STATE OF INTERNET GOVERNANCE IN NIGERIA

2013

Media Rights Agenda

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PREFACE

Globally, issues of human rights, social development, economic empowerment and their relationship with internet governance have become a key subject for discussion at various fora. Issues related to control, censorship, guiding principles and policies for the internet are increasingly being debated among various stakeholders at international, regional and national levels.

The growth of the Internet in different countries has influenced the way information is aggregated and disseminated. Governance of the Internet has now become a crucial policy issue debate in different countries. Developing countries such as Nigeria, though rife with corruption and impunity, have nonetheless also increasingly given attention and prominence to Internet policy and its governance issues so much so that since the country returned to democratic rule in 1999 under President Olusegun Obasanjo, the country has gradually but steadily initiated and carried out activities which align with the global growth phenomenon of the Internet.

This research is undertaken to map the Nigerian Internet freedom policy environment according to international standards as defined by the United Nations Special Rapporteur for Freedom of Expression's report on freedom of expression and the Internet.

The map seeks to identify priority threats that require response, priority opportunities for promoting Internet freedom, and key actors to engage with from civil society, the business community and government.

Internet security is often flagged as a main cause for discourse on Internet policy issues and Nigeria has gone as far as taking what are clearly negative steps which have caused citizens' uproar on the implications of such government activity. It can be argued that the Internet has created that platform on which the government cannot take a decision without creating a forum for dialogue on the reasons for any actions.

Due to the sheer number of its citizens, the size of its economy and its rapidly growing digital environment, Nigeria has enormous potential for regional leadership in this area.

The creation of the Federal Ministry of Communication Technology (FMCT) also accelerated the pace in which key decisions are taken as regards Internet policy and governance. With a sole ministry in charge of information communication technology (ICT), the industry has seen an increased rate in executing projects and policies which fosters the Internet terrain locally and internationally in sharp contrast to the usually slow bureaucracy associated with governments in developing countries.

Nigeria has also initiated a number of Internet governance bills in its bi-cameral federal legislature and this is the best time to engage with it to ensure that laws meet international standards and practices in Internet governance and the respect for freedom of expression.

This research report is therefore a useful resource in examining, identifying and analysing the Internet governance landscape in Nigeria and providing a detailed overview of the key actors, issues, challenges, as well as making recommendations that can significantly change this landscape.

Edetaen Ojo
Executive Director
Media Rights Agenda

Nigeria Internet Laws and Practices

1.1 Overview

Internet governance in Nigeria is still at a very rudimentary stage; there is no single legislation with rules that govern the management or regulation of the Internet in Nigeria. In addition, there are several bills pending before the National Assembly, Nigeria's Parliament, with bits and pieces of clauses and provisions relating to the Internet in them. At the foundation of the present situation is the lack of a comprehensive and all-encompassing national Internet policy framework to drive the sector and its governance.

Efforts geared towards formulating Internet governance: policy and legislation have been uncoordinated and resulted in the different bills on the sector. Most of these bills are wholesale lifting of laws of other countries which do not take cognizance of or address Nigeria's peculiar circumstances.

On July 17, 2011, President Goodluck Jonathan created a Ministry of Communication Technology and appointed Mrs. Omobola Johnson as Minister in charge of the new Ministry. On August 25, 2011, the new Minister set up an ad-hoc committee to harmonise all existing policies for the different sectors in the Information and Communication Technology industry, including telecommunications, broadcasting, Information Technology, and postal services. The committee came up with the draft National ICT Policy.

Sadly, the National ICT Policy, which aims to harmonise all existing policies in the Information and Communication Technology sector into a single Information and Communication Technology Policy is still in draft form. What obtains at the moment, therefore, are a number of different bills seeking to legislate on different aspects of the Internet. As the draft National ICT Policy seeks to harmonise all existing Information and Communication Technology policies, so also is there a need for a single harmonized, standardized and all-encompassing Internet law in Nigeria.

The available documents on Internet operations and access are the National Mass Communications Policy; National Telecommunications Policy 2000; National Information Technology Policy 2000; Draft Document on Broadcasting Policy; Draft Communications Policy 2001; and the Draft National Information and Communication Technology Policy 2012.

The available legislation which affect Internet operations and access in Nigeria include the Wireless Telegraphy Act, LFN 1990; the National Broadcasting Act 1992 as amended; the Nigerian Communications Act 2003; the Nigeria Postal Services Act 2004, Cap 127 LFN; and the National Information Technology Agency (NITDA) Act 2007.

Internet governance bills pending before the National Assembly include Interception and Monitoring of Certain Communications Bill, 2009; Electronic Commerce (Provision of Legal Recognition) Bill, 2011; Personal Information and Data Protection Bill, 2011; Telecommunications Facilities (Lawful Interception of Information) Bill, 2011; Cyber security Bill, 2011; Bill to Provide for the Interception, Development and Protection of Communications Networks and Facilities for Public Interest and other related matters; Electronic Communications Privacy Bill 2012; Lawful Interception of Communications Bill, 2012; Regulation of Telecommunication Facilities to Support Investigations, Bill, 2012 and Cybercrime Bill, 2013.

In 2013, a Nigerian National Broadband plan[1] was presented at the

11th Commonwealth Telecommunications Organisation (CTO) and 53rd Council meeting held in Nigeria. The plan creates a road map for Nigeria's broadband development from 2013 to 2018 with the aim to improve access to high speed Internet services across the country. The broadband policy is also contained in the national ICT policy currently pending before the Federal Executive Council for approval. The plan covers issues such as cyber security, challenges to broadband operators and the roles of government and other stakeholders in achieving set goals.

Nigeria is one of the top countries in Africa with a thriving and speedily evolving ICT landscape. It is important that the landscape be governed by the best policies and legislation of international standards due to the country's position within the continent and the effect on fellow African states.

1.2 Access to the Internet (Access to Connectivity and Quality of Access)

The number of Nigerians with access to the Internet as at June 30, 2012 is estimated to be 48 million[2] of its over 160 million population. Wikipedia, the online free encyclopedia puts it at 55 million at the end of the year 2012.

In its report on Internet freedom in the year 2012, entitled *Freedom on the Net 2012*, the New York based not-for-profit organisation, Freedom House, rated Nigeria as partly free[3].

It says Internet access in Nigeria grew exponentially with the introduction of mobile phone data services and Fixed Wireless Access (FWA) services.

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[1] http://www.phase3telecom.com/The%20Nigerian%20National%20Broadband%20Plan%202013_19May2013%20FINAL.pdf
[2] http://www.Internetworldstats.com/stats1.htm
[3] Freedom on the Net 2012 Freedom House Report on the state of the Internet in 2012

From a mere 100,000 Internet users in 1999, the figure grew to 11 million in 2008 and reached 46 million in 2011.

This phenomenal growth is attributable to an increase in mobile phone usage and data services, private sector and government investment in technology, and increased competition between Fixed Wireless Access providers over this period.

