example, the launch of a digital platform for submitting CVs for senior positions in public expenditure in the country aims to increase the transparency in the

appointment processes in public administration, allowing citizens to follow the nomination processes.¹⁶

Strengthening of a free media

The digital economy is a key aspect of democracy. The Digital Code in Benin provides a framework for the regulation of the digital economy with rules on cybersecurity, digital infrastructure development, and affordable internet access.¹⁷ There are, however, several aspects that need to be improved.

For example, several local and international civil society groups and the UN Economic, Social and Cultural Rights Committee called on the government to revise its digital code to better protect human rights, especially those related to freedom of expression and surveillance.¹⁸

The Union of Media Professionals in Benin, the largest association of journalists in the country, organised a workshop for media professionals, lawyers and activists in August 2020 to discuss the digital code and send comments to the government and the parliament. The union has asked for an amendment to the code because of several provisions deemed restrictive to the freedom of the media and expression.¹⁹

On 28 April 2019, the day of the legislative elections in Benin, social networks, including messaging applications for Facebook, Twitter, WhatsApp and Telegram, were blocked. Following this there was a total internet shutdown throughout the country. Benin civil society groups and several international human rights organisations including Amnesty International, Internet Without Borders and Internet Society Benin condemned the internet shutdown and the blocking of social networks.

In April 2021, before the presidential election, a coalition of civil society organisations including Internet Society Benin launched a digital campaign to draw the attention of decision makers and other public institutions to the serious consequences of an internet shutdown on the economy and education, and specifically on the digital sector.

The Internet Governance Forum (IGF) Benin, one of the civil society organisations that carry the voice of consumers, organises annual national forums on the governance of the internet for

¹⁴ <https://numerique.gouv.bj/images/DPS.pdf>

¹⁵ <https://www.service-public.bj>

¹⁶ <https://www.fichiernational.gouv.bj/#>

¹⁷ <https://www.afapdp.org/wp-content/uploads/2018/06/Benin-Loi-2017-20-Portant-code-du-numerique-en-Republique-du-Benin.pdf>

¹⁸ Jarroux, P., & Tama, B. C. (2020). Benin. In A. K. Awedoba, B. Kamski, A. Mehler, & D. Sebudubudu (Eds.), *Africa Yearbook Volume 16*. Brill.

¹⁹ <http://www.ortb.bj/infos-une/medias-lupmb-lance-la-reflexion-pour-une-relecture-du-code-du-numerique>

stakeholders. The eighth edition of its forum (in 2019) was devoted to human rights, in particular digital rights and their importance in our societies. The aim was to underline the responsibilities of government authorities in providing unrestricted access to the internet for all, while supporting the formulation of public policies likely to make it more accessible, more affordable and more available in terms of digital infrastructure and data quality. The forum was also an opportunity to encourage telecommunications service providers to adopt policies that address online disinformation and misinformation or “fake news”.²⁰

The establishment of the Media Development Support Fund (FADEM) in accordance with article 39 of the Information and Communication Code allows the government to set up an institutional framework to support media freedom.²¹ This fund is an opportunity to support online media that promote fair information and strengthen democracy and human rights. In such a context, the government’s commitment to promote digital content is also an opportunity to promote citizen-led participatory documentary film-making that highlights economic, social and cultural rights.

However, this needs to happen with other changes in the media freedoms context.

Currently, although senior positions in public media are shortlisted by the Authority for Audiovisual and Communication, the public media are still under the supervision of the government and managers are nominated by the head of state during a cabinet meeting. In January 2022, the Authority of Audiovisual and Communication authorised 59 online media operators in Benin.²² The release of the list came after the suspension in 2020 of all online media by the Authority, many of whom had been publishing without a licence.

Participatory democracy and e-voting

Beyond the protection of digital rights and the improvement of people’s access to technology (including their technological capabilities), the potential exists to simultaneously develop agendas that will help shape an effective online democracy in Benin. Such an option would increase transparency,

openness and people’s participation in credible public processes.²³

There are a few examples of participatory citizen initiatives in Benin. The most well-known is the Programme on Citizen Participation in Public Policy Development in Benin (PartiCiP), implemented in all 77 municipalities in the country by the NGOs Alcrer and Social Watch Benin. The programme has set up Citizen’s Participation Units at the local level in order to strengthen a culture of citizen involvement in their own development, and the implementation and monitoring of public policies that take into account the aspirations of grassroots populations and organisations. PartiCiP activities include information sessions, radios programmes, village assemblies and hearings on public accountability.²⁴

By taking this initiative online, through electronic platforms, social networks and mobile applications, it will become possible to establish an online democracy, in particular if digital infrastructures and the technological capabilities of vulnerable groups are ensured.

This idea is not far-fetched. On 24 January 2021, the country’s electoral commission organised elections to designate the most representative trade union federations in Benin. As announced by the cabinet one month earlier, the vote was to be held electronically. All public administration workers and those in the private sector affiliated with the National Social Security Agency voted online. Connectivity points were made available to workers throughout the country in order to facilitate voting for those who did not have digital devices such as smartphones, tablets or computers.²⁵ Implementing an e-voting system might increase the participation of young people in the legislative and presidential elections.

