

NIGERIA PROPOSAL FOR IGF 2023 OPEN FORUM

BACKGROUND PAPER ON NIGERIA MAG PROPOSAL FOR OPEN FORUM ON DATA GOVERNANCE AND TRUST IN THE 2023 IGF IN KYOTO JAPAN

Introduction

The Internet has become an essential part of life in Nigeria. It is used for everything from communication and education to commerce and entertainment. As the internet has become more pervasive, so has the amount of data that is generated and stored online. This data can be used for a variety of purposes, both good and bad. As at February 2023, the number of Active Internet subscriptions is 156,987,433 [1]. Also, the broadband penetration was 48.49 % at the same time [2] .

The current population of Nigeria is estimated to be 220,748,057 as of Sunday, May 14, 2023, based on Worldometer elaboration of the latest United Nations data[3]. Its population positions Nigeria as the most populous nation in Africa, largest market in Africa and with potentially the biggest ICT investment opportunities on the African continent.

Current Situation:

Nigeria today is still a long way from having comprehensive data governance policies and frameworks, resulting in a fragmented approach to data management. This has led to data breaches, loss of personal information, and the misuse of data by both private and public entities. Consequently, wholesome trust in the Nigerian Internet governance space is lacking, as citizens are concerned about the misuse of their personal data and the potential for government surveillance.

The Nigerian government has taken some steps towards data governance and trust, such as the enactment of the Nigeria Data Protection Regulation (NDPR) in 2019, which establishes guidelines for the collection, processing, and storage of personal data. However, there are still significant challenges in enforcing these regulations and ensuring compliance. The lack of technical capacity and funding for regulatory bodies, as well as the lack of awareness and understanding of data governance principles by stakeholders, are some of the key challenges.

Objectives:

To improve data governance and trust in the Nigeria Internet governance space, the following recommendations are proposed:

The massive number of active Internet users in Nigeria generate volumes of data which raises further concerns about the privacy and safety of citizens and society. Therefore, there is a need to develop a comprehensive National Internet Data governance policy and framework that incorporates international best practices and addresses the unique

challenges in Nigeria. This policy should be developed through a multi-stakeholder approach that involves government, civil society, and the private sector.

Increase awareness and capacity-building programs for stakeholders on data governance principles, including the responsible use and protection of data, and the importance of trust in the digital economy.

Strengthen regulatory bodies responsible for data governance, such as the National Information Technology Development Agency (NITDA), by providing adequate funding, technical capacity, and enforcement mechanisms.

Encourage public-private partnerships to promote the responsible use of data and the development of innovative solutions for data governance and trust.

Increase transparency and accountability in data governance practices by promoting the disclosure of data practices and engaging stakeholders in decision-making processes.

Challenges to Data Governance and Trust in Nigeria

The following challenges have been identified for conversation during the proposed Open Forum/ Town Hall Meeting at the 2023 IGF meeting. The issues identified for discussion underscore the need for appropriate data governance in Nigeria despite the development that have been witnessed in the ecosystem in the past couple of years. There are a number of challenges to data governance and trust in Nigeria. These challenges are:

- a. Inadequate awareness of data governance and privacy issues among individuals and organizations
- b. Inadequate legal and regulatory frameworks for data protection
- c. Low capacity for data governance and privacy enforcement
- c. Inadequate cooperation between the stakeholders i.e. government, businesses, and civil society on data governance and privacy issues among others.

Opportunities for Addressing Challenges to Data Governance and Trust in Nigeria

There are a number of opportunities for addressing the challenges to data governance and trust in Nigeria. These opportunities include:

- i. The establishment of Nigeria Data protection Bureau in Nigeria has changed the landscape and the dynamics of Data Governance and Trust in Nigeria. The Bureau was created in February 2022 by the Federal Government of Nigeria [4]. The Bureau is mandated to collaborate with stakeholders in achieving the objectives of the NDPR, namely, to:
 - a) Safeguard the rights of natural persons to data privacy;

