

# Factsheet 2: Sample Questions to Assess Risks Related to Physical Infrastructure and National Regulatory Frameworks

The following questions are part of the “Freedom of the Net Index” methodology to measure a country’s level of internet and digital media freedom. They have been developed with international experts to capture the vast array of issues that affect internet freedom.

The index focuses on the transmission and exchange of news and other politically relevant communications, as well as the protection of users’ rights to privacy and freedom from legal and extralegal repercussions from their online activities. The index acknowledges that in some instances, freedom of expression and access to information may be legitimately restricted. The standard for such restrictions is that they be applied in narrowly defined circumstances, in line with international human rights standards, the rule of law, and the principles of necessity and proportionality.

Find more information and questions [here](#).

The questions here are for guidance. They should be adapted to the context.

## A. Obstacles to Access

1. Do infrastructural limitations restrict access to the internet or the speed and quality of internet connections?
2. Is access to the internet prohibitively expensive or beyond the reach of certain groups for geographical, social or other reasons?
3. Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity?
4. Are there legal, regulatory or economic obstacles that restrict the diversity of service providers?
5. Do national regulatory bodies that oversee service providers and digital technology operate in a free, fair and independent manner?

## B. Limits on Content

1. Does the state block or filter, or compel service providers to block or filter, internet content?
2. Do state or non-state actors employ legal, administrative or other means to force publishers, content hosts or digital platforms to delete content?
3. Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims or an independent appeals process?
4. Do online journalists, commentators and ordinary users practice self-censorship?
5. Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest?
6. Are there economic or regulatory constraints that negatively affect users’ ability to publish content online?
7. Does the online information landscape lack diversity?
8. Do conditions impede users’ ability to mobilize, form communities and campaign, particularly on political and social issues?

## C. Violations of User Rights

1. Does the Constitution or do other laws fail to protect rights such as freedom of expression, access to information and press freedom, including on the internet? Are they enforced by a judiciary that lacks independence?
2. Are there laws that assign criminal penalties or civil liability for online activities?
3. Are individuals penalized for online activities?
4. Does the government place restrictions on anonymous communication or encryption?
5. Does state surveillance of internet activities infringe on users’ right to privacy?
6. Are service providers and other technology companies required to aid the government in monitoring the communications of their users?
7. Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in retribution for their online activities?
8. Are websites, governmental and private entities, service providers or individual users subject to widespread hacking or other forms of cyber-attack?