

updaTE ON NIGERIAN CHILD ONLINE PROTECTION

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**NITDA DELEGATION**

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**1.0 Introduction**

The National Information Technology Development Agency (NITDA), a government agency established by the law of the Federal Government of Nigeria (NITDA ACT 2007), was created in April 2001 to implement the Nigerian Information Technology Policy and co-ordinate general IT development in the country. It was established to create a framework for the planning, research, development, standardization, application, coordination, monitoring, evaluation and regulation of Information Technology practices, activities and systems in Nigeria. Its role therefore is to develop Information technology in the country through regulatory standards, guidelines and policies. More importantly, NITDA is the clearing house for all IT related projects and infrastructure development in the country. It is the prime Agency for e-government implementation, IT governance, and general IT development in Nigeria

In line with its mandate, in 2014, NITDA reviewed the policy framework on Nigerian Child Online Protection (NCOP) developed through interagency collaboration in 2013, with the purpose of addressing its statutory role in the implementation of the NCOP Policy. In 2015, NITDA developed its implementation plan and guidelines in consideration of the existing efforts and thus kick started a renewed institutional intervention on the safety and protection of Nigerian Children and vulnerable groups on the Internet.

NIDTA has identified the critical needs to update itself and enhance its knowledge based on the current global efforts on Child Online Protection (COP), linking with relevant multi-lateral institutions and stakeholders, engaging in global policy dialogues, exchanges of ideas and leveraging on the opportunities provided to secure necessary intervention support for NITDA’s plan on COP in Nigeria, hence the strategic imperative of attending the International Telecommunication Union (ITU) Council Working Group meetings on Child Online Protection (CWG-COP).

**2.0 Background Information**

Stakeholders comprising representatives of government (including NITDA), private sector and non-governmental organization developed a policy framework on Nigerian Child Online Protection in 2012, after series of stakeholders’ consultative engagements. The framework focused on the domestication of five strategic areas of the Child Online Protection Initiative under the ITU framework on Global Cybersecurity Agenda, which was launched in 2008. The focused areas are *Policy makers*; *Parent-Children & Guardians*; *Educators;* *ICT industry*; and *Security and Law enforcement*. The objective of the Policy framework is to provide set of principles, initiatives, action plan, implementation roadmap, short-mid- long-term goals that will give overall National direction to planning and development of the Nigerian Child Online Protection Initiative. The Policy framework makes extensive use of the materials from various local and international institutions, most especially the ITU Child Online Protection Guidelines.

However, the recent global upsurge on the abuse and exploitation of vulnerable groups, increasing local internet penetrations, widespread on the use of social media and local administrative transition necessitated NITDA reviewed the current approach and renewed the effort on COP in Nigeria in line with aspirations of the current administration.

**3.0 Nigeria’s Experience**

The Internet has brought huge socio-economic benefits to Nigeria socio-economic landscape with the advent of Internet of a thing, which has evolved over the years into Internet of Everything.

On the positive side, Nigeria has recently been recognized as one of the largest growing economies in the World maintaining no 25 positions among the comity of nations. One of the key contributing factors is the explosive growth in ICT sector where ICT is contributing 8.55% to the National Gross Domestic Product (GDP), with the local Internet penetration growing exponentially with over 97million of active mobile data subscribers and the Internet user is put as at 83million at today. Through the power of Internet, social interactions, business transaction and learning have become so easy and increasingly available to Nigerian people, including the vulnerable groups i.e. women, children, and young people. Nigeria has a great potential for a huge internet economy.

On the other side, especially the Internet syndicate groups are actively and increasingly engaging dynamically with the rest of the world (including Nigeria) through the Internet, generating and manipulating Internet content, contact and communication for malicious intent which are capable of undermining and manipulating innovative potentials of Nigerian children and young people.