20 <https://figi.bj/wp-content/uploads/2019/08/Rapport-de-la-8eme-Edition-du-Forum-pour-la-Gouvernance-d%e2%80%99internet-au-Benin-2.pdf>

21 <https://www.gouv.bj/actualite/786/financement-secteur-medias-benin-ministre-orounla-concerte-avec-odem-fadem>

22 <https://www.matinlibre.com/wp-content/uploads/2022/01/Dec-N%C2%B022-003-HAAC-du-19-janvier-2022-portant-selection-requerant.pdf>; <https://www.voaafrique.com/a/les-journalistes-contre-la-suspension-des-medias-en-ligne-au-bénin/5511719.html>

23 Freeman, J., & Quirke, S. (2013). Op. cit.; Clift, S. (2003). *E-Democracy, E-Governance and Public Net-Work*. Publicus. Net. http://www.opensourcejhrbuch.de/download/jb2004/chapter_04/IV-5-Clift.pdf; Coleman, S., & Gøtze, J. (2001). *Bowling Together: Online Public Engagement in Policy Deliberation*. Hansard Society. https://www.academia.edu/26878057/Bowling_together_Online_public_engagement_in_policy_deliberation?from=cover_page; Chadwick, A. (2003). Bringing e-democracy back in: Why it matters for future research on e-governance. *Social Science Computer Review*, 21(4), 443-455. <https://www.dhi.ac.uk/san/waysofbeing/data/citizenship-robson-chadwick-2003a.pdf>; Djengue, S. (2021). Enjeux et opportunités de la révolution du numérique : comment rattraper sans coup férir le retard au Benin? In A. Schott & L. Vieira (Eds.), *Territoires intelligents et sociétés apprenantes : XVe Conférence Internationale EUTIC Dakar*. <http://www.conference-eutic.org/wp-content/uploads/2021/11/Actes-2019-Eutic-A1-A3.pdf#page=57>

24 <https://rsr.akvo.org/en/project/6521/#updates>

25 <http://www.faapa.info/blog/societe-les-elections-professionnelles-du-dimanche-se-feront-par-voie-electronique-declare-fred-whannou>

Conclusion

The election of Benin to the UN Human Rights Council despite criticism in October 2021 is an opportunity to push for a stronger democracy and for the greater protection of people's rights.²⁶ With the dozens of online services already available, and an increase in the use of these services during COVID-19, the country has the opportunity to use technology as a strategy to strengthen governance. Digital strategies such as online voting have already proved effective, while grassroots citizen initiatives could be digitised. The media also has a role to play here in representing the voices and the aspirations of ordinary people, so that a real direct participatory democracy can be built.²⁷ This will take the political will of all stakeholders involved, and research-based advocacy from civil society to push for these changes, taking into cognisance both the potential and limitations of e-democracy in a country like Benin. Anti-democratic measures such as internet shutdowns need to be kept in check, and the success of online measures that seek to promote transparency in the government sector monitored. This requires new advocacy and monitoring strategies by civil society, based on a broader vision of establishing a workable e-democracy framework as a foundation for participatory democracy in the country.

Action steps

In order to build on the current momentum in accessing government services online, and the culture of transparency being promoted in the e-government programme, there are several areas of engagement where civil society could place its energy and advocacy efforts:

- Reduce internet costs while maintaining quality. The high cost of data is an obstacle to promoting e-citizenship. For the trade union elections mentioned above, voting was entirely online. However, in several localities dozens of people could not vote for lack of internet access or because of its cost.
- Amend some of the provisions of the Digital Code. The Digital Code is an excellent tool for addressing key issues in the sector. All stakeholders unanimously welcomed it when it was passed in parliament, especially with respect to its mechanisms to address cybercrime. However, there are several aspects that need to be revised to protect freedom of expression, and which are critical to an e-democracy agenda. These include articles that criminalise the publication of false information and those that relate to online media offences.
- Use the Media Development Support Fund to support online media that promote fair information, and that aim to strengthen democracy and human rights. Key media platforms in this respect include Banouto.bj and www.crystal-news.net.
- Strengthen the Authority of Audiovisual and Communication as an institution for protecting and regulating the media, while limiting the government's influence on the governance and content of public media. A more independent authority is needed to promote access to fair news coverage and information in line with the political, social and cultural diversity of the country.
- Institutionalise e-voting in order to increase voter turnout. Combining online ballots and physical voting can help reach a larger audience and increase people's interest in public processes and democracy.
- Investigate the possibility and potential of taking grassroots participatory initiatives online.
- Support the civil society advocacy agenda against internet shutdowns. These are fundamentally anti-democratic, weaken the potential impact of the current e-government agenda, and would work against building any long-term, participatory e-democracy in the country.

²⁶ <https://www.un.org/en/ga/76/meetings/elections/hrc.shtml>

²⁷ Albert, I. O. (2009). Whose E-Governance?: A Critique of Online Citizen Engagement in Africa. *International Journal of eBusiness and eGovernment Studies*, 1(1), 27-40. <https://dergipark.org.tr/en/download/article-file/257094>

DIGITAL FUTURES FOR A POST-PANDEMIC WORLD

Through the lens of the COVID-19 pandemic, this edition of Global Information Society Watch (GISWatch) highlights the different and complex ways in which democracy and human rights are at risk across the globe, and illustrates how fundamental meaningful internet access is to sustainable development.

It includes a series of thematic reports, dealing with, among others, emerging issues in advocacy for access, platformisation, tech colonisation and the dominance of the private sector, internet regulation and governance, privacy and data, new trends in funding internet advocacy, and building a post-pandemic feminist agenda. Alongside these, 36 country and regional reports, the majority from the global South, all offer some indication of how we can begin mapping a shifted terrain.

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2021-2022 Report
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