



Comments on the “Study on the Impact of Climate Change on Human and Peoples’ Rights in Africa”

The Association for Progressive Communications (APC) is a membership-based network of organisations and activists founded in 1990 to empower civil society in the strategic use of information and communications technologies (ICTs) for equitable human development and social and environmental justice. We have 62 organisational members working in 74 countries, mostly in the global South, with 17 of these active in Africa.¹

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¹ Kenya (three members), Senegal, Congo (Brazzaville), Nigeria (three members), Uganda (four members), Gambia, Cameroon, Congo (Kinshasa), Tanzania and South Africa. This submission of comments on the draft study by the ACHPR was prepared in collaboration with the [Centre for Information Technology and Development](#) (CITAD) and [Media Awareness and Justice Initiative](#) (MAJI) in Nigeria and [PROTEGE QV](#) in Cameroon.

We welcome the opportunity to comment on the study commissioned by the African Union (AU) on the impact of climate change on human rights in Africa. We feel this study offers a very useful and thorough overview of key areas impacting the intersection of human rights and climate change on the continent, and is a call for action.

We nevertheless believe that the study could be strengthened by contemplating the impact of the rapid digitalisation of many countries in Africa in the context of environmental sustainability, climate change and human rights.²

The interrelationship between digitalisation and climate change has been pointed out by several multilateral forums and institutions. For example, in 2020 UN Secretary-General António Guterres identified both digitalisation and climate change as likely having the most serious impact on a sustainable future.³ Access to the internet is also recognised as a prerequisite for achieving many of the Sustainable Development Goals (SDGs), including SDG 13 on climate action, and is explicitly addressed in Goal 9c, to “strive to provide universal and affordable access to the Internet in least developed countries by 2020.”⁴ Moreover, we believe that the spirit of Articles 22 and 24 in the African Charter on Human and Peoples’ Rights can be enabled through the internet, and are best achieved through regulating the internet as a global public good,⁵ which has implications for environmental sustainability, and by adopting a circular economy⁶ approach to development and digitalisation.

Our comments on the study below therefore contribute to its findings from this perspective.

² Technologies are mentioned in the study in the context of technology transfer, financing low-carbon and high-efficiency technologies, and the use of “new technologies”, and suggested in the commentary on reliable information and the impact of negative climate news on well-being (this is apart from the use of the word “technology” to refer to African knowledge systems and technology).

³ [Secretary-General's Nelson Mandela Lecture: “Tackling the Inequality Pandemic: A New Social Contract for a New Era” \[as delivered\] | United Nations Secretary-General](#)

⁴ <https://sdgs.un.org/goals/goal9>

⁵ A “public good” refers to something that is of benefit to society as a whole, with minimal or no barriers for different people to benefit from that good. Ideally it should be what is called “non-rivalrous”, which means that it can be enjoyed or accessed over and over again by people without becoming depleted, and “non-excludable”, which means everyone should be able to enjoy or access the good without barriers to accessing it. The internet is ideally regulated as a global public good, so that it is affordable to all, safe and secure, without diminishing its ability to enable freedoms and rights such as free expression or access to information. It also needs to be used and developed in a sustainable way so that it does not deplete environmental resources. In this respect, like many people-made infrastructures, it has to be developed with care as a global commons, with awareness of the environmental limits to its development and use, to ensure that everyone can access it and so that it functions as a global public good.

⁶ [Circular Tech \(apc.org\)](#)

The internet, the right to development, and climate adaptation and mitigation strategies in Indigenous communities

The internet is a critical enabler of human rights, both civil and political rights and economic, social and cultural rights. Meaningful access to the internet⁷ can secure the right to development and environmental justice, and can be used in a myriad of ways to launch climate adaptation and mitigation strategies in collaboration with communities and citizens. These include:⁸ community-driven mechanisms for monitoring and accountability on government spending and projects,⁹ including through citizen journalism;¹⁰ repositories of open data on climate change;¹¹ for civic mobilisation;¹² for networking the youth on issues of biodiversity and conservation;¹³ for community participation in service delivery to ensure critical natural resources like water are not wasted;¹⁴ for citizen-led disaster responses in the event of an environmental emergency such as flooding;¹⁵ for setting up digital sensors in communities to monitor air pollution and predict downstream flooding;¹⁶ and even for stimulating economic activity in cashless communities, with a strong potential for building the environmental resilience in those communities.¹⁷