Nigeria is the largest country in Africa in terms of economy and population with our GDP currently valued $ 521 Billion, per Capita valued at $2,700 and over 170 populations with over 70% of it made up of children and young persons.  Nigeria is the largest user of Internet in Africa in terms of the following parameters:

* Internet User latest Data (92,699,924, Nov 2015)
* Internet penetration 51.1% as compare to our 181millon population (Estimated)
* Internet users growth of 28.01% from 2000 -2015( internet user growth statistic  for Africa)  i.e. 28.0% internet user in Africa as compared to other African country, which qualifies  us as the largest internet users in Africa.  (Ref: Internet Usage 2015 Statistics for Africa, as hosted by internet worldstats; please  see the appendix pages for the details) *Source: http://www.internetworldstats.com/stats1.htm*

In recent time Nigeria has become the target of cybercriminals. The Global Internet Crime statistics on Nigeria is truly shocking and the destructive impact is vastly manifesting on the image of our country. Nigerian Child Internet risk exposure is real. Child Abuse Materials emanating from other countries are thriving in our country while exploiting child users’ ignorance and vulnerability of our Internet infrastructures.

There are growing concerns on the disturbing vulnerability of Nigerian Children, young people and women engaging legitimately on the Internet. There is explosive growth on the distribution of Child Abuse Materials (CAM) content, malicious contacts and manipulated interactions targeted to young people and children thus making them vulnerable to the flowing threats;

1. Cybercrime for unwholesome financial gains via online inducement
2. Extremist propagandas for the online recruitment of Nigeria young people for terrorism.
3. Underground criminal syndicate groups targeting young people and children
4. Online sexual exploitation/harassment by transgender and bisexual activists
5. Political Hate speeches in our social media
6. Digital Child & Women Pornography
7. Cyber violations, abuses and violence against women (i.e. against women human right defenders),
8. Cyber-impersonation for fraudulent intent
9. Online aided conflict, violence, and human trafficking through persuasive propagandas especially directed against young people, children and women.
10. Cyber-kidnapping /data kidnapping
11. Cyber-gangsterism/ online bullying
12. Cyber-impersonation/Identify threat

Internet has become the single largest domain where Nigerian youths presently engaged. The reality in today’s Nigeria Internet has transformed individual lifestyles. It has become the norm than any other medium. Nigerian youth daily lives from villages to cities are brimming with SMS, e-mail, chats, online dating, multiplayer gaming, virtual worlds and digital multimedia.

**4.0 Government Response**

The Federal Government of Nigeria has taken various initiatives towards ensuring effective protection of Nigeria children, young people and women online. Some of these initiatives include but are not limited to the following:

**a) Development of the National Cybersecurity Policy and Strategy (2015) with the inclusion of Child Online Protection Initiative through National Security Intervention**

The *national cybersecurity policy (2015)* has appropriated national principles on Online Child Abuse and Exploitations under Part 10 of the policy document. The policy seek for relevant partnership framework on counter-measures, building the capacity of law enforcement agencies, and national reporting mechanism for reporting and removing inappropriate Child Abuse content found on the Internet directed to Nigeria Internet Community.

The *national strategy on cybersecurity 2015*, under Part 9, advocates for the inclusion of Child Online Abuse and Exploitation protection strategy into the framework for national cooperation on cybersecurity.

More importantly, it provides for the implementation of Countermeasures Technical Mechanism (CTM) for preventing access to websites identified as hosting child offensive contents as well as implementing process for the removal of such websites.

**b) The Cybercrime Prohibition Act 2015 made provisions for the prosecution and investigation of Child pornography offenders (Though limited in application)**

The cybercrime Act provides penalties for offences committed under PART 3 of the Act. Some of the offences are related to Child Online Abuse including: Cyber terrorism, indentity theft and impersonation, Child pornography and related offences. However, the law doe not make provision for other offences and exploitations as mentioned earlier.

**c) Public -Private sectors collaboration regulatory interventions**

Cooperation between internet platform operators, telecommunication companies, content providers, and government largely in the form of public-private partnerships to support and offer public safety programmes and code of ethical business conduct being currently undertaken by Nigeria Communications Commission, the Nigeria telco sector regulator.

The operators have positive roles to play in providing technology measures and resources to support child protection online programmes. They also provide a significant regulatory access inappropriate for children.

**d) NITDA effort toward implementing guidelines for ICT industry rely on its extant law. NITDA** has developed 4-5 years medium term plan for executing various initiatives contained in our COP implementation strategy. The plan intends to engage multi-stakeholder on Public Internet Safety and awareness on family cyber security.The goal is to assist the children, teens, parents, guardians, educators and peers to identify and deal with potentially harmful content on computers, the Internet and mobile phones, and how to use technology both safely and responsibly, and by making available easy-to-use adjustable tools to help manage access and content. We should strive towards engaging children with the Internet at a gradual pace.

