GISWatch
10th anniversary

# GLOBAL INFORMATION SOCIETY WATCH

*National and Regional Internet Governance Forum Initiatives (NRIs)*

Association for Progressive Communications (APC)

# Global Information Society Watch

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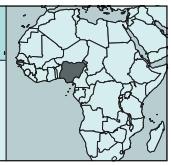
A special edition of GISWatch, "Internet governance from the edges: NRIs in their own words", is being published as a companion edition to the 2017 GISWatch annual report. It looks at the history, challenges and achievements of NRIs, as recounted by their organisers. It is available at https://www.giswatch.org

# NIGERIA

## THE IMPACT OF THE IGF ON INTERNET POLICY PROCESSES IN NIGERIA



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## Introduction

The Nigerian Internet Governance Forum (NIGF) was first convened in 2012. Since then it has been held five times. In addition, two sub-national IGFs were held in 2015 and 2016. The first focused on the roles of different stakeholders in the IGF – this against the background that many of the participants were attending the IGF for the first time. The second, in 2016, took the theme "Internet of Our Choice: Empowering Women and Protecting Children Online", which aimed to mainstream gender and child rights in internet governance discussions. Despite this, the NIGF has met with a number of challenges that have prevented it from gaining a clear foothold in the national internet policy space.

This report assesses the strengths and weaknesses of the NIGF as far as multistakeholder coordination is concerned, its relevance to the national policy space, and the strength of the engagement of key stakeholders and constituencies.

## The Nigerian context

Nigeria returned to civil democratic rule in 1999 after 16 years of military rule. So far, it has conducted four rounds of elections, indicating some measure of consolidation of democratic rule in the country. At the same time, the elections are also proving to be reasonably robust: 2015 was the first time that an opposition party would defeat the incumbent at the national level. When its economy was rebased in 2015, Nigeria emerged as the largest economy in Africa. By 2016, the economy had slid into recession[1] as a consequence of several factors including the global drop in the price of crude oil, the inherent instability of a mono-economy, and large-scale financial corruption.

The telecommunication sector has been liberalised, with many players engaged in providing basic telecommunication and internet services as well as other related value-added services. Access is largely shaped by economic factors, with many dimensions to the digital divide in the country. These include regional income disparities, the urban/rural divide, gender-related issues, and the exclusion of people with disabilities from mainstream socioeconomic activities. Public perception is that the cost of services is high, even when these services are generally considered to be poor in quality. Broadband penetration[2] is less than 20%, with a national broadband programme targeting a penetration of about 30% by 2018.

## Evaluating the Nigerian IGF processes

### *Participation in the Local Multistakeholder Advisory Group*

The NIGF is led by the Local Multistakeholder Advisory Group (LMAG), which is composed of eight members. The composition of the LMAG, indicated in Table 1, shows that the government has a disproportionate membership (three) compared to other sectors. Civil society effectively has only one member, because the second designate also represents the government. The single civil society member works with an NGO that is hardly known outside the IGF process. Although the chair of the LMAG is a woman, the committee has poor representation of women, as she is the only female out of the eight members.

Although the private sector is represented in the LMAG and often makes a financial contribution to the national IGF, the two private sector representatives do not come from major players in the information and communications technology (ICT) sector. Major telecommunication companies, ICT firms and other internet-dependent companies do not seem to see any value in participating in the national IGF. As a result of poor advocacy and the absence of high-level government endorsement, this strategic group of stakeholders largely ignores the national IGF

1. Manning, J. (2017, 10 April). Why Is Nigeria in Recession? *International Banker.* https://internationalbanker.com/finance/why-is-nigeria-in-recession

2 Paradigm Initiative Nigeria. (2016). *Nigeria: Towards Enhancing Affordable Broadband Access*. pinigeria.org/2016/wpcontent/uploads/documents/policy/%28Policy%20Brief%20004%29%20-%20Nigeria%2C%20Towards%20Enhancing%20Affordable%20Broadband%20Access.pdf and Nigerian Communications Commission. (n/d). Broadband penetration in Nigeria. consumer.ncc.gov.ng/archive/publication/telecomm/broad.pdf

**TABLE 1.**

Composition of the LMAG

| | Stakeholder | Number of members |
|---|---|---|
| 1 | Government | 3 |
| 2 | Private sector | 2 |
| 3 | Academia | 0 |
| 4 | Civil society | 1 + 1 |
| 5 | Technical community | 1 |
| 6 | Media | 0 |
| 7 | Other | 0 |

Source: NIGF, www.nigf.org.ng

process. The absence of the private sector at these events suggests that the national IGF is not a strong enough force to entice or encourage them to make any significant changes to their business practices, or anticipate that it would be a forum where important discussions would be held that could affect their business futures.