While internet access statistics have grown rapidly in many countries in Africa over recent years, this growth is primarily concentrated in urban areas.¹⁸ Statistics typically also do not take into account the real-life experiences of those who are “barely online”. The reality faced by most Africans is that their internet connectivity is unstable, intermittent¹⁹ and both data and smartphone devices are too expensive for

⁷ “Meaningful internet access” should be construed as pervasive, affordable connectivity (of sufficient quality and speed) to the internet in a manner that enables the user to benefit from internet use, including to participate in the public sphere, exercise human rights, access and create relevant content, engage with people and information for development and well-being, etc. This is irrespective of the means of such access (i.e. whether via a mobile or other device, whether through private ownership of a device or using a public access facility like a library, etc.).

⁸ For general commentary on projects in Africa, please also see: [Africa | Global Information Society Watch \(giswatch.org\)](https://giswatch.org/); [Benin | Global Information Society Watch \(giswatch.org\)](https://giswatch.org/); [Uganda | Global Information Society Watch \(giswatch.org\)](https://giswatch.org/); [Zimbabwe | Global Information Society Watch \(giswatch.org\)](https://giswatch.org/)

⁹ [Tracka - Monitoring FG Projects, Constituency Projects, Legislators & Senators](https://tracka.org/)

¹⁰ [Media Awareness and Justice Initiative \(majinigeria.org\)](https://majinigeria.org/)

¹¹ [Welcome - openAFRICA](https://openafrica.org/); [Welcome to Digital Earth Africa | Digital Earth Africa](https://digitalearth.africa/)

¹² [Home - amandla.mobi](https://amandla.mobi/)

¹³ [Kenyan Youth Biodiversity Network \(youth4biodiversity.org\)](https://youth4biodiversity.org/)

¹⁴ <http://vpuu.org.za/safe-node-area/cityspec-service-delivery>

¹⁵ [Home - SEEDS \(seedsindia.org\)](https://seedsindia.org/)

¹⁶ There are a number of examples of this, particularly in Asia. One outstanding example is in the province of KwaZulu-Natal. The project, called Few (Forecast Early Warning System) uses upstream river water level monitors, radar (which monitors clouds and rainfall) and WhatsApp to alert a downstream informal community when there is a threat of a flood.

¹⁷ [Grassroots Economics \(grassecon.org\)](https://grassecon.org/)

¹⁸ In 2021 in Africa, 50% of people living in urban areas were said to be online, compared to 15% in rural areas. [Facts and figures 2021 - Internet use in urban and rural areas \(itu.int\)](https://itu.int/facts-figures-2021-internet-use-urban-rural-areas)

¹⁹ Including due to internet shutdowns and conflict.

them to properly benefit from the opportunities offered by digitalisation.²⁰ This limits the potential of communities to participate effectively in climate adaptation and mitigation strategies.

A particular approach to meaningful access that can be successfully adopted to bring marginalised communities online is through community-centred connectivity initiatives.²¹ These are independent, small-scale initiatives that are set up, managed and driven by communities, so that internet access meets their specific development needs in an appropriate way. They also allow the principles of a circular economy and the sustainable use of ICTs to be implemented at the local level. There are several good examples of these initiatives already set up in Africa,²² and many governments across the world are developing specific regulations to enable them to be more easily established.²³

Community connectivity set up in this participatory way has been shown to have numerous knock-on development benefits for Indigenous communities in particular, and to enable these communities to participate in the adaptation strategies listed above. This includes involving communities in local data-capture initiatives such as through digital sensor projects, as well as through contributing to intersectional data studies to address the dearth of climate change data that is available, as highlighted in the study.²⁴ They also serve as ways to digitally capture and share Indigenous knowledge and adaptation systems and strategies, as recommended in the study. We therefore recommend that community-centred connectivity initiatives are referenced appropriately in the study given their potential to address the problem of a growing development divide due to digitalisation, their potential to help with local-level data collection, to help communities mitigate and adapt to the effects of climate change, and given that Indigenous communities are at the forefront of environmental shocks due to climate change and their resilience needs to be built in as many ways as possible.