**e) NTIDA’s MAF & MWG**

NITDA is working on interagency collaboration mechanism to fast-track implementation of its roadmap. A multi-agency framework (MAF) and Multi-stakeholder Working Group (MWG) have been setup. MAF provides opportunity for cooperation among relevant agencies of government. This is to galvanize government interventions through a single and unified channel. The MWG brings Government and cross section of stakeholders together toward a common purpose on COP.

**f) Government Integration of Cybersecurity & COP Education into the National Education Curriculum.**

Government through its NITDA is working on strategy on COP education integration into the Child education at the primary and secondary levels. Integrating Child online safety and security programmes in primary and secondary schools in media literacy and online safety provide education in an appropriate environment. Stakeholders in education sector would be trained to help them present COP materials to students, including Peer-to-peer education among children which an effective medium for sharing appropriate practices and helping to build resiliency.

**g) Building the Capacity of Nigeria Security & Law Enforcement**

The Office of National Security Adviser (ONSA) is involved in the law enforcement countermeasures. National CERT set uo by ONSA is assisting the country provided monitoring of Nigeria cyberspace. The Office is empowered by Presidential Executive Order, Cybercrime Prohibition Act, Counter-terrorism Act 2011 and Digital Evidence Act 2011.

Nigerian law enforcement community becomes fully informed and empower through legislation to help make the Internet safer for children and young people.Nigerian Law enforcement officers should be appropriately trained to conduct investigations into Internet related crimes against children and young people. They need the right level of technical knowledge and access to forensic facilities to enable them to extract and interpret data obtained from computers or the Internet.

**h) Other Institutional and legal frameworks related to Child Abuse and exploitations in Nigeria .**

* ***Trafficking in Person (Prohibition), Enforcement and Administration Act 2015***, establishing National Agency for the Prohibition of Trafficking in Persons (NAPTIP) including child labour, abuse and exploitation trafficking aided through any channel including Internet.
* ***Digital Evidence ACT 2011***, Lawyers can rely on the provisions of this law, most especially, Section 84(5)c to prove that information via mobile phones and other gadgets/devices are admissible. Evidence Act 2011 is a big step in the right direction towards the prosecution of cybercrime activities and online child abuse in Nigerian courts
* ***Nigeria Child Right Abuse Act 2003,*** Nigeria has adopted the Child Rights Act to domesticate the Convention on the Rights of the Child. Although this law was passed at the Federal level, it is only effective if State Assemblies also enact it. To date, only 16 of the country’s 36 States have passed the Act. Intense advocacy continues for the other 20 States to pass it. The Act helps to provide specific rights for the protection of child right (most specifically right to survival and protection) and age working definition (which 18years below, in some State 16 years below).
* *Leveraging on National IT policy, NITDA Act 2007, NITDA guidelines on Multistakeholder engagement2014 Telecom Act 2003 (Consumer Protection) and Policy, National Security Strategy 2015.*

**5.0 Our Milestone**

The NITDA milestone involves implementation of NITDA-COP strategy using Multi-stakeholders’ Intervention Mechanism. The mechanism covers the following:

1. Mainstreaming National COP countermeasures in line with national objective and ITU guidelines
2. Operation of Local COP Mechanism that will leverage on NITDA guidelines, regulation and developmental interventions.
3. Providing COP vehicle that will work in partnership with multi-laterals and international organizations for interventional support.
4. Enablement of the provision of Cybercrime Act 2015 on Child online protection
5. Providing linkages with other related existing laws and policies.
6. Legislative Intervention on enactment of NCOP Bill
7. Stakeholders engagement coordination mechanism (Parents, Youths, Educators, Policy Makers, law Enforcement, and ICT Industry) through Multi-stakeholder Working Group set up by NITDA.
8. Fast tracking Technical measures in partnership with ICT industry
9. International Cooperation.