The report, quoting the International Telecommunication Union (ITU) says Nigeria has 28% Internet penetration with greater access in urban than in rural areas. The report says the number of Internet users quadrupled between 2008 and 2011 in spite of the limited access to information and communication technologies for many Nigerians.

The Freedom House report added that online media has been comparatively free from restriction and that although a blogger was detained for questioning in January 2011, the Nigerian authorities do not carry out filtering of content.

Increased competition has also led to decreased cost of access for many Nigerians: according to the Freedom House's *Freedom on the Net 2012*: "The average cost is now US$1 per megabyte of data on Global System for Mobile (GSM) networks, compared to US$7 in 2010. FWA services now cost an average of US$65 per month, down from US$80 in 2010." Wikipedia, the online encyclopedia puts Nigeria's estimated GDP for 2012 at $451 Billion and a growth of 7.1%. The site puts Nigeria's GDP per capita for the same period at $2,800[4].

Broadband services in Nigeria are limited with the ITU statistics putting the number of broadband subscribers at 215,000 in 2011 which amounts to a paltry 0.13 percent

The number of licensed Internet Service Providers (ISPs) in Nigeria reportedly rose from 18 in the year 2000 to 136 as of mid-

2011. This figure is in addition to 11 active Fixed Wireless Access (FWA) providers and four GSM mobile phone operators that also provide Internet access to their subscribers.

Government-owned Nigerian Communications Commission (NCC) licenses and regulates the operations of telecommunication firms in Nigeria. It has a nine-member governing board nominated by the government. It is not known to have denied operational licence to any firm or refused to renew the licence of any ISP.

Several factors affect Internet access in Nigeria and these include scarcity of infrastructure, especially in rural areas; inadequate power supply and access to relevant information technology equipment by Nigerian citizens and the Nigerian government does not seem to be addressing these.

Only three companies are known to provide broadband through fibre optic cables in Nigeria and these are MainOne, Globacom's Glo1, and MTN's West African Cable System (WACS) but Nigerians are yet to have access to quality broadband Internet services.

1.3 Arbitrary Blocking and Filtering

Nigeria has no history of blocking or filtering Internet content, and there are no policies or laws that mandate these. However, a few bills pending before Nigeria's Parliament including Sections (19) (1), and (20) (1) of the Nigerian Cyber Security and Information Agency Bill make cyber terrorism and cyber-squatting punishable offences. It is also not certain if the Nigerian government has the technological equipment and software to block or filter Internet sites.

The Open Net Initiative (ONI) a collaborative partnership of three institutions that investigates, exposes and analyzes Internet filtering and surveillance practices around the world, also noted in its report on Nigeria that there are no known cases of Internet filtering[5].

ONI however noted that there are some bills which, if they become laws, may support filtering or content control policies in online communication including the draft Computer Security and Critical Information Infrastructure Protection Bill
 In addition to this, other bills which if passed may also support filtering include Telecommunications Facilities (Lawful Interception of Information) Bill, 2011; Cybersecurity Bill, 2011; Bill to Provide for the Interception, Development and Protection of Communications Networks and Facilities for Public Interest and other related matters; Electronic Communications Privacy Bill 2012; Interception of Communications Bill, 2012; Regulation of Telecommunication Facilities Bill, 2012; Data Protection Bill, 2011; and Cybercrime Bill, 2013.

Quoting ONI reports, 'Freedom on the Net report 2013' says that several websites were inaccessible during the 2007 General Elections in Nigeria but its researchers concluded that the disruptions were not as a result of government interference but due to technical hitches.

In April 2013, the Nigerian government reportedly awarded an Internet surveillance contract to Elbit Systems, an Israeli firm for US$40 million ostensibly to aid intelligence gathering and national security. The contract, secretly awarded, was for Elbit Systems to supply its Wise Intelligence Technology (WiT) system to Nigeria, with which government can spy on and interfere with the nation's Internet user's communications[6].
The National Assembly later waded into the matter and initiated a probe into the contract which outcome is yet to be announced.

[4] http://en.wikipedia.org/wiki/Economy_of_Nigeria
[5] https://opennet.net/research/profiles/nigeria
[6] http://premiumtimesng.com/news/131249-exclusive-jonathan-awards-40million-contract-to-israeli-company-to-monitor-computer-Internet-communication-by-nigerians.html

1.4 Criminalization of Legitimate Online Expression

The right to freedom of expression, whether online or in traditional media is largely guided by laws which were enacted before the Internet became popular and although they were enacted with traditional media in mind, nevertheless now affect freedom of expression online.

In Nigeria, efforts geared towards fighting terrorism and safeguarding national security may lead to the enactment of laws that will be detrimental to the promotion and protection of freedom of opinion and expression on the Internet as they will give the government unhindered access to citizens' online communications.

Several laws in Nigeria regulate the right to freedom of expression, media freedom and hence can be extended to freedom of expression online.
These laws, especially the Criminal Code, can be invoked to penalize expression online, and this is now more so with the pronouncement by a court which now makes electronic evidence admissible in court

Also in 2009, the National Assembly also considered "A Bill for an Act to Amend the Evidence Act Cap E14 Laws of Nigeria, 2004 (SB291) To Permit Admissibility of Electronic and Computer-Generated Evidence".These potentially make it possible for Nigeria to criminalise expression online.The following are the laws which affect the right to freedom of expression and media freedom in Nigeria.

S/N	Law	Section	Year
1.	The Constitution	22 and 39	1999
2.	The National Broadcasting Commission (NBC) Decree No. 38 and the NBC Amendment Act No. 55		1992 and 1999
3.	The Nigerian Television Authority Act	Cap 329 Laws of the Federation of Nigeria (LFN)	1990
4.	The Federal Radio Corporation of Nigeria Act	Cap 140 LFN	1990
5.	The Voice of Nigeria Decree	No 15	1991
6.	The Wireless & Telegraphy Law	Cap 469 LFN	1990
7.	The Official Secrets Act	Cap 335 LFN	1990
8.	News Agency of Nigeria Act	Cap 290 LFN	1990
9.	The Nigerian Press Council (NPC) Decree and the NPC Amendment Decree	No 85 and No 60	1992 and 1999
10.	Offensive Publications (Proscription) Decree	No 35	1993
11.	The Defamatory and Offensive Publications Act	No 44 and No 93 LFN	1966 and 1990
12.	The Criminal Code Act	Chapter 77 LFN	1990

	- Sedition - Penal Code	50, 51, 416 & 417	
	- Injurious Falsehood – Penal Code	59, 418	
	- Criminal Defamation	373-379, 391-392	
	- Power to prohibit importation of publications	58	
	- Seditious publication against foreign head of state	60 6 and 133	
	- Contempt of Court - Criminal Code Act		
13.	The Printing Presses Regulation Act	Chapter 536 LFN	1990
14.	Obscene Publication Act	Chapter 530 LFN	1990
15.	The children and Young Persons (Harmful Publication) Act	Chapter 486 LFN	1990
16.	The Penal Code Act	Sections 391 -395 of chapter 23	
17.	The Penal Code Act	Chapter 532 LFN	1990
18.	The Penal Code (Northern States) Federal Provisions Act of the Penal Code Northern States	chapter 27	
19.	Newspapers Act		1917
20.	The Newspapers Amendment Act		1964
21.	Newspapers Decree	No 45	1993

1.5 Imposition of Intermediary Liability

Presently, Nigerian laws do not recognize intermediary liability; the legal and regulatory structure around intermediary liability is unclear.

