

Addressing Internet Concerns in a Social Society: Is Nigeria Doing Enough?

NSIG 2022



Addressing Internet Concerns in a Social Society: Is Nigeria Doing Enough?

ABSTRACT

According to the United Nations Department of Economic and Social Affairs (UN-DESA), one-half of the entire world's population make use of the Internet, while the other half is still deprived of its benefits. The Internet has brought about an integration that has turned the world into a global village, while the Internet has reached almost all countries quickly, the intensity of its use has been lower in poorer countries in large part because it has not spread as widely within these countries. The limited spread/reach of the Internet is one of the major causes of digital divide in developing countries like Nigeria. This Whitepaper examined the issues such as access and digital inclusion; privacy, digital rights and human rights; crossborder data governance and data localisation/data privacy; the effects of fake news, dis-information and Internet shutdown in Africa, as well as the prospects of youth initiatives and multistakeholderism in Internet governance especially in Nigeria and across Africa.




INTRODUCTION, BACKGROUND AND CONTEXT

The Internet has brought about an integration that has turned the world into a global village. This technology has made information dissemination and communication possible across several continents at real time, via social media and through the use of electronic devices (*Okeshola and Adeta, 2013*). The United Nations Development under its Development Program (UNDP 2019) has incorporated digital inclusion as part of the Sustainable Development Goals (SDGs). These goals are geared towards global prosperity and especially fostering digital inclusion in less developed countries. One of the targets of SDG (9) geared towards promoting digital inclusion in ensuring public access to information and protection of fundamental freedom by national legislation and international agreements.

The impact of Covid-19 and the fast-growing pace of the world today has resulted in an increase in mobile and Internet penetration in Nigeria. *Data Reportal* highlighted 104.4 million Internet users in Nigeria as at January 2021 and 187.9 million mobile connections. By December 2021, the National Communications Commission (NCC), reported 195 million mobile subscribers, all suggesting that Nigeria is becoming increasingly connected- a level of connectivity that increases access and digital inclusion and allows more people to benefit from technology.

With Nigeria being the most populous black nation in the world, and with the exponential growth of data and the need to harness it to achieve economic growth, cross-border data flow has become inevitable. Data is now a commodity to be traded, its movement between countries will have great economic, political, social, and security implications.

The unique and economic nature of Internet data and the security implications surrounding it requires a multistakeholder approach in Internet governance, as data consumption is a matter of great concern to everyone. Thus, communication is key in the achievement of this goal. This concept of multistakeholderism consultation will not only help to share the views, challenges and



expectations of the stakeholders, it will also bring about economic feasibility to a larger audience: locally, nationally and internationally.

However, due to the openness of the electronic market to users across the globe, false pretense has found a fertile ground to breed (*Okeshola and Adeta, 2013*). Since the data flying on the Internet, especially through social media platforms are not easily censored, this leads to issues of misinformation, disinformation and fake news, which some governments of countries in Africa have capitalized upon to shut down the Internet in their countries at different points in time. These shutdowns have a negative impact both on the economy and on the youths. For example, In Nigeria, among the over 200 million population, youths constitute a larger percentage of the nation's workforce with the majority of them leveraging on the gains of the Internet.

It is on this premise that this White Paper seeks to examine issues surrounding Access and Digital Inclusion; Privacy, Digital Rights and Human Rights; Crossborder Data Governance and Data Localization/Data Privacy; Fake news, Dis-information and Internet shutdown in Africa, as well as the possibility of youth initiative and multistakeholderism in Internet governance.

ISSUES, APPROACHES AND POLICY RECOMMENDATIONS

Issue 1: Privacy, Digital Rights and Human Rights Issues

Privacy and data protection remain a germane concern in e-commerce largely due to incessant data breach. The concept of privacy has been fused with Data Protection, which interprets it in terms of management of personal information. Data breach affects every stakeholder and should be given urgent attention. A 2012 United Nations resolution affirmed that the civil, political, economic, and social rights that people enjoy offline must also be protected online. In July 2016, Nigeria joined 52 other countries, including the United States, Germany, France, and the United

Kingdom, to co-sponsor an updated reaffirmation of the 2012 resolution. This however has not stopped the government from incessant digital right violations. A report on NewsDirect (2022) stated that at present, the Nigeria Data Protection Bureau (the Bureau) has commenced investigations into reports of breach of data privacy involving two major data controllers: Wema Bank PLC and KC Gaming Networks (BetNaija) in Nigeria. Another report shows that 19 African countries shut down the Internet due to several reasons, one of which was the infringement of the digital rights of citizens and digital authoritarianism. This goes to show that data breach affects every stakeholder and should be given urgent attention.

Recommendations:

- The *Cybercrime Act 2015* should be repealed and re-enacted after a review of the sections that have been abused to stifle the rights of Nigerian citizens.
- The Digital Rights and Freedom Bill should be passed and signed into law.

- The NCC regulations should be reviewed to enforce judicial oversight and accommodate a mandatory annual report that will be publicly accessible.
- Public education about the implications of data sharing particularly on various online platforms of applications and the Internet must be intensified, so as to build a community of self-aware citizens who understand their digital rights and can demand them from companies, institutions and the government.