It is also interesting that of the six key ICT-related business sector organisations in Nigeria,[3] only one, the Africa Information and Communication Technologies Alliance (AfiCTA),[4] is fully engaged with the IGF processes in the country.

The Nigeria Internet Registration Association (NIRA)[5] offers strong representation for the technical community. Nevertheless, the lack of participation by members of the technical community such as the Nigeria Computer Society (NCS),[6] the Computer Professional Registration Council of Nigeria (CPN)[7] and the Institute of Software Practitioners of Nigeria (ISPON)[8] gives some concern. NIRA has no mechanism for reporting back to these organisations.

Both academia and the media sector are unrepresented in the LMAG – even though the media does cover the event.

### *Thematic issues covered by the IGF*

Table 2 provides a list of the themes of the Nigeria IGF since its inception in 2012.

The IGF has thematically focused mainly on the application of the internet to development, empowerment and economic growth. Within these umbrella themes, key issues shaping access are usually given attention. For example, in 2013, one of the sub-themes was "Policy and Regulatory Model for the Internet", while "Connecting the Next 50 Million for Economic Growth" was a sub-theme in 2015. Similarly, in 2016, the issues of zero-rating and inclusivity took centre stage, and the discussion on inclusivity provided the theme for the 2016 sub-national IGF held in Bauchi on 25 August 2016 (as mentioned above, "Internet of Our Choice: Empowering Women and Protecting Children Online").

The choice of themes and topics has reflected issues of contemporary concern to the country. For example, in 2013 the Boko Haram insurgency had become a major issue in the country. The LMAG adopted a theme for the NIGF that spoke to issues of national integration and security. Similarly, in the face of daunting governance problems and divisions in national politics, the theme for 2016 was "Harnessing Internet Governance for Inclusive Development and a Smarter Nigeria".

**TABLE 2**

Themes for the national IGFs

| Year | Theme |
|---|---|
| 2012 | Internet Governance for Sustainable Human, Economic and Social Development |
| 2013 | Internet Governance for Empowerment, National Integration and Security through Multi-stakeholders Engagement |
| 2014 | Harnessing Multi-stakeholder Framework for Internet Governance and Economic Growth |
| 2015 | Harnessing the Potentials of Internet Governance for Sustainable Development in Nigeria |
| 2016 | Harnessing Internet Governance for Inclusive Development and a Smarter Nigeria |
| 2017 | Connecting, Shaping and Empowering the People |

Source: Compiled by the authors.

3 The others are the Information Technology (Industry) Association of Nigeria (ITAN), Institute of Software Practitioners of Nigeria (ISPON), Association of Telecommunication Companies of Nigeria (ATCON), Association of Licensed Telecommunications Operators of Nigeria (ALTON) and Internet Service Providers Association of Nigeria (ISPAN).

4 www.aficta.org/about-us/about-aficta

5 https://www.nira.org.ng

6 www.ncs.org.ng

7 www.cpn.gov.ng/metro/#sthash.zLnTo2hd.dpbs

8 www.commonwealthofnations.org/organisations/institute_of_software_practitioners_of_nigeria

Nevertheless, the lack of the full participation of the private sector and academia at the various IGFs may be related to the relevance of the IGF themes to their respective sectors. The private sector in particular is more likely to attend and fully support these events if there is a significant return on their investment. This is an area that the LMAG would do well to give more attention to: how the various themes speak to the needs of the various members of the multistakeholder group.