²⁰ [core-project-report_20231010.pdf \(researchictafrica.net\)](#)

²¹ [Connecting the Unconnected: Supporting community networks and other community-based connectivity initiatives | Association for Progressive Communications \(apc.org\)](#)

²² [Community networks learning grant initiatives | Association for Progressive Communications \(apc.org\)](#)

²³ [Advocacy for community-led connectivity access in the global South | Global Information Society Watch \(giswatch.org\)](#)

²⁴ For example, in paragraphs 18, 30 and 40. In this respect, APC believes in the data sovereignty of Indigenous communities, and their ability to be the agents of their own data collection, interpretation and control. See: Global Indigenous Data Alliance. (n.d.). *History of Indigenous Data Sovereignty*. <https://www.gida-global.org/history-of-indigenous-data-sovereignty>

On the contribution of the extractive sector and artisanal mining to the production of digital technologies, and the mounting problem of e-waste

A paradox in digital growth is the exponential and unsustainable environmental impact of the mass digitalisation and datafication of societies. Research has shown that it is anticipated that by 2030, ICTs could use as much as 51% of global electricity and contribute up to 23% of the globally released greenhouse gas (GHG) emissions.²⁵ Besides this, rapid and exponential digitalisation has particular pernicious impacts on developing countries in Africa, with both environmental and human rights implications. The two most prominent impacts are the extractive and illegal mining of scarce minerals essential for the production of technology, mostly by companies in the global North, and the unsustainable dumping of electronic waste (e-waste) in countries in Africa.²⁶

With reference to the several comments on the extractive industries in the study,²⁷ minerals used in the manufacture of technology continue to be sourced from countries in Africa where environmental destruction and human rights abuses and conflicts occur, and where reprisals against environmental and land defenders by state and private actors are common. Despite disclosure requirements on conflict minerals adopted by the United States, as well as Organisation for Economic Co-operation and Development (OECD) guidelines and European Union (EU) regulations²⁸ which prohibit the use of minerals from conflict areas, reporting on the sources of minerals by big tech manufacturers is incomplete and often vague. At the same time, regulations such as those banning artisanal mining, or policy directives for public participation, are often not properly enforced and implemented. Corruption in the mining sector is a concern across the global South, affecting the licensing of

²⁵ [Module 1: The environm... | Circular Tech \(apc.org\)](#)

²⁶ See multiple media reports and studies over the years (e.g. [Activists slam Europe for dumping on Africa – DW – 04/01/2022](#); [The Rich World's Electronic Waste, Dumped in Ghana - Bloomberg](#); or [Electronic Marvels Turn Into Dangerous Trash in East Africa - The New York Times \(nytimes.com\)](#))

²⁷ For example, paragraph 110 (on unsustainable extraction) and paragraphs 160 and 161 (on the “no-harm” principle), paragraphs 167 and 168 (on the extractive sectors), paragraph 170 (on artisanal mining), paragraph 112 (on human rights violations in the extractives sectors) and paragraph 195.

²⁸ US publicly listed companies have been required to publicly report if their supply chains contain tin, tungsten, tantalum and gold that originated in the Democratic Republic of Congo or adjoining countries since 2010. OECD guidelines use a broader definition, which states that “high-risk areas may include areas of political instability or repression, institutional weakness, insecurity, collapse of civil infrastructure and widespread violence. Such areas are often characterised by widespread human rights abuses and violations of national or international law.” The EU has taken a stronger stand and issued regulations that have been in force since 2021 requiring EU companies to ensure that they import minerals and metals from “responsible and conflict-free sources” only. See: U.S. Securities and Exchange Commission. (2012). Section 1502: Conflict minerals. <https://www.sec.gov/spotlight/dodd-frank-section.shtml#1502> and OECD. (2016). *OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas*. Third edition. <https://dx.doi.org/10.1787/9789264252479-en>

mining operations and transparent reporting on the impact of these operations on the environment and local communities. The murder of environmental and land defenders is also frequently reported. With respect to the extraction of minerals for digital production, and the negative implications of this on human rights, including for women and children, both Rwanda and the Democratic Republic of Congo and surrounding states provide good examples.²⁹

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal³⁰ forbids export of e-waste, but countries without e-waste legislation or poorly implemented regulations³¹ become easy targets for e-waste dumping. This means that many poor people across the world – and often those who are digitally excluded – are negatively affected by the hazardous materials that e-waste contains, and have to deal with a problem created by developed countries without having the recycling capacity or know-how to do this. Even when some measure of (mostly informal) economic activity might be derived through the processing and dismantling of e-waste,³² much of it cannot be reused and the systems needed for safe and proper dismantling and recycling, including extended producer responsibility (EPR) mechanisms, are lacking.³³ This includes the proper disposal in licensed facilities of solar panels which are classified as a hazardous waste. E-waste dumping significantly increases the amount of e-waste that countries are already subjected to through domestic disposal, magnifying health and environmental threats in communities.