In an age where data collection and processing record a remarkable increase daily, there have been concerns as to how much information should be left online for the public to see and how the issue of data privacy impacts human rights. The question of what happens to all the data we leave behind when using the Internet and who can have unauthorized access to this data will continue to be an issue. Therefore, it is an urgent matter of human right protection that relevant stakeholders, especially those that prioritize digital rights, investigate the infringement of digital rights in Nigeria and engage the government to review existing policies on digital rights, and seek their immediate passage into law.

Issue 2: Youth Initiatives and Multistakeholderism Internet Governance Issues

Internet governance (IG) is an ecosystem that is made up of protocols, laws, and regulations of best practices that help to safeguard the users and its infrastructures. These rules/protocols can only become effective where it's actually practicable and beneficial to the people to whom it is meant to govern. This concept of multistakeholderism consultation will not only help to share the views, challenges and expectations of the stakeholders, it will also bring about economic feasibility to a larger audience: locally, nationally and internationally. In Nigeria, the over 200 million youths constitute a larger percentage of the nation's workforce with the majority of them leveraging on the gains of the Internet. It is on this basis this study seeks to scrutinize the possibility of youth initiative and multistakeholderism in Internet governance issues.



Some of the issues faced by Internet users in Nigeria

- Internet accessibility/affordability
- Terrorism
- Lack of government's commitment/continuity/interest
- Religious belief
- Unfounded fear of westernization
- Cyber crimes

Recommendations:

- When deliberating on policies that will affect the digital youths, it's advisable to organize occasional roundtable discussions between the government, regulatory agencies and other players in the space so as to make more friendlier and inclusive policies that will foster their growth. This can be done via local youth groups (online/offline) of the various sectors, then progress unto national and international levels.
- Inclusiveness in governance gives the youth a sense of belonging, commitment and trust between the government, regulatory agencies and the operators. Irrespective of our location, societal status or belief the Internet is everyone's business and making it conducive for all should be everyone's priority.

Issue 3: Cross Border Data Governance (E-Commerce) And Data Localisation / Data Privacy


The Principle of Data Governance involves all those policies, processes, roles, standards, measures, and benchmarks used to ensure the effective and efficient use of information in enabling an organization to achieve set goals. Most countries and regions have set up General Data Protection Regulations such as European Unions' GDPR, and Nigeria's NDPR.

With the exponential growth of data and the need to harness it to achieve economic growth, cross-border data flow has become inevitable. Data is now a commodity to be traded, its movement between countries will have great economic, political, social, and security implications. The need for policies for data localization cannot be over-emphasized. Data localization is the act of storing data locally on any device within the confines of the physical borders of a country where the data was generated.

Recommendations:

- The Nigerian parliament should enact an Act that replicates the core set of principles laid down by global and regional data protection initiatives.
- Enactment of a Substantive and Comprehensive Legislation on Data Privacy.
- Setting Standards for technical requirements for data localization and data privacy.
- Government works with stakeholders to ensure full implementation of the regulations.
- Prescription of Stiffer Penalties and Determined Enforcement.

The need for Data protection is a necessity intertwined with trade, especially in the digital age, and as such, Nigeria's data protection status puts the country in an insecure position. As a developing country seeking to grow its exports, its ability to improve Internet access and



cross-border data flows is of particular importance in overcoming a wide range of local barriers to international trade. Further, data privacy has been considered an important ingredient in fostering consumer trust in electronic commerce and online transactions. Lack of properly safeguarding this data could result in losses for both businesses and consumers through identity thefts and unauthorized data exploitation. Therefore, Nigeria needs to adopt data protection standards that provide consumer confidence without unduly restricting businesses.

Issue 4: Social Media, Internet Shutdown In Africa, Fake News And Dis-Information

Social media is perhaps now the most common and widely used means of information dissemination today, unlike in the 20th century when print media, radio and television were the most common. While the latter were censored and easily controlled, social media is difficult to censor and control due to the borderless nature of the Internet. And even when some governments have tried to control it, the citizens still find a way of circumventing such measures, the prevalence of fake news has increased with the recent rise of social media, and this misinformation is gradually seeping into the mainstream media.

Internet Shutdown In Africa

In a report published by [accessnow.org](https://www.accessnow.org) in April 2022, it was recorded that in 2021 alone, about 19 African countries shut down the Internet, due to a variety of reasons. The act was classified as an infringement of the digital rights of citizens and digital authoritarianism. The main challenge is how to combat the spread of this disinformation and misinformation. Most countries have come up with legislation to counter fake news, and civil societies and NGOs have set up various verification mechanisms but still, the issue persists. Therefore, most African countries capitalize on the issue of fake news to cite national security concerns to shut down Internet access to their population.

Recommendations:

- Effective digital laws should be enacted to prosecute those who spread fake news and dis-information and Law enforcement agencies should be given the legal backing to prosecute offenders as prescribed in the Cybercrime Act (2015).
- Content creators should be educated on the dangers of spreading fake news.
- Citizens should be educated to verify the authenticity of what they read on social media before believing and sharing it with others. They should also be well informed on the need to limit the data (information) that is shared with most of these data controllers.

