



# FRIENDS OF A FREE INTERNET

*for mahala & for freedom*

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20 March 2024

ATT:

Chairperson Yolisa Kedama  
The Independent Communications Authority of South Africa (ICASA)  
% Mr Kgosimolao Moshweunyane,  
[imtlicensing@icasa.org.za](mailto:imtlicensing@icasa.org.za), [info@icasa.org.za](mailto:info@icasa.org.za)

CC:

Councilor Peter Zimri <[PZimri@icasa.org.za](mailto:PZimri@icasa.org.za)> and icasa Licensing and Compliance Division,; Fikile Hlongwane, <[FHlongwane@icasa.org.za](mailto:FHlongwane@icasa.org.za)>Siyanda Nkamisa <[SNkamisa@icasa.org.za](mailto:SNkamisa@icasa.org.za)>, Amos Hlabioa <[AHlabioa@icasa.org.za](mailto:AHlabioa@icasa.org.za)>, Pascal Adams <[PAdams@icasa.org.za](mailto:PAdams@icasa.org.za)>, Davis Moshweunyane <[DMoshweunyane@icasa.org.za](mailto:DMoshweunyane@icasa.org.za)>, Riaan Van Der Colff <[RVanDerColff@icasa.org.za](mailto:RVanDerColff@icasa.org.za)>, Mosa Mafema <[MMafema@icasa.org.za](mailto:MMafema@icasa.org.za)>

Dear Ms Kedama,

## **Notice of a public gathering at ICASA head office from 10 am on 17 May 2024**

I trust you are well. Our correspondence to your precedecors dated 17 October 2022 and copied below refers. It is unfortunate that we never received a formal response but we are happy to report that we ultimately met with the ICASA Licensing and Compliance Division (copied) on 15 February 2024 and learnt that:

- Public Benefit Organisation websites have not been zero-rated as required by section 12.5.1 of the Universal Service Obligations gazetted on 10 December 2021;
- While incumbent mobile operators have been consulted on zero rating, no provisions have been made to consult Public Benefit Organisations as required by section 12.5.1;
- ICASA has no mechanism to report to the public on progress made towards (1) coverage (2) connection targets, detailed in sections 12.2 and 12.5 of the Universal Service Obligations gazetted on 10 December 2021;

In light of the great public interest in ensuring more equitable access to affordable communications and a decommodified public sphere, we believe it is vital that we mobilise public support for your regulatory mandate.

To this end we will be inviting the public to exercise their constitutional right to gather at your offices (350 Witch-Hazel Ave, Eco-Park Estate, Centurion) from 10 am on 17 May 2024.

The gathering will take the form of a 'teach-in' aimed at increasing people's understanding of the telecommunications terrain. On the day we would like you to present:

1. A detailed report listing (1) the municipalities and (2) the government buildings connected by MTN, Vodacom, CellC and Telkom respectively as part of their licence obligations;
2. Confirmation that the incumbent operators have not used the high-value 700MHz or 800MHz spectrum unless relevant prerequisites outlined in the licencing obligations have been met;
3. A detailed plan for how you intend to monitor compliance and regularly update the public in the future regarding (1) the progress of operators in meeting their universal service obligations and (2) that operators do not unitise the high-value 700MHz or 800MHz spectrum until connectivity targets are met;
4. A detailed plan to operationalise the zero-rating of all NPO and government websites;
5. Details of the process for consulting civil society on the plan to zero rate all NPO websites.

We will be inviting representatives of various civil society organisations as well as the media and the Human Rights Commission to attend the gathering. We have also asked President Ramaphosa to join us and address a number of concerns regarding his role in the 2022 spectrum auction, as well as representatives of MTN, Vodacom and Telkom to explain a few issues related to stubbornly high prepaid data prices.

We anticipate that if you provide the information requested above and the emerging picture shows good progress in extending equitable internet access this gathering will be a celebration of ICASA's role of independent regulation in the public interest. If either you are unable to provide the requested information or the emerging picture shows little progress, the gathering will serve as a protest aiming to draw public attention to the lack of capacity and transparency at ICASA and thus contribute to a culture of democracy and public accountability that we want to see deepen in South Africa.

We trust that you will support our right to gather at your offices and may even offer to work with us to ensure the event runs smoothly on the day.

We hope that you will be able to provide the requested information so that together we can model informed participatory democracy and send a clear signal that ICASA is independent and committed to serving the public interest.

Please feel free to contact me should you have any questions.

Regards,



Mark Weinberg  
Convenor: Friends of a Free Internet.



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17 October 2022

Dear Dr Lewis,

**Consultation request: Zero-rating & Universal access compliance.**

As you are aware, the Friends of Free Internet (FoFI) is a coalition of over 100 civil society organisations (listed [here](#)). We launched in July 2022 to advance both free online expression as well as universal access to a communication commons that is user-owned and -controlled, decommodified, free/affordable, safe and secure.

The Universal Service Obligations for the successful bidders in the recent spectrum auction, gazetted on 10 December 2021, introduced a number of conditions that - if realised - would make an important contribution to releasing a truly free internet in South Africa.

In particular, section 12.5.1, says successful bidders “will be required to zero-rate all the Mobile Content provided by Public Benefit Organisations including .gov.za websites. The Authority will consult with the successful bidders and relevant stakeholders to ensure that the zero-rating social obligation is implemented without illegitimate use of URL’s during the licensing stage.”

As a civil society coalition we have a direct stake in effective zero-rating and would like to be included in your consultation process. Please advise who we should engage in this regard.

In addition, sections 12.2 and 12.5 obligate successful bidders to extend network coverage to 97% of the population and connect government buildings. We would like to meet with you to better understand how implementation of these important targets will be monitored. Again, please advise who we should engage in this regard.

Regards,

Mark Weinberg  
Convenor: Friends of a Free Internet.