Again, the point must be made that Nigerian laws as they affect freedom of expression are quite outdated: most of them predate the Internet. Allied to this is the fact that these laws have not been updated to address present day reality, especially the rising popularity of the Internet as a means of sharing information.

In a report titled 'Intermediary Liability in Nigeria' written for the Association for Progressive Communication (APC), GbengaSesan reviewed Nigeria's situation as it relates to imposition of intermediary liability where he pointed out that: "In Nigeria, discussions around proposed pieces of legislation are important to the subject of intermediary liability." The Copyright Amendment Bill mentions the role of ISPs as intermediaries. Also, the Telecom Facilities (Lawful Interception of Information) Bill and proposed Cybersecurity Bill by the offices of the Attorney General and National Security Adviser seek to combat the security problems faced by Nigeria, and will likely lead to discussions on the role of intermediaries of such information as may be considered useful in the pursuit of punishing or preventing acts of terrorism."[7]

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[7] *Intermediary Liability in Nigeria by 'Gbenga Sesan, an APC commissioned research paper*

The absence of laws which can impose intermediary liability notwithstanding, judges may use their discretion to impose such if the opportunity presents itself, especially with pressure from government.

1.6 Disconnecting users from the Internet

Again, Nigeria has no known record of disconnecting users from the Internet. One reported incident was o**n May 17, 2013, when the Nigerian government confirmed it disconnected phone lines in the Northern states where it declared state of emergency due to the activities of the militant Islamist group BokoHaram.**

The Senior Special Assistant for Public Affairs to President Goodluck Jonathan, Dr. DoyinOkupe, confirmed on Al Jazeera International it was a deliberate move.

According to Okupe, the action was "a procedural action" undertaken by the Nigerian military as part of necessary actions required to restore peace and order to the region. According to him, the networks were turned off to prevent bomb detonation via mobile phone calls.

This is the only known time that the Nigerian government was said to have disconnected users from communicating: Nigerians use their telephone handsets to make and receive calls as well as access the Internet.

1.7 Cyber Attacks
Developments in the ICT sector has also brought both intended and unintended consequences including such criminal activities as spamming, credit card frauds, ATM frauds, phishing, identity theft and other related cybercrimes. Nigeria has had its fair share of these negative consequences.

The Freedom House' Freedom on the Net 2012 said that "cyber-attacks have increased in Nigeria," but noted that most of the targets remain government websites. What it means is that reported cases of cyber-attacks were not traceable to government but to unknown individuals/groups. The most common form of cyber-attack in Nigeria is website hacking.

Instances of cyber-attacks reported by Freedom House included the hacking of the website of the National Assembly, Nigeria's Parliament, on October 1, 2010 by activists who posted remarks criticizing the ruling elite for poor governance and wastefulness in spending significant resources on celebrations of Nigeria's 50[th]independent anniversary.

It also reported that, in October 2011, following a statement by the head of the telecom regulatory agency calling for Internet control, the website of the Nigerian Communications Commission (NCC) and the Economic and Financial Crimes Commission (EFCC) were hacked by a group which called itself Naija Cyber Hacktivists. The same group has claimed almost all such incidents in Nigeria to date, including hacking of the website of the Nigeria Labour Congress (NLC).

In 2012, it was reported that Arik Airline website was shut down for a few hours by Naija Cyber Hacktivists to protest the airline's 'poor' customer service.

According to a recent survey by Centrex Ethical Lab, a Nigerian cyber-security and intelligence company, 23 government websites on the 'gov.ng' domain were defaced out of a total of 60 website defacements in 2012. The report said the official websites of the National Assembly and Economic and Financial Crimes Commission appeared to be the most defaced government websites between 2010 and 2012. The company's data analysis stated that the defacement of government websites increased from one per cent in 2009, to 10 per cent in 2010, and 60 per cent in 2012.

The high rate of cybercrime in Nigeria has led to various discourses on the need for cybercrime legislation.

1.8 Surveillance and Lawful Interception

Nigeria currently does not have any law that allows for surveillance and lawful interception but a bill in the offing that will legalise it is the Lawful Interception of Information Bill pending before the National Assembly.

In addition, if government's contract with Elbit Systems to supply its Wise Intelligence Technology (WiT) system to Nigeria goes through, Nigeria's government will be equipped to carry out surveillance and intercept communication at will.

Gbenga Sesan, Executive Director of Paradigm Initiative Nigeria (PIN) has also said that surveillance and interception have actually begun in Nigeria. He disclosed that a Netherlands company, Digivox is the key supplier of interception technology tools to Nigerian government and telecommunication operators including State Security Service (SSS); and the GSM networks, MTN, Airtel, Etisalat and Glo.

In the wake of heightened insecurity in Nigeria, the federal government began deliberating on a new legislation that will monitor and possibly intercept citizens' communication. If passed, the Lawful Interception of Communication Bill will make it lawful for government to access private communications, such as telephone calls or e-mail messages in its bid to enhance national security, prevent crime and aid criminal investigations. The bill is still making slow progress in the National Assembly.

1.9 Data Protection

Currently, there is a data protection bill in the offing called the Personal Information and Data Protection Bill, adapted almost wholesale from the Canadian Personal Information Protection and Electronic Documents Act, 2000 (PIPEDA). It is yet to pass through the full legislative process that will enable it to be signed into law.

The right to personal privacy is guaranteed by the Constitution of the Federal Republic of Nigeria (CFRN) 1999, which in Section 37 provides that: "The privacy of citizens, their homes, correspondence, telephone conversations and telegraphic communications is hereby guaranteed and protected." The import of this section is that it guarantees the private affairs of the Nigerian citizens from interference and intrusion. This statement finds meaning in the definition of privacy as "The right of the individual to be protected against intrusion into his personal life or affairs, or those of his family, by direct physical means or by publication of personal information."

Another law that protects personal privacy is Section 14 of the Freedom of Information Act, 2011 which exempts personal information from the general right of access granted by the law.

The two provisions cited above may be taken generally to protect personal data but fall short of international laws and standards on data protection. Therefore, a specific data protection law needs to be enacted to take care of present day realities.

1.10 Net Neutrality

Nigeria presently does not have specific law on Net Neutrality but there are partial indications that point at Internet neutrality in existing laws, such as, the Nigerian Communication Act (NCA) and the Nigerian Communication Commission (NCC) Act. These are laws that provide guidelines for fair competition in the communication sector and ensure the protection of service providers and consumers by regulating a healthy competitive environment. There are no records that the Nigerian government has blocked or brought down any website as a result of its content

though one or two bloggers and contributors to online mediums have been arrested and later released.