### *Successes*

The impact and influence of the national IGF process can be seen in a number of areas, such as:

- The development of an internet code of practice for the country: The participation of the Nigeria Communications Commission (NCC),[9] the national telecommunications regulator, in both the national and international IGFs encouraged it to respond to various demands for reshaping the internet. In order to achieve this, a process to midwife an internet code of practice for the country was set up in March 2017.
- Increased commitment to digital inclusion: Although Nigeria has no formally documented digital inclusion agenda, the establishment of the Universal Service Provision Fund[10] in 2003 is largely seen as a tool for digital inclusion. However, since it was established, its impact has been minimal. This was the case until 2015 when it initiated a disability inclusion programme, called the E-Accessibility Project,[11] and a gender empowerment programme called the Digital Girls Club.[12] This reinvigoration of the fund can be attributed to the national IGF.
- Roll-out of various ICT-related initiatives for youth: In 2016, the LMAG introduced a pre-IGF event that provides capacity building for youth. The initiative aimed both to empower youth and also to support their participation in the IGF. Consequently, a number of young people are now participating in the national IGF. Their voice is being heard and, as a result, government agencies such as the National Information Technology Development Agency (NITDA)[13] and the NCC have rolled out youth-related ICT initiatives[14] to empower young people.
- Popularisation of the IGF process in the country: Although awareness about the IGF process is still very low in the country, it is to the credit of the LMAG that some level of awareness has been created. As mentioned, the local IGF is usually covered by the media.[15]

### *Weaknesses*

The capacity of the national IGFs to create a lasting impact on national ICT policy has been rather limited. For example, the last review of the national ICT policy was in 2013, despite the fact that the need for a review has been extensively discussed at the various IGFs. This apparent weakness in the impact of the IGF may be due to the following factors:

- Poor spectrum of stakeholders which undermines the effectiveness of the LMAG: The LMAG's membership is tilted toward government, with rather poor presence of both civil society and the private sector, and no participation by the media or academics. The LMAG, as a face-to-face multistakeholder mechanism, also needs to be complemented by a dynamic vertical dimension which brings different levels of society into the process. At government level, this should include state and local government participation; with regards to the private sector, it should be inclusive of the breadth of the sector; when it comes to civil society, this should include community-based organisations. Participation from these groups and sectors is currently missing.
- Low capacity for advocacy: The LMAG does not see advocacy as a major tool for its effectiveness because it believes that its recommendations are merely advisory. In the Nigerian context, describing recommendations as merely advisory is as good as asking that they should be ignored. But when advisory recommendations are actively followed up with informed advocacy, the government and private sector tend to pay more attention. As the LMAG is largely dependent on government funding support, and led by government officials, its independence and ability to challenge and proffer progressive solutions is limited. While this advocacy function of the LMAG could become the responsibility of civil society, the current representatives of civil society lack the expertise and networking capacity to engage in effective advocacy.

9 www.ncc.gov.ng

10 www.uspf.gov.ng/index.php?option=com_content&view=article&id=4&Itemid=124

11 www.uspf.gov.ng/index.php?option=com_content&view=article&id= 15:e-accessibility-project&catid=14&Itemid=128

12 www.digitalgirls.org.ng/dgcc/portal/

13 https://nitda.gov.ng

14 Babalola, A. (2016, 21 June). Communication Minister Says FG on Course to Commercialise ICT for Youth Empowerment. *This Day*. www.thisdaylive.com/index.php/2016/06/21/communication-minister-says-fg-on-course-to-commercialise-ict-for-youth-empowerment

15 United Nations Economic Commission for Africa. (2014, 10 April). Nigeria to host 3rd African Internet Governance Forum. https://www.uneca.org/stories/nigeria-host-3rd-african-internet-governance-forum and Africa ICT Alliance. (2014, 12 April). Nigeria IGF: IANA Transition - Implication for Nigeria. www.aficta.org/latest-news/215-nigeria-igf-iana-transition-implication-for-nigeria

- Ad hoc nature of the LMAG: The LMAG seems to meet only to plan for the national IGF and review the report of the outcome of the IGF. In between, the lack of continuity makes it difficult for the LMAG to assess progress and follow up on implementation of the resolutions of the national IGF as they relate to policy and other initiatives.
- Lack of clear accountability pathways: One of the consequences of the ad hoc nature of the LMAG is the absence of an effective accountability mechanism through which it gives regular reports to stakeholders. Unfortunately, there is no other body to which the LMAG is accountable.
- Lack of high-level government involvement in the IGF generally: A recent example was the absence of the key government ministry responsible for information and communications technology, the Ministry of Communication, at the 2016 global IGF in Guadalajara, Mexico, while the two major government agencies in the sector, NITDA and NCC, were represented by director-level officials. This lack of high-level interest is also felt in national IGFs. All this suggests that the government is not informed enough of the potential strength and importance of the IGF both nationally and globally to make the necessary commitment to its processes. Its engagement has been largely perfunctory without any objective of achieving a policy impact.