Addressing the environmental and human rights challenges in both these areas is critical given the dependence of climate mitigation strategies on technology-driven “green energy” solutions and technology transfer.

²⁹ [Case study - The fate ... | Circular Tech \(apc.org\)](#)

³⁰ [Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal](#)

³¹ See, for example: [Nigeria | Global Information Society Watch \(giswatch.org\)](#),

³² [Congo, Democratic Republic of | Global Information Society Watch \(giswatch.org\)](#)

³³ <https://www.basel.int/Implementation/Plasticwaste/PlasticWastePartnership/EPRForum/tabid/9658/Default.aspx>

Climate change disinformation

Important recognition is given in the study to the availability of accurate information on climate change.³⁴ Research has shown that climate change is subject to high levels of disinformation, scaremongering and panic, including through poor media reporting. Studies have also shown that in particular in the context of the environment and climate change, huge resources are often spent by industries and other actors in favour of development projects to sway public opinion and policy makers in favour of their projects and to confuse the public's understanding of accepted science.³⁵ Disinformation can result in public distrust, scepticism, inaction, and a sense of helplessness among individuals and communities, including the youth, as reflected in the study.³⁶

Some governments have passed overly restrictive and vague misinformation laws and regulations that have further fuelled fear, distrust and self-censorship.³⁷ It is preferable to make accurate and reliable information on climate change available, including through fact-checking initiatives, to encourage the practice of solutions journalism in the media with respect to climate change, and to discourage disinformation shared mostly online through media and information literacy programmes at schools.³⁸

The role of internet platforms in the circulation of environmental disinformation also needs to be addressed. Measures by internet platforms to deal with disinformation and misinformation have included the promotion of authoritative sources, alongside an increase in automation of content moderation.³⁹ However, research shows that digital platforms lack policies and structured processes to deal with disinformation

³⁴ For example, in Section I.

³⁵ See, for instance, Union of Concerned Scientists. (2017, 10 October). The disinformation playbook: How business interests deceive, misinform, and buy influence at the expense of public health and safety. <https://www.ucsusa.org/resources/disinformation-playbook>; Khoo, M., & Ryan, M. (2020, 27 August). Climate, clicks, capitalism, and conspiracists. *Friends of the Earth*. <https://foe-us.medium.com/climate-clicks-capitalism-and-crazies-a336640b47d>; Frost, R. (2020, 11 February). Is social media fuelling the spread of climate change misinformation? *EuroNews*. <https://www.euronews.com/green/2020/09/23/is-social-media-fuelling-the-spread-of-climate-change-fake-news>; meanwhile, a study conducted by InfluenceMap found that in the United States, 25,147 Facebook ads with misleading "greenwashing" messages from just 25 oil and gas organisations were seen over 431 million times. InfluenceMap. (2021). *Climate change and digital advertising: The oil and gas industry's digital advertising strategy*. <https://influencemap.org/EN/report/Climate-Change-and-Digital-Advertising-a40c8116160668aa2d865da2f5abe91b#1>.

³⁶ For example, in paragraph 48.

³⁷ Meanwhile, actions taken by governments and large tech corporations are best characterised as being overly punitive and as being too little too late, respectively. Media watchdog Reporters Without Borders (RSF) reports that some governments have used the COVID-19 infodemic as a pretext to stifle dissent, passing overly restrictive and vague misinformation laws and regulations that have been inconsistently applied and have led to fear, distrust and self-censorship (For an analysis of each region, see: Reporters Without Borders. (2021, 17 April). RSF index 2021: Regional analysis. <https://rsf.org/en/news/rsf-index-2021-regional-analysis>). RSF further reports that some countries have taken advantage of these emergency procedures to criminalise any criticism of the government and impose their own truth through "corrections" of information they deem false.