On October 18, 2008, Mr. Jonathan Elendu, a US-based online publisher of the news site http://www.elendureports.com was arrested by operatives of the State Security Service (SSS), Nigeria's intelligence police, at the Nnamdi Azikiwe International Airport in Abuja, shortly after his arrival from the US. He was detained incommunicado at the SSS office in the Federal Capital Territory. The SSS spokesperson, Mr. Kenechukwu Onyeogu, who confirmed his arrest, initially said Mr. Elendu was being investigated for national security and later for sedition. He was later released without being taken to any court.

Again, on January 8, 2011, Nigerian columnist/blogger Mr. Okey Ndibe was arrested and interrogated at Lagos airport and his passports seized for two days before being released to him.

The Nigerian Communications Act (NCA) guarantees equitable competition in the communication sector in a way that encourages interconnection and access to network facilities and promotes transparency, equality of access to information, and equal coverage in a competitive communication environment. Although the NCA does not expressly address Net Neutrality, it can be implied from its regulatory provision and Internet licensing strategy that preferential or differential treatment is not encouraged.

1.11   Government Engagement at the International Level

The Internet is a global platform. Many of the decisions which affect its development take place in global fora which are concerned with creating a world whereby the use of the Internet is standardized across borders; it is protected from abuse and is promoted as a tool for society's development. The Internet is a tool that can be used for open data, good governance, individual and group participation of citizens in the national development of countries, education, health,

capacity building etc. Using the Internet is unequal across borders, some countries have moved far ahead of the others in maximizing its use while others are still left at rudimentary stages: creating a societal divide between these two groups and their roles in the digital international landscape.

Multiple initiatives have been, and continue to be, implemented across the world to address the major obstacles to bridging this divide. Africa is presently at the most unfair end of the divide which includes indices such as PC penetration, Internet usage, bandwidth consumption, content creation and online representation.

Africa has over a billion people and with the Nigerian population standing at over 160 million, Nigeria's populace captures approximately 20% of the whole of Africa which comprises of 52 countries. In summary, what happens in Nigeria will affect most African countries.

Nigeria realizing the mandate of leadership placed upon its shoulders due to its size is working on bridging the divide between her and other developed countries. Nigeria's focus has been on its natural resources without paying attention to other developments happening across the globe. This has set it up to be caught unawares by paying a high premium on Internet services and communication generally. There is no doubt that the Internet is one quick way of bridging the gap between the information haves and have-nots and narrowing the digital divide. In addressing the issues, Nigeria has set in motion, actions and activities which will help in bridging the divide. One of such actions is through her engagement with the International ICT community on several platforms such as:

- International Telecommunication Union (ITU)
- World Summit on the Information Society (WSIS)
- **Internet Corporation for Assigned Names and Numbers** (ICANN)

- Commission on Science and Technology for Development (CSTD) Human Rights Council etc.

1.11.1 - International Telecommunication Union (ITU): Due to prevailing global directions on ICT, the Nigerian government's engagement with the ITU has steadily increased over the years. Since 1996, Nigerians have been participating at the ITU Telecom World event as individuals and with little or no government presence, though Nigeria officially had its first lacklustre National Pavilion in 2004. In 2011 ITU Telecom World in Geneva, Switzerland, the government of Nigeria announced its Broadband Initiatives to the global audience, setting the country on the global map as a country with strategic plans to deepen national broadband[8].

In 2006, Nigeria was a signatory to digital broadcast migration by 2015[9]. This is the transition from analogue to digital broadcasting. The decision for this transition was reached at the ITU conference in Geneva. Though the Nigerian government issued a white paper based on the recommendations of the Presidential Action Committee (PAC), it is yet to carry out the recommendations set out in the white paper[10].

At the World Radio Communications Conference organized by ITU in 2012, African delegates led by the then Executive Commissioner for Nigerian Communications Commission (NCC) Dr. Bashir Gwandu, won the allocation of Spectrum to IMT on 700MHz.[11] This gives Nigerian phone operators the right to demand for non-harmful interference from the services of other countries.

Furthermore, the First Lady of Nigeria, Dame Patience Jonathan has been formally appointed Champion for Child Online Protection (COP) at a ceremony in Geneva. The ITU launched the COP initiative in 2008 as part of the overall thrust to strengthen cybersecurity. It brings together partners from various sectors to ensure a safe and secure online experience for children around the world. Under her guidance, the Government of Nigeria is now taking extensive steps to ensure a safer online environment for children. ITU will collaborate even more closely with Nigeria in promoting this initiative.

Nigeria was also an active player at the 2012 World Conference on International Telecommunications (WCIT -12). The WCIT-12 conference aimed to address issues arising from International Telecommunications Regulations (ITR). Nigeria led active debates on specific issues on behalf of Africa and adopted African positions at the WCIT-12. With 35 countries attending the WCIT-12 conference, 32 countries signed the ITR of which Nigeria was one of them. In signing the ITRs the Nigeria delegation declared that the *Final Acts of the Conference, reserves for its Government the right to make declarations and/or reservations until and up to the time of the deposit of its instrument of ratification of the amendments to the International Telecommunications Regulations*

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[8]*http://www.ncc.gov.ng/index.php?option=com_content&view=article&id=955&Itemid=200*
[9]*http://leadership.ng/content/concerns-nigeria-digital-broadcast-migration-deadline-beckons*
[10]*http://www.vanguardngr.com/2012/12/digital-broadcasting-hurdles-nigeria-must-cross-in-30-months/*
[11]*http://benedictspace.blogspot.com/2012/02/nigeria-obtains-frequency-spectrum.html*

[12] *http://www.un.org/apps/news/story.asp?NewsID=45474#.UnEgTHDkt_g*
[13]*http://www.itu.int/en/wcit-12/Documents/final-acts-wcit-12.pdf*
[14] *http://www.techdirt.com/articles/20121214/14133321389/who-signed-itu-wcit-treaty-who-didnt.shtml*

(ITRs).[15] It also stated that the country will take any necessary actions to safeguard its interest as contained in the ITR.