- b) Foster safe conduct of transactions involving the exchange of Personal Data;
- c) Prevent manipulation of Personal Data; and
- d) Ensure that Nigerian businesses remain competitive in international trade through the safe-guards afforded by a just and equitable legal regulatory framework on data protection and which is in tune with best practice [5].
 - ii. Raising awareness of data governance and privacy issues among individuals and organizations
 - iii. Developing and implementing comprehensive legal and regulatory frameworks for data protection. This process is ongoing at the National Assembly where the Data Privacy Bill is being considered.
 - iv. Building capacity for data governance and privacy enforcement
 - v. Promoting cooperation between government, businesses, and civil society on data governance and privacy issues

The Bureau complements the work of statutory institutions of government in the common goal of safeguarding the privacy of natural persons. For instance, Section 37 of the 1999 Constitution of the Federal Republic of Nigeria (CFRN, as amended); Article 12 of the Universal Declaration of Human Rights; Article 17 of the International Covenant on Civil and Political Rights (ICCPR); Section 8 of Child Rights Act; Sections 1 & 38 of Cyber Crime Act 2015; Part IV of Consumer Code of Practice Regulations (Nigerian Communications Commission); and Article 5.4 of Consumer Protection Regulation (Central Bank of Nigeria)[6]. This implies that there is a collaboration with other regulatory bodies in the ecosystem.

Policy Talking Points/ Questions for the Open Forum

1. How can the Nigerian government establish comprehensive internet data governance policies and frameworks that protect the privacy and security of users' personal data?
2. What measures can be put in place to enhance transparency and accountability in data collection, processing, and sharing practices by both private and public entities operating in Nigeria?
3. How can Nigeria ensure that data protection laws and regulations align with international standards while addressing the unique challenges and needs of the country?
4. What mechanisms can be implemented to build trust between users and service providers in the digital ecosystem, especially in relation to data handling and protection?
5. How can the Nigerian government promote data localization or data sovereignty to ensure that citizens' data remains within the country's jurisdiction and is not subject to unauthorized access or misuse by foreign entities?

6. How can Nigeria address the issue of consent and empower individuals to have more control over their personal data and its usage within the digital ecosystem?
7. What regulatory frameworks and enforcement mechanisms can be established to deter and punish data breaches, cybercrimes, and other forms of data misuse?
8. How can the Nigerian government facilitate collaboration between different stakeholders, including industry players, civil society organizations, and academia, to develop comprehensive data governance policies that benefit all parties involved?
9. How can Nigeria strike a balance between enabling innovation and economic growth through data utilization while ensuring adequate protection and rights of individuals in the digital sphere?
10. What strategies can be employed to raise awareness and educate the Nigerian population about data governance, privacy rights, and the importance of trusting digital services with respect to Internet Data?

Relation to SDGs

Our theme relates with virtually all the SDGs because we need data to track for instance poverty, Sustainable Smart City, Quality Education, Gender Equality etc. However, SDG 16, "Peace, Justice, and Strong Institutions," aligns well with data governance and trust as it emphasizes the need for transparent, accountable, and inclusive institutions. Data governance frameworks and trustworthy data are essential for effective decision-making, public access to information, and the overall strengthening of institutions to achieve sustainable development.

Our Request

The Nigeria MAG wishes to request for a 60 minutes open forum to discuss and showcase the evolution of Data Governance and Trust in Nigeria with the title: "Internet Data in Nigeria". This aligns with the IGF 2023 Sub theme on " Data Governance and Trust" . The talking points shall include where we were, where we are now and where we ought to be on Data Governance with respect to the proposed title and lessons learnt thus far.

Our proposal fits well into this definition and hence our request for a 60 minutes open forum focusing on the thematic area: Data governance and Trust in Nigeria. Data Governance is the process of managing data in a way that ensures its security, privacy, and integrity. It is important for data governance to be effective in order to protect individuals and organisations from the risks associated with data misuse.

Trust is also essential for the effective use of the Internet. Trust is the belief that individuals and organizations will behave in a responsible and ethical manner when using data. It is important for trust to be built and maintained in order to ensure the continued growth and development of the internet in Nigeria.