## Conclusion

While the NIGF has achieved some measure of success, its impact could have been strengthened if it had addressed some of the most obvious of its weaknesses. It has tried to shape policy around internet access, use and regulation in the country, but suffers from a lack of capacity for sustained advocacy. While it has spawned many positive initiatives for digital inclusion, it also lacks the capacity or the mandate to follow up on the implementation of these initiatives. It has encouraged the organising of sub-national IGFs, without engaging in grassroots organising or engagement to encourage participation in the national IGF. It has raised up the banner of stakeholder accountability without itself developing the requisite accountability and transparency principles and mechanisms for its operation.

At the same time, the Nigerian government's apparent high-level disinterest in the IGF is somewhat at odds with the country's regional engagement. Nigeria has been very active at both the West African and African levels of the IGF. It has hosted the African Regional IGF (2011) and the West African Regional IGF (2014), and is currently chairing the West African IGF Committee. This leadership role has made government agencies in Nigeria support the West African IGF. Nigeria's role in the West African IGF may be connected to the fact that Nigeria is host to the Economic Community of West African States (ECOWAS) Secretariat, which is based in Abuja.

## Action steps

A number of things need to be done to make the IGF in Nigeria more effective, moving beyond a mere advisory role to include advocacy in its mandate. This is important to ensure that it serves the purpose of shaping internet governance discourse and practice, not only in Nigeria but also at the sub-regional, regional and global levels. Some of these include:

- There is a need to review the composition of the LMAG to make it more inclusive of other stakeholders.
- There is a need to lessen dependence on government in the LMAG and to make the processes of the committee more democratic.
- At the same time, there is also a need to include other tiers of governance, such as state and local governments, which have greater responsibility in implementing digital inclusion strategies, in the IGF processes.
- There is a need to develop principles and mechanisms for accountability at both a horizontal level (i.e. LMAG) and a vertical level (i.e. engagement with stakeholders and constituencies). This should include feedback and follow-up meetings to assess progress being made in the take-up of recommendations.
- The LMAG should enhance its capacity for advocacy. While its recommendations and pronouncements are advisory, the uptake of recommendations can be enhanced by an effective advocacy.
- The presence of women and other stakeholders on the LMAG should be increased. This can be done in a similar way in which the youth were encouraged to be a part of the IGF – such as holding a focused pre-event – in order to incentivise the participation and involvement of these groups in the IGF process.
- The country has already witnessed a number of sub-national IGFs that are linked to the national IGF. More of these should be hosted so that the IGF processes in the country will be able to reach the grassroots and be more inclusive of all shades of stakeholders.

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# National and Regional Internet Governance Forum Initiatives (NRIs)

National and Regional Internet Governance Forum Initiatives (NRIs) are now widely recognised as a vital element of the Internet Governance Forum (IGF) process. In fact, they are seen to be the key to the sustainability and ongoing evolution of collaborative, inclusive and multistakeholder approaches to internet policy development and implementation.

A total of 54 reports on NRIs are gathered in this year's Global Information Society Watch (GISWatch). These include 40 country reports from contexts as diverse as the United States, the Democratic Republic of Congo, Bosnia and Herzegovina, Italy, Pakistan, the Republic of Korea and Colombia.

The country reports are rich in approach and style and highlight several challenges faced by activists organising and participating in national IGFs, including broadening stakeholder participation, capacity building, the unsettled role of governments, and impact.

Seven regional reports analyse the impact of regional IGFs, their evolution and challenges, and the risks they still need to take to shift governance to the next level, while seven thematic reports offer critical perspectives on NRIs as well as mapping initiatives globally.

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