1.11.2 - World Summit on the Information Society (WSIS): The World Summit on the Information Society (WSIS) is an initiative of the ITU. Its objective is to "build the framework of an all-inclusive and equitable Information Society" and find ways to use Information and Communication Technologies (ICT) to advance development goals. Nigeria has always played an active role at the WSIS. At WSIS founding meeting in 2003, the Nigerian team had a strong delegation at the summit led by President Olusegun Obasanjo. Inorder to reassure Nigeria's commitment to ICT at this global meeting, President Obasanjo said "… we have adopted a national policy for Information and Communications Technologies … with emphasis on Public-Private-Partnership … to ensure that our country is part of the evolving Information Society …"[16] In Tunisia WSIS 2005,President Obasanjo offered to assist developing countries with funding, technical expertise and investments in addition to debt relief. While noting information and communications technology is central to the development of poorer countries, President Obasanjo stressed that the developing countries must do their part by improving democracy, good governance, transparency and the rule of law. Obasanjo said Africa remained fully committed to the Digital Solidarity Fund (DSF),

 which he said was a voluntary commitment of stake holders that was complementary and not in competition with any existing funding mechanism[17]. Nigeria had already contributed 500,000 euros at the time to the DSF, set up in 2003 to help developing and disadvantaged nations attain an appreciable level of information and communication technology and link them up with the international community. With such a heavy precedence, Nigeria's lead role in taking continent level initiatives at such meetings have steadily increased.

During the 2012 WSIS stocktaking[18] , the Nigerian government contributed to the process by submitting a report on how implementing the country's ICT projects was part of a national strategy towards achieving WSIS 2015 goals. The report stated that a challenge such as lack of consistent and adequate electricity and also personnel skill gaps hinder achieving the WSIS goals for 2015. In other to mitigate these and other challenges, the newly created Ministry of Communication Technology will address the challenges in order to achieve the WSIS target of 2015. Nigeria takes her engagement with WSIS seriously.Though in 2013, Nigeria did not make any formal submission at the WSIS Forum but it is currently collecting inputs from State and Federal Ministries, Departments and Agencies on their achievements in respect of WSIS implementation over the last ten (10) years. This is as part of WSIS review by countries which will be reported to the UN General Assembly in 2015. Regardless of Nigeria's commitments[19] to meeting the WSIS goals, there is still a lot outstanding to do before 2015.

Moreover, Nigeria contribution to the WSIS can also be viewed through its active role at the Internet Governance Forum; a multi-stakeholder policy forum created during the WSIS meeting in Tunis. In 2012, Nigeria sent its first official representatives to the forum led by the Minister of Communication Technology, Mrs. Omobola Johnson. In order to play an active role in the IGF and to infuse some governance into the Internet landscape in Nigeria, a multi stakeholder group was formed called the Nigeria Internet Governance Forum (NIGF).

[15] http://www.soumu.go.jp/main_content/000191906.pdf

[16] http://unpan1.un.org/intradoc/groups/public/documents/un-dpadm/unpan039421.pdf

[17] http://www.itu.int/wsis/tunis/statements/docs/g-nigeria/1.html

[18] http://unctad.org/en/PublicationsLibrary/a67d66_Nigeria.pdf

[19]http://www.ncc.gov.ng/archive/speeches_presentations/EVC's%20Presentation/EVC'S%20PAPER%20FOR%20e-NIGERIA%20-%20ICT%20INFRASTRUCTURE%20AND%20IMPLEMENTATION%20OF%20THE%20WSIS%20PROCESS%20IN%20NIGERIA..pdf

This is a collaborative effort of Nigeria's government institutions which are Nigeria Internet Registration Association (NIRA), Federal Ministry of Communication Technology (FMCT), NCC, and National Information Technology Development Agency (NITDA)[20].The NIGF at the IGF immediately called for international agreement and collaboration among stakeholders in Internet governance on why and how it should be managed and governed[21].

In June 2013, the second NIGF forum was held towards preparation of the October 2013 IGF meeting. The group made 27 recommendations that will simultaneously promote the nation's position at the IGF which included issues related to Digital Inclusion and Integration, Building Trust, Confidence and Assurance on the Internet, Policy and Regulatory Model for the Internet, Encouraging Local Research on Internet Development in Nigeria, Addressing Infrastructural Challenges in the Cashless Society, Emerging Issues and Way Forward. The NIGF also called for: creation of a Computer Emergency Readiness and Response Teams (CERT) and to ensure that 48 million Internet users and an additional nine million joining each year are empowered, integrated, and secured in their use of the Internet; More secure Internet governance in the country which will raise the confidence of both local and international users on the safety of Nigeria cyber space with the view that when the Nigerian Internet governance system is made more secure and users' protection guaranteed, the economy will be better for it; and the creation of a law that would protect ICT infrastructure and users from online attackers[22].

1.11.3 -Internet Corporation for Assigned Names and Numbers (ICANN): ICANN coordinates Domain Name System (DNS), Internet Protocol (IP) addresses, space allocation, protocol identifier assignment, generic (gTLD) and country code (ccTLD) Top-Level Domain name system management, and root server system management functions. ICANN organizes the unique identifiers across the world. Without that coordination, there will

not be one global Internet.

It delegates the registration of country code top level domain (ccTLD), to countries to manage. In Nigeria, NIRA manages Nigeria's ccTLD .ng and started engaging ICANN soon after it was created in 2005. Prior to its creation, NITDA represented Nigeria at ICANN as the manager for the countries ccTLD.**NIRA is the replica of ICANN at the national level.**

In Nigeria, there is a determination by NIRA to increase the number of .ng Domain Name users from its current 40, 000 to 100,000 by the end of 2013. Collaborating with ICANN will help in achieving the goal. In July 2013, NIRA collaborated with ICANN on Domain Name System Security Extensions (DNSSEC) workshop in Lagos. DNSSEC which provides security for online transaction would further drive .ng domain name penetration in Nigeria. According to NIRA's President, Mrs. Mary Uduma, the collaboration with ICANN will boost the confidence and enhance trust in Nigeria's domain name[23].

ICANN brought DNSSEC free of charge to Nigeria, to secure all online transactions carried out on the .ng domain name. Since there are currently no laws to encourage Nigerians to switch from .com to .ng, NIRA also used the collaboration to call on government to set up policies that will enhance the usage of Nigeria'sccTLD.   The workshop, which was tagged DNSSEC Road show, is one of the African-ICANN strategies launched at the Toronto ICANN 45th International Public Meeting[24] by the New ICANN President/CEO, Mr. FadiChehade, which is in fulfilment of his promise to the Minister of the FMCT, Mrs. Omobola Johnson, during the WSIS +10 in Geneva.

[20] http://www.nigf.org.ng/about/the-organisers
[21]http://cybersecurityafrica.blogspot.com/2012/12/recommendations-communique-nigeria_1157.html
[22]http://lowstuff.com/nigeria-Internet-governance-forum/
[23]http://www.nira.org.ng/index.php/component/content/article/18-recentnews/62--press-release-for-the-dnssec-roadshow
[24] http://www.afrinic.net/community/icann-aswg

Nigeria has also engaged ICANN on the following:

❖ Nigeria has been represented at Government Advisory Committee (GAC)[25] of ICANN as well as a member of the Generic Names Supporting Organisation (GNSO) council of ICANN[26].

❖ Nigeria had offered to host ICANN public meeting in 2013 which she lost to South Africa[27].

❖ Policy making process that affects the DNS managements.

The country's future plan of engagement with ICANN is to continue to display constructive commitment, mostly those that would impact on the activities of NIRA and specifically on the DNS management.