Open Forum Proposal for 2023 IGF in Kyoto Japan

The following is an open forum proposal for the 2023 IGF in Kyoto Japan:

Theme of your proposal: Open Forum on Data Governance and Trust in Nigeria

Title of the Nigeria Open Forum: Internet Data Governance and Trust in Nigeria

Time Requested: 60 minutes

Format: Open Forum

SDG: The United Nations' Sustainable Development Goal (SDG) that supports data governance and trust is SDG 16: "Peace, Justice and Strong Institutions." This goal includes a target to "ensure responsive, inclusive, participatory and representative decision-making at all levels" and "develop effective, accountable and transparent institutions at all levels." These targets emphasise the importance of good governance, including in the management and use of data, to achieve sustainable development.

Data governance and trust are important for establishing robust institutions and promoting peace and justice. They are essential for tracking progress on development goals, fighting crime and corruption, and ensuring governmental accountability. Indicators related to data governance include the proportion of individuals who trust that their rights and freedoms will be respected by the government and the presence of legal frameworks for accessing public information

Session support: Webcast: Yes | Transcription: Yes | Interpretation: No

Description: This session will discuss the challenges and opportunities for data governance and trust in Nigeria. The session will explore the following topics:

Inadequate awareness of data governance and privacy issues among individuals and organizations

Inadequate legal and regulatory frameworks for data protection

Low capacity for data governance and privacy enforcement

Lack of cooperation between government, businesses, and civil society on data governance and privacy issues

Objectives: The objectives of this session are to:

- i. Raise awareness of data governance and privacy issues among individuals and organizations

- ii. Promote discussion and debate on the challenges and opportunities for data governance and trust in Nigeria
- iii. Identify potential solutions to the challenges of data governance and trust in Nigeria

Organizers' Information

Organisers Websites: <https://nitda.gov.ng/> www.ncc.gov.ng
<https://ndpb.gov.ng/> <http://isoc.ng/> <https://nigf.org.ng>

Participants: The participants in this session will include:

Proposal Contact Person: Bernard Ewah

Organiser/Coordinator: Mary Uduma and Engr. Kunle Olorundare

Moderator 1: Engr. Kunle Olorundare (**VP-ISOC-NG**)

Rapporteur 1: Igonor Oshoke (NIGF Program Manager)

Speakers1: Lead paper Presenter, NDPB Representative(government) Dr. Vincent Olatunji

Speaker 2: Representative of NITDA (Bernard Ewah);

Speaker 3: Representative of Academia: Ridwan Oloyede

Speaker 4: Representatives from Tech community/businesses: Toba Olaniyi

Speaker 5: Representatives from Civil Society (Internet Society, Nigeria Chapter) Mrs Ogbuagu

Outcomes:

The outcomes of this session are to:

- i. Develop a list of recommendations for addressing the challenges of internet data governance and trust in Nigeria by eliciting recommendation from all speakers.
- ii. Promote cooperation between government, businesses, and civil society on internet data governance and privacy issues
- iii. Raise awareness of internet data governance and privacy issues among individuals and organizations

Conclusion:

Internet Data governance and trust are essential for the continued growth and development of the internet in Nigeria. There are a number of challenges to internet data governance and trust in Nigeria, but there are also a number of opportunities for addressing these

challenges. The open forum proposal for the 2023 IGF in Kyoto Japan will provide a platform for discussing the challenges and showcasing the opportunities and what we have done so far, and how the stakeholders should collaborate in the ecosystem, for internet data governance and trust to thrive in Nigeria.

REFERENCES

1. Nigerian Communications Commission, Source: <https://ncc.gov.ng/statistics-reports/industry-overview#view-graphs-tables-5> , Last Accessed 14th May, 2023.
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3. Worldometer, Nigeria Population, Source: <https://www.worldometers.info/world-population/nigeria-population/#:~:text=The%20current%20population%20of%20Nigeria,the%20latest%20United%20Nations%20data>, Last Accessed 14th May, 2023.
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