The issue of fake news will derail the achievement of the SDGs as the increased circulation of fake news via both traditional and social media will breed distrust and hatred among citizens thereby disrupting peace, justice, and even institutions. Citizens should thereby be educated on proper use of the Internet and social media for proper information gathering and effective information dissemination.

Issue 5: Access and Digital Inclusion

The Internet and related technologies have reached developing countries much faster than previous technological innovations. There is no specific ICT policy that incorporates digital inclusion as a key factor driving the country's socio-economic and political development. But there is a proposed document by the National Information and Communication Technology Development Agency (NITDA) through the Federal Ministry of Communication and Digital Economy (FMCDE) on National Digital Literacy Framework (NDLF), Version 1.0, December, 2021 aimed at setting a digital literacy and skills agenda for Nigeria by providing affordable proper coordination and standardization of digital literacy training and development in Nigeria.

Recommendations:

- Continue to support digital literacy training *in information and communication technologies*
- Increase the provision of broadband adoption by allowing residential subscribers to have Internet access with speeds and quality.
- Provides digital redline Internet service providers in the deployment, maintenance, or upgrade of infrastructure for delivery of services
- Provides digital navigators trusted to guide and assist community members in Internet adoption and the use of computing devices.
- Provides broadband equity to all people and communities by telecommunication companies to access and use affordable, high-speed and reliable Internet service.
- Continue to provide digital foundation skills in all both urban and rural areas of the country at all levels especially in the usage of the Internet environment.
- Provides cost of access to Internet, devices and tools affordable to all.


CONCLUSION

Like water and air, the Internet and its related technologies have become a very integral part of human existence. Whilst this technology has been used to foster innovations, scientific and educational research, ease of communication, cross-border data flow, access to global opportunities, promote economic growth and advancements, to mention but a few. It has also opened a pathway for various illegal vices and misuse by several users and operators within its space.

As a result of this, the need to protect and secure this digital space is very key. This paper has in turn, set out some of the key issues and challenges associated with the use of the Internet technology. It has further provided various practical recommendations with a focus on the Nigerian Society, which the drafters believe that if properly implemented will go a long way to address these challenges.

REFERENCES

1. AccessNow (2022). Internet shutdown in 2021 Report: resistance in the face of blackouts in Africa. Who shut down the Internet in Africa in 2021? Retrieved September 10, 2022. <https://www.accessnow.org/Internet-shutdowns-africa-keepiton-2021/>
2. DataReportal (2021). Digital 2021: Nigeria. <https://datareportal.com/reports/digital-2021-nigeria> accessed on 14th September, 2022
3. Heirich Boll Stiftung (2020). Digital Rights and Privacy in Nigeria <https://ng.boell.org/en/2020/08/04/digital-rights-and-privacy-nigeria>
4. Mckinsey (2022). Risk and resilience practice. <https://www.mckinsey.com/capabilities/risk-and-resilience/our-insights/localization-of-data-privacy-regulations-creates-competitive-opportunities>. accessed on 10th September, 2022
5. National Population Commission (2020). Statistics. <http://nationalpopulation.gov.ng/statistics/> accessed on 23rd September, 2022
6. NewsDirect (2022). NDPB investigates Wema Bank, Bet Naija for data privacy breach- June 8, 2022. <https://nigeriannewsdirect.com/ndpb-investigates-wema-bank-bet-naija-for-data-privacy-breach/> accessed on 23rd September, 2022
7. Okeshola, F.B., & Adeta, A.K. (2013). The Nature, Causes and Consequences of Cybercrime in Tertiary Institutions in Zaria-Kaduna state, Nigeria. American International Journal of Contemporary Research, 3(9), 98-114.
8. United Nation Development Program (2019). United Nation Sustainable Development Goals (SDG). Goal 4.b. Retrieved from <https://www.undp.org/sustainabledevelopment-goals>. accessed on 10th September, 2022
9. UN Human Rights Council, The Promotion, Protection and Enjoyment of Human Rights on the Internet: Resolution Adopted by the Human Rights Council, 18 July 2016,



A/HRC/RES/32/13, https://www.article19.org/data/files/Internet_Statement_Adopted.pdf accessed on 14th September, 2022

10. World Bank Group (2016). Digital Dividends World Development Report (Report No: 102725).

<https://documents.worldbank.org/curated/en/896971468194972882/pdf/102725-PUB-Placement-PUBLIC.pdf> accessed on 14th September, 2022

EDITORIAL LEAD BOARD FOR NSIG 2022

- 1) Bosede Akinbolusere
- 2) Mujahid Yushau Yusuf
- 3) Uchechi Ofoegbu
- 4) Miriam Sunday
- 5) Adebola Adeoye
- 6) Tayo Adeboye
- 7) Ahmed Rufai Kurfi
- 8) Blessing O. Asoro
- 9) Mohammed Idriss