1.11.4- Commission on Science and Technology for Development (CSTD): The CSTD is an auxiliary body for the United Nations Economic and Social Council(ECOSOC) which provides advice on Science and Technology issues. [28]CTSD is made up of forty-three member governments with a membership life span of 4 years. Nigeria is a member of the Commission.[29] The Commission promotes the use of science, technology and innovation (STI) as a means to foster and sustain economic sustainability. Nigeria is using STI to develop its economy and interacts with CTSD in support of its STI programmes. At the 16th Session of the CSTD in June 2013, Nigeria was among the selected countries to make a presentation at the Ministerial Round Session on "Harnessing Science and Technology for Development". Nigeria showcased how STI policy was implemented to encourage national development[30] which included the development of a national silicon valley. This serves as best practice in order to encourage other countries in developing STI policies as a means to economic development.

The CSTD also has an important role to play in WSIS follow up process in which Nigeria is playing a role. The CSTD was mandated to create a working group (WG) on: Improvements of the IGF; and also on Enhanced Cooperation. Though both WG were created at different times, Nigeria was duly represented on the WG for its valuable input.

1.11.5 -UN Human Rights Council (UNHRC): The United Nations Human Rights Council is an inter-governmental body within the United Nations system responsible for strengthening the promotion and protection of human rights around the globe. In July 2012, the United Nations Human Rights Council endorsed a resolution supporting freedom of expression and information on the Internet. The resolution was sponsored by Nigeria, United States of America, Brazil, Sweden, Tunisia and Turkey.[31] The resolution which was adopted in Geneva affirmed that freedom of expression and information also applies to the Internet and called on all nations to facilitate access to the Internet. The Resolution *affirms* that the same rights that people have offline must also be protected online, in particular freedom of expression, which is applicable regardless of frontiers and through any media of one's choice, in accordance with articles 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.[32] As the country sponsored this resolution on one hand, barely a year later the Nigerian government secretly entered an agreement with an Israeli based communication company to monitor Internet communication of Nigeria citizens which is in breach of the resolution.[33] This created a massive uproar amongst civil society groups both within and outside the country, belittling the resolution which Nigeria had earlier sponsored.

[25] https://gacweb.icann.org/display/gacweb/GAC+Representatives#GACRepresentatives-N

[26] http://www.humanipo.com/news/317/nigerian-wins-nomination-into-icann/

[27] http://www.nira.org.ng/index.php/component/content/article/18-recentnews/14-icann-2013

[28] http://unctad.org/en/Pages/cstd.aspx

[29] http://unctad.org/en/Pages/CSTD/CSTD-Membership.aspx

[30] http://unctad.org/meetings/en/Presentation/CSTD_2013_Ministerial_STI_Nigeria.pdf

[31] http://chidioparareports.blogspot.com/2012/07/news-report-nigeria-others-sponsor.html

[32] http://geneva.usmission.gov/2012/07/05/Internet-resolution/

[33] http://www.gbengasesan.com/?p=1267

CHAPTER TWO

Internet Governance Process and Power Players

2.1 Relevant Government Processes and Players

The technical standards for Internet governance are inherently global but what can actually be achieved in individual countries depends on many factors which are country-specific, such as the quality of available national infrastructure and communication policies.

National communications policies and regulations are important factors in determining how Internet infrastructure, access and affordability evolve. Communications ministries, regulatory agencies and key players are therefore important to engage with in achieving a standard Internet regulatory program.

The key policy document on Internet governance is the draft ICT policy that covers more than broadband alone but makes broadband a central pillar for the delivery of its objectives. The key policy and regulatory players are as follows: the Federal Government's Ministry of Communication Technology (which spearheaded the draft ICT policy); the regulator, the Nigerian Communications Commission (NCC, which is also responsible for the Universal Service Provision Fund, and the policy implementation); the Government's connectivity provider Galaxy Backbone; the Government's satellite company, Nigcomsat; the National Frequency Management Council (NFMC); the National Broadcasting Commission (NBC); and the National Information Technology Development Agency (NITDA). These national actors are arguably becoming more important as the impact of the Internet grows on all aspects of society.

In 2013, the FMCT signed an MOU with the Alliance for Affordable Internet (A4AI). The A4AI is a global coalition committed to driving down the cost of Internet access in less developed countries[34]. Nigeria is the first African country to sign an MOU with the newly inaugurated coalition and currently the A4AI is helping the country to recognize Internet governance regulations that are barriers to the reduction of the cost of Internet for the country and to create a strategy that will promote more access in terms of cost to citizens. This action goes to show that the FMCT is fully poised to establish the key role a country like Nigeria can play in Africa as its actions can cause a ripple effect amongst other African nations.

The NCC and FMCT play crucial roles in influencing Nigeria Internet issues. Together they have released the statement that by 2017, 100 percent of Nigerians will have access to broadband[35]. This was a pivotal discussion at the 2013 Commonwealth Telecommunications Organization Forum with the theme "Innovation through Broadband" hosted by Nigeria in October 2013. The meeting created set plans on how to ensure this target is met[36]. This is the second time Nigeria is hosting the CTO and it used the platform to showcase its broadband policy of being the 11th country in Africa with a policy on broadband. Nigeria has made headway in broadband with its being one of the fastest growing telecom markets in the world with about fifty million Internet users in Nigeria, making Nigeria one of the top ten Internet user countries in the world and number one Internet user country in Africa[37]. The meeting also gave the country the opportunity to stand as a model for other countries in terms of its broadband policy[38]. The CTO Forum brought together governments and private organisations to deliberate on using broadband access to provide innovative solutions in the commonwealth member states in which Nigerian private firms including Phase3 played key roles.[39]

2.2 Government

2.2.1 -Federal Ministry of Communication Technology [40]:

The Federal Ministry of Communication Technology (FMCT) was created in 2011 by President Goodluck Jonathan to foster a knowledge based economy and information society in Nigeria. The Ministry was created to facilitate ICT as a key tool in the transformation agenda for Nigeria in the areas of job creation, economic growth and transparency of governance.

As the main agency in-charge of all things ICT, the FMCT will create and formulate policies that will propel the Nigerian economy to a digitalized economy. Its mandate is to: Facilitate universal, ubiquitous and cost effective access to communications infrastructure throughout the country; Promote the utilization of ICT in all spheres of life to optimize the communications infrastructure – digital content creation, domestic software applications and the delivery of private and public services over the Internet; Promote and facilitate the development of the ICT industry and increase the contribution of the ICT industry to GDP; Utilize ICT to drive transparency in governance and improve the quality and cost effectiveness of public service delivery in Nigeria

The Ministry developed and submitted the first National ICT policy to the Federal Executive Council and got an approval in principle and has inaugurated a presidential committee on broadband, in recognition of the critical role broadband plays in national development. The committee has concluded its work and Nigeria will soon have a broadband strategy and roadmap that will facilitate Nigeria's overall development.