**6.0 Our Challenges**

**Our** challenges in Nigeria revolves the following critical areas:

1. Inadequacy of the extant laws to successfully prosecute child online abuse and exploitations.
2. Weak institutional framework to effectively handle the implementation of the guidelines and the policy framework on COP
3. Technical gaps in insufficient toolkits and resources to mitigate child risks exposure.
4. Absence of sustainable local multi-stakeholders platform on public awareness
5. Digital illiteracy among COP stakeholders
6. Dearth of intervention funding mechanism for COP
7. Lack of Interest by the political class.

**7.0 Way Forward**

NITDA is implementing the provisions of policy framework on Nigeria Child Online Protection in regards to IT sector. This in line with its statutory IT regulations and development mandates.

1. NITDA issetting of local Multi-stakeholder Working Group (MWG) in line with the national policy framework on NCOP and ITU guidelines
2. Provisions of guidelines/working template and coordination mechanism through NITDA Multi-agency framework to provide national cohesion.
3. Provision of country support unit for -COP MWG and MAF
4. Provision of National awareness/stakeholders engagement forum/ summit/workshop for capacity building, consensus building and working partnership
5. Scalable implementation of the Action Plan covering 4years medium term timeline.
6. Provision of statutory evaluation and monitoring of the NCOP implementation process in Nigeria
7. Leading the effort on COP legislation
8. Establish a strong COP intervention, under an effective Multi-stakeholders engagement framework, to articulate, facilitate and coordinate National implementation of COP-NIGERIA policy framework and guidelines in Nigeria
9. Designate Child Online Protection Strategy as one of the Government key multi-stakeholders supported counter-measure priorities require to address security and protection of Nigeria Children on the Internet.
10. Initiate a national public awareness and education campaign to promote Child Online Protection in Nigeria.
11. Conduct and Generate Statistical data and Figures on the level of awareness among schools, teachers, and parents, child online penetration, abuse and exploitation, child abuse materials distributions in or through Nigeria cyberspace to determine the baseline for Nigerian child Risk Exposure on the internet.
12. Prepare a COP-NIGERIA response plan, while initiating a dialog to enhance public-private partnerships with an eye toward streamlining, aligning, and providing resources to optimize their contribution
13. Implementation of NCOP Statistical Report & Management System Initiative, this is a Research and Analysis tool on Child internet engagement in Nigeria, measuring the level of awareness, exposure, knowledge of Child online abuse and exploitation. The goal is to generate statistical data with capacity to monitor, generate, analyze, and ascertain level of awareness of stakeholders, rate of child online abuse and exploitation activities in Nigeria, and to take control of the COP data and figures emanating from Nigeria to aid planning and decision making.

It is interesting to note that the current government effort on the implementation of the Nigeria Child Online Protection has underscore the need for stakeholders to cooperate with government and provide necessary interventions.

Recently, a public statement on Child Online Protection Campaign using multi stakeholders strategy credited to the Director General of NITDA, revealed that NITDA has also concluded plans to collaborate with ONSA to develop a framework aimed at addressing child online abuse in the country. This is positive step in right direction

**NITDA’s Geneva Agenda**

1. NITDA is embarking on the commencement of the implementation of the policy framework and guidelines on COP in collaboration with other agencies of the government such NCC and ONSA. It is, therefore, strategically imperative that Nigeria is adequately represented, updated, connected in the Geneva ITU meeting to leverage on the policy dialogue, resources and opportunities towards establishing viable working relationship with counterparts from other developing countries. NITDA is participating in the following ITU Open Consultation;
* Child Online Protection
* International Internet-related public policy issues
* World Summit on the Information Society.
* Meeting with the Officials of UN-CSTD
1. The goal of NITDAs participation is to achieving the following:
* To positively impact our national approach to implementing a viable COP plan in line with global approach.
* Provides opportunities to share bilateral and multilateral experiences with other nations with similar COP challenges
* Close the knowledge gap on Internet policy matters and WSIS meeting outcomes relevant to strengthening NITDA statutory engagement in global policy discourse.
1. Moreover, the specific outcome would enable the leaders of Nigerian delegation to strengthen the existing partnership between the country and ITU on COP and while seeking intervention supports.
2. Meeting with the officials of CSTD will provide opportunity to learn from the role of CSTD intervention in Sustainable Development Goals.

**Conclusion**

NITDA participation in Geneva ITU meeting is important to the understanding of global effort on COP, and galvanizing global support for the implementation of Nigerian COP Policy framework and National Action Plan in Nigeria.

Thank you