

GSR 14 Consultation - Egypt

Introduction

Over the past decade, internet access and connectivity in Egypt shifted from dial up to higher speed connectivity such as DSL and fiber access. Today, telecommunications are fragmented across online services and non-traditional communication services have significantly grown.

The estimated number of Egyptian Internet users has grown by around 15 percent, reaching some 36 million in June 2014, compared to 31.21 million during the same period last year.

Out of a population of some 85 million, this brings internet penetration to 43 percent at the end of quarter two, compared to 38 percent the year before.

A challenge for the NTRA; is how to deliver an acceptable internet experience for consumers? The answer to that question has three pillars:

1. The existence of healthy internet access market. i.e. competitive market rules should be applied and consumers have the choice to select and move between different internet service provider conveniently.
2. that consumers have accurate and timely information about the internet services they use – for example data traffic management.
3. **that consumers feel secure and protected while on the internet.**

Consumer protection

1. Privacy

One of the most profound issues facing regulators over the next 20 years will be questions around data and information.

Personal Information Protection and Electronic Documents Act (PIPEDA), defines personal information as “information about an identifiable individual”. Information will be about an identifiable individual where there is a serious possibility that an individual could be

identified through the use of that information, alone or in combination with other available information.

PIPEDA requires an individual's knowledge and consent for the collection, use, or disclosure of personal information. PIPEDA also requires that the purposes for which an individual's information is to be collected, used or disclosed be explained in a clear and transparent manner. In addition, PIPEDA does recognize that the form of consent can vary: for example, express consent (opt-in) when dealing with sensitive information, and implied consent (opt-out) when the information is less sensitive. It is important to note that the sensitivity of information depends on the nature of the information and the context in which it is being collected, used or disclosed. While obtaining consent in the online environment is not without its challenges, it is possible.

Opt-out consent for online behavioral advertising could be considered reasonable providing that:

- Individuals are made aware of the purposes for the practice in a manner that is clear and understandable – the purposes must be made obvious and cannot be buried in a privacy policy. Organizations should be transparent about their practices and consider how to effectively inform individuals of their online behavioral advertising practices, by using a variety of communication methods, such as online banners, layered approaches, and interactive tools;
- Individuals are informed of these purposes at or before the time of collection and provided with information about the various parties involved in online behavioral advertising;
- Individuals are able to easily opt-out of the practice - ideally at or before the time the information is collected;
- The opt-out takes effect immediately and is persistent;
- The information collected and used is limited, to the extent practicable, to non-sensitive information (avoiding sensitive information such as medical or health information); and
- Information collected and used is destroyed as soon as possible or effectively de-identified.

2. Protecting Children Online

Protecting children online is a global challenge, which requires a global approach. While many efforts to improve child online protection are already under way, their reach has been more national than global. ITU has established the **Child Online Protection initiative** to create an **international collaborative network** and promote online safety of children around the world.

Egypt has led the efforts to establish and currently chairs the ITU's Council Working Group for Child Online Protection (CWG-COP) since 2010. This initiative is another manifestation of Egypt's commitment in the area of COP since the establishment of a national COP committee in 2007.

Egypt took part in the regional workshop on "Legal Aspects of Child Online Protection in the Arab Region" that was held in Algeria during the period from 24-25 June 2012. During which Egypt demonstrated number of issues such as the type of laws that have to do with online privacy, the legal status in Egypt, the national strategy of family protection on internet, the studies related to internet privacy and integrating framework for dealing with privacy issues.

3. Safe and secured Online activities

Trust is essential for promoting e-commerce and cross border online trade but regulation has to be proportionate and sufficiently flexible to accommodate future innovation. Government, regulators and industry need to ensure consumers have access to clear information and education about e-commerce services so they can make informed choices. Consumers need to understand the type of content they are accessing and the level of regulation it is subject to. Regulators need to find ways to protect consumers from harmful content and provide access to redress, particularly as services are increasingly delivered from outside national boundaries.

In this regard, Egypt issued the e-signature law issued in 2004 (Law no. 15/2004) to promote and facilitate the e-application.