The FMCT has recorded some achievements since its creation in 2011, but not without some challenges[41].

2.2.2 - Nigeria Communications Commission (NCC)[42]:

The Nigerian Communications Commission (NCC) is the independent National Regulatory Authority for the telecommunications industry in Nigeria. The NCC was created under Decree number 75 by the Federal Military Government of Nigeria on 24 November, 1992 but later sanctioned under section 3 of the Nigerian Communications Act (NCA) 2003. The NCC was charged with the responsibility of regulating the supply of telecommunications services and facilities, promoting competition, and setting performance standards for telephone services in Nigeria. The Commission is responsible for creating an enabling environment for competition among operators in the industry as well as ensuring the provision of qualitative and efficient telecommunications services throughout the country. This is the next important agency after the FMCT on Internet governance policies.

Prior to the creation of the FMCT, the NCC represented Nigeria at international and national level in signing MOUs and creating policies as related to ICTs. The NCC plays a key role at the NIGF and ITU and in 2012 it released the draft policy for lawful interception of communication which received stern opposition from civil society.

2.2.3 - National Information Technology Development Agency (NITDA)[43]:

The National Information Technology Development Agency is the clearing house for IT projects in the public sector which it has been doing quietly since 2001.The National IT Policy was launched to the public in 2001 and NITDA was established as the Government Agency, under the Federal Ministry of Science and Technology at the time, to implement the National IT Policy. NITDA's main goal is to be the prime Agency and catalyst for transforming Nigeria into a knowledge-based and IT-driven economy.

2.2.4 -The Nigerian National Assembly: The National Assembly is Nigeria's Parliament and legislative arm of government. It is bi-cameral and is the only institution that can checkmate the excesses of the President. The two chambers can also influence policy decisions and direction whether politically or economically. The relevant committees in the National Assembly hold strategic power to influence policies and legislation that will govern the Internet.

2.3 Government Officials

2.3.1 - Minister of Communication Technology[44]: Nigeria's Minister of Communication Technology is a strategic power player in the Internet business in Nigeria by reason of his/her position. The Ministry, in conjunction with others, holds the power to determine the policy direction of Internet governance in Nigeria. Mrs. Omobola Johnson, as the current Minister of Communication Technology holds the strategic power for as long as she heads that Ministry. The Minister can provide policy direction for Internet governance as well as contribute to industry standard, regulations and legislation.

2.3.2 -Executive Vice Chairman/CEO of the Nigerian Communications Commission (NCC)[45]: The office of the Executive Vice Chairman which doubles as the Chief Executive Officer of the Nigerian Communications Commission (NCC) is another office that holds strategic power on Internet matters in Nigeria. Dr. Eugene Ikemefuna Juwah currently occupies that position. Working with the Minister of Communication Technology, the CEO of NCC can also provide policy direction for Internet governance as well as contributing to industry standards, regulations and legislation.

2.3.4- National Security Adviser: The National Security Adviser also holds strategic power. The position is a sensitive one usually given to very senior military chiefs and their counterparts from the Department of State Security (State Security Service SSS). Col.

Mohammed Sambo Dasuki (Retd) is the serving National Security Adviser.

2.3.5 - The President of the Federal Republic of Nigeria: The President, Federal Republic of Nigeria wields enormous political power in Nigeria and holds the greatest power in Internet governance. Though Nigeria runs a democracy, there is a lot of arbitrariness in governance and policy making. The rule of law is not followed to the letter and institutions of government are weak, not independent and are tied to the apron spring of the sitting president. President Goodluck Jonathan is the current President of Nigeria and he directs the nation's affairs. He also holds the biggest power to influence the direction of Internet governance in Nigeria.

2.4 Other players

2.4.1 - Nigeria Internet Registration Association (NiRA)[46]: The Nigeria Internet Registration Association (NiRA) was founded on March 23, 2005 as a stakeholder-led organisation charged with the management of Nigeria's Country Code Top Level Domain (.ngccTLD). NiRA is coordinated by the National Information Technology Development Agency (NITDA) with participation from stakeholders within Nigeria's Internet community.

2.4.2 -Internet Exchange Point of Nigeria (IXPN): The IXPN is a physical infrastructure that allows Internet Service Providers (ISPs) and network operators to exchange traffic between their networks by means of mutual peering agreements, which allow traffic to be exchanged at no cost.

2.4.3 - Economic and Financial Crimes Commission: The Economic and Financial Crimes Commission (EFCC) was established by the Economic and Financial Crimes Commission Act, 2004 which mandates the Commission to combat financial and economic crimes. It is empowered to prevent, investigate,

prosecute and penalise economic and financial crimes. In addition, the EFCC is the key agency of government responsible for fighting terrorism. It registers and monitors the operations of ISPs and cyber cafés with a view to obtaining information with which to fight economic and financial crimes carried on in cyber space.

2.4.4 - *NigcomsatLtd and Galaxy Backbone:* Both NigcomsatLtd and Galaxy Backbone Ltd were launched by the Government in 2006 as different ways of addressing the bandwidth supply issue. NigcomsatLtd was established to manage and explore the commercial viability of the Nigerian Communication Satellite for the social economic benefit of the nation. Galaxy Backbone was launched with a mix of motives: to supply bandwidth and related services to Government; to rationalize "the proliferation of disparate IT networks and assets" across Federal Government into a single, holistic network; and to extend Internet coverage to under-served or un-served areas of the country using satellite. Both organizations were started on the underlying assumption that satellite would provide the main way of delivering the Internet to Government, although Galaxy Backbone was able to use fibre optic cables where it was available.

2.4.5- *Private Organisations:* Telecommunication firms are another set of power players in Internet governance issues. The big players here are those offering Global System for Mobile communications (GSM) services including MTN Communications Nigeria, Airtel, Globacom, and Etisalat; those offering CDMA and fixed wireless telephone services includingMultiLinks, Zoommobile, Oduatel, Starcomms, GTE, Intercellular, and Visafone as well as those offering data services including Netcom, Hyperia, Linkserve Limited, Junisat, Swift Networks Limited, 21st Century Technologies Limited, Cobranet Limited, KKontech, and MWEB Nigeria.
The InterneteXchange Point of Nigeria (IXPN) was established to provide a national core infrastructure that facilitates Internet operations in Nigeria and to localise traffic as well as reduce local Internet routing cost. It is made up of over 40 Internet service providers in Nigeria. As the local Internet exchange point, it holds strategic economic power.
The three firms offering fibre optic services: MainOne, MTN and Glo 1 also hold strategic economic power as Internet gateways to the rest of the world. All the above stakeholders have economic interest to protect and as such will do everything legally possible and allowed, to influence policies and legislation that will allow for unhindered business.

CHAPTER THREE

Civil Society Environment and Actors

Non-governmental organisations (NGOs) in Nigeria working in the area of Internet and technology work in varied areas. Few work in the area of policy and legislative advocacy.