³⁸ [University of Westminster Press \(uwestminsterpress.co.uk\)](https://www.uwestminsterpress.co.uk)

³⁹ Meyer, T., & Hanot, C. (2020, 28 September). How platforms are responding to the 'disinfodemic'. *EU DisinfoLab*. <https://www.disinfo.eu/publications/how-platforms-are-responding-to-the-disinfodemic>

and that they have been developing specific and reactive actions to combat the phenomenon.⁴⁰ An increased reliance on AI-driven content moderation with the risk of false positives,⁴¹ limitations in capturing contextual nuances, and without transparency, accountability and due process, pose serious risks for freedom of expression and accessing credible local information on climate change.⁴²

Environmental justice actors, disinformation and online threats

The report also deals with the critical topic of freedom of expression, particularly for climate activists.⁴³ Online attacks on environmental defenders and climate activists require urgent attention by both state and non-state actors. A 2019 study by the Swedish Society for Nature Conservation found that 80% of environmental defenders surveyed faced the risk of physical and digital surveillance, smear (or disinformation) campaigns and death threats.⁴⁴ Surveillance is reported to involve the use of commercial spyware and surveillance tools, often developed in the global North by state and corporate actors working against environmental defenders and Indigenous communities.⁴⁵ Research has also consistently shown that both online disinformation campaigns and coordinated online attacks often occur in parallel with offline physical violence.⁴⁶ Identity-based disinformation has disproportionately

⁴⁰ Intervozes. (n.d). *10 ways to combat disinformation*. <https://intervozes.org.br/publicacoes/10-ways-to-combat-disinformation>

⁴¹ Vincent, J. (2020, 21 September). YouTube brings back more human moderators after AI systems over-censor. *The Verge*. <https://www.theverge.com/2020/9/21/21448916/youtube-automated-moderation-ai-machine-learning-increased-errors-takedowns>

⁴² As APC has stated, processes developed by intermediaries should be transparent and include provisions for appeals. Content removal should be subject to human review, and users should have easy recourse to challenging removals which they believe to be arbitrary or unfair. See: APC. (2020). *APC input to the public consultation on the Santa Clara Principles on Transparency and Accountability in Content Moderation*. <https://www.apc.org/en/pubs/apc-input-public-consultation-santa-clara-principles-transparency-and-accountability-content> and APC. (2018). *Content regulation in the digital age: Submission to the United Nations Special Rapporteur on the right to freedom of opinion and expression*. <https://www.ohchr.org/Documents/Issues/Opinion/ContentRegulation/APC.pdf>

⁴³ For example, paragraphs 93 to 97 (on the right to receive information and express opinion), paragraphs 100 and 101.

⁴⁴ Citizen Lab. (2020). On/offline: Multidimensional threats faced by environmental human rights defenders in Southeast Asia. In A. Finlay (Ed.), *Global Information Society Watch 2020: Technology, the environment and a sustainable world*. <https://www.giswatch.org/node/6228>

⁴⁵ Finnegan, S., & Leever, J. (2021, 11 November). APC at Tech for Democracy: How can digital technology support environmental justice and its defenders? APC. <https://www.apc.org/en/node/37761>

⁴⁶ Front Line Defenders. (2021). *Global Analysis 2020*. <https://www.frontlinedefenders.org/en/resource-publication/global-analysis-2020>

affected individuals who belong to marginal communities, such as sexual and gender minority groups, ethnic minority populations, Indigenous peoples, and migrant communities, among others.⁴⁷ This places environmental defenders with intersectional identities particularly at risk.

These attacks distort the public's access to credible information about Indigenous communities and their concerns, disempower and limit the right to freedom of expression for these communities, and threaten the ability of Indigenous people to defend their ancestral lands and protect their environmental, social and cultural rights. These digital attacks are inhibitors of any real achievement of the right to development in a way that benefits those most affected by inequalities and marginalisation, inhibit an inclusive response to climate change by those mostly likely to be affected by it, and are a grave infringement of human rights. In this regard we believe that the recommendation to “invest in removing barriers to climate change activism at the domestic level” should be strengthened to reflect that political will is needed to recognise the importance of climate activism and to protect it, including against the threat of criminalisation.

⁴⁷ For additional readings on gendered disinformation, see: Jankowicz, N., Hunchak, J., Pavliuc, A., Davies, C., Pierson, S., & Kaufmann, Z. (2021). *Malign creativity: How gender, sex, and lies are weaponized against women online*. Wilson Center. <https://www.wilsoncenter.org/publication/malign-creativity-how-gender-sex-and-lies-are-weaponized-against-women-online>; Judson, E. (2021, 9 July). Gendered disinformation: 6 reasons why liberal democracies need to respond to the threat. *Heinrich-Böll-Stiftung*. <https://eu.boell.org/en/2021/07/09/gendered-disinformation-6-reasons-why-liberal-democracies-need-respond-threat>