Most Nigerian NGOs in their advocacy focus their attention more on providing education on the availability and use of the Internet, especially new/social media and apps for advocacy work and to drive transparency and accountability in government and governance. The main objective of those in this group of advocacy is to educate and empower civil society so more people are aware of the tools and use them. Their advocacies are not focused on policy and legislative reform. Those in this group work to ensure Nigerians use new media tools to ensure openness and transparency in government and the governance process. New media tools were used to monitor the 2011 general elections in Nigeria and are being used to analyse budget as well.

3.1 Media Rights Agenda (MRA)[47]
Media Rights Agenda (MRA) is an organisation which promotes and protects the right to freedom of expression and press freedom as well as providing assistance to journalists who are repressed in any way as a result of their work as journalists. It works towards ensuring a conducive atmosphere for easy access to, gathering, processing, and dissemination of information in Nigeria.

3.2 Paradigm Initiative Nigeria[48]
Paradigm Initiative Nigeria (PIN) is a social enterprise that connects Nigerian youth with ICT-enabled opportunities. Having worked with government, civil society, private institutions and international organisations, PIN's projects build on years of combined experience and focus on socio-economic development. Its projects include Ajegunle.org, ISSPIN and TENT. Through these projects and allied services, PIN connects individuals, people-groups, institutions and communities with the socio-economic opportunities that ICTs provide.

3.3 BudgIT[49]
BudgIT as an idea was conceptualized and founded in February 2011. BudgIT as a tool aims to redefine participatory governance. BudgIT's innovation within the public circles comes with a creative use of government data by either presenting them in simple tweets, interactive format or infographic displays. BudgIT offers mobile and online solution to trigger discussions around the budget and take the budget beyond a news item to a focal point of debate among Nigerians.

3.4 West African NGO Network (WANGONeT)[50]
The West African NGO Network (WANGONeT) was established in 2000 to harness and bring the benefits of the steadily evolving Information and Communication Technology sector to Non-Governmental Organizations, Government Parastatals, Educational and Cultural Institutions and the Private Sector. WANGONeT is a knowledge based and knowledge driven organization constantly learning new ways of harnessing web and mobile technologies to drive local adoption and adaptation in relevant sectors of development.

3.5 Nigeria Internet Group[51]
The Nigeria Internet Group (NIG) was founded in 1995 as a not-for-profit, non-governmental organization, promoting the Internet in Nigeria. The activities of the Group have led to a tremendous increase in awareness about the Internet within Nigeria which further led to an increased level of Internet connectivity in the

country. The Group raised the necessary awareness on the need to domesticate the administration of the Nigeria Top Level Domain name (.ng), which led to the transfer of the .ng TLD administration to Nigeria.

3.6 Institute for Media and Society (IMS)[52]

The Institute for Media and Society (incorporated as Centre for Media and Society) is an independent, non-governmental organization based in Nigeria with the mandate to advocate communication rights and the expansion of media/communication resources to all sections of the population.

3.7 International Press Centre (IPC)[53]

The International Press Centre (lPC) is a not-for-profit, non-governmental and independent media resource centre that facilitates the reform and upgrading of media laws to bring them into conformity with international rights charters and conventions.

3.8 Nigeria Computer Society[54]

The Nigeria Computer Society (NCS) is the umbrella organization of all Information Technology Professionals, Interest Groups and Stakeholders in Nigeria. It was founded in 1978 as Computer Association of Nigeria (COAN) but transformed into NCS in 2002 as a result of harmonization with other stakeholders and interest groups.

NCS is the national platform for the advancement of Information Technology Science and Practice in Nigeria and has evolved in response to the pervasiveness of computing and other information technologies in the lives of the 21st century Nigerians.

Its goals from inception, as enshrined in its constitution, are the advancement of Computer Science and Information Technology & Systems; their applications and deployments to Professional Practice in education, government, the military, the industry and support for work which is important to the general community and the professions at large

3.9 Internet Society, Nigeria Chapter

The Chapter's aims include promoting the Internet to all concerned in Nigeria territory. Its task is to sensitize institutions, companies and individuals on the importance of the Internet; to facilitate and support the technical evolution of Internet as a research and educational infrastructure, and to stimulate the involvement of the scientific community, industry, government and other sectors of human endeavour in the evolution of Internet; to educate the scientific community, industry and the public at large concerning the technology, use and application of Internet; and to provide a forum for exploration of new Internet applications, and to stimulate collaboration among organizations in their operational use of the global Internet, among others.

CHAPTER FOUR

Conclusion and Recommendations

The Internet cuts across borders and countries. It has become the biggest and most important resource for harvesting information. Just like every other resource e.g. oil and gas, it can be used to develop a country economically and secure its stability. It should be used to protect democracy and uphold human rights.

Its importance has been seen by national governments which have created national regulations to govern it internally and guide its relationships externally.

Recommendations

- It is recommended that the draft national ICT policy presented to the Federal Executive Council be approved and adopted as the policy framework for Internet governance in Nigeria. Considering the increasingly important role of the Internet, the National Assembly should enact international standard laws on the various aspects of Internet governance that will respect fundamental human rights, including but not limited to the rights to freedom of opinion and expression. Such laws should be presented at national fora involving the NIGF, the government, international experts and national stakeholders. This will also protect the country from arbitrary surveillance policy just as President Jonathan intended to do with Elbit Systems.

- Just as the country signed the MOU with A4AI, it should endeavour to sign other conventions and treaties which promote Internet rights and principles. It should also ratify such laws within the country and ensure that it sticks to the obligations set in the law.

- With the gap in ICT policy and governance skills, the government needs to invest heavily in closing this gap by carrying out capacity development. Due to lack of capacity in ICT policy issues, already engaged stakeholders should come together to plan, prepare and envisage future issues (growth and challenges).

- The national broadband policy should be fully implemented to connect the unconnected Nigerian citizens as this would promote growth for the country. The Internet should be made available to everyone regardless of culture or language within the country.

- Since there is a holistic financial gain for establishing global policies, Nigeria should support policies that promote a bigger market place through the Internet. Regulations that hinder broad based Internet access should be done away with.

- Government should feel the pulse of the people and find a way to create the balance between respect for human rights and security online.

- With Nigeria playing front role actions on child security on the net, this is a good time to leverage on the global good-will and push for a more secured national Internet framework.

- Civil society organisations and other relevant stakeholders should be fully involved in drafting of relevant Internet governance regulations and bills that will respect fundamental human rights and meet international standards and best practices in these areas. They should also drive the process by following through with legislative advocacy that will see to the passage of acceptable Internet governance laws, regulations and policies. They can leverage on available model Internet governance regulations which can

be adapted to Nigeria's environment.

• The government should be encouraged to put in place necessary infrastructure that will enhance Internet penetration to all the nooks and crannies of Nigeria including fibre-optic cable being laid across the length and breadth of Nigeria; regular and uninterrupted power supply; affordable ICT equipment; tax reduction for firms carrying out Internet, ICT and allied businesses.