

# NIGERIA

	2011	2012
<b>INTERNET FREEDOM STATUS</b>	<b>Partly Free</b>	<b>Partly Free</b>
<b>Obstacles to Access (0-25)</b>	13	12
<b>Limits on Content (0-35)</b>	10	9
<b>Violations of User Rights (0-40)</b>	12	12
<b>Total (0-100)</b>	<b>35</b>	<b>33</b>

\* 0=most free, 100=least free

**POPULATION:** 170 million  
**INTERNET PENETRATION 2011:** 28 percent  
**WEB 2.0 APPLICATIONS BLOCKED:** No  
**NOTABLE POLITICAL CENSORSHIP:** No  
**BLOGGERS/ ICT USERS ARRESTED:** No  
**PRESS FREEDOM STATUS:** Partly Free

## INTRODUCTION

Nigeria saw marked progress in its information and communications technology (ICT) sector in 2011 with the pronounced use of ICTs during the April 2011 elections and the mid-year announcement of a new communication technology ministry (also known as the ICT ministry). Since 1999, when Nigeria returned to civilian governance after almost 30 years of military rule,<sup>1</sup> press freedom and the space for free expression have increased significantly. Nevertheless, the legal and political environment for traditional media remains harsh, and a major story in 2011 was the death of a journalist for which a radical Islamic sect, Boko Haram, claimed responsibility.

Online media has been comparatively free from such restrictions, though a blogger was detained for questioning in January 2011. The Nigerian authorities do not carry out any filtering of content, and while access to information technology is still limited for many Nigerians, the number of internet users nearly quadrupled between 2008 and 2011. Legislative initiatives introduced in the National Assembly in 2007, which threatened to impinge upon the relative freedom and privacy enjoyed by online journalists, expired when the newly-elected National Assembly convened in June 2011.

The internet was first introduced in the early 1990s, and usage grew more popular following an internet workshop organized by the Yaba College of Technology in 1995.<sup>2</sup> Internet access

<sup>1</sup> Abegunrin Olayiwola, *Nigerian Foreign Policy Under Military Rule, 1966–1999* (Westport, CT: Praeger, 2003).

<sup>2</sup> The workshop was hosted by the Yaba College of Technology in Lagos in collaboration with the Nigerian Communications Commission, the National Data Bank, the Literacy Training and Development Program for Africa (University of Ibadan), the

expanded when cybercafes sprang up in major cities across Nigeria in 1999, though it was expensive and connections were very slow. The introduction of internet access via mobile phone service in 2004 has spurred further increases in internet use.

## OBSTACLES TO ACCESS

Internet access in Nigeria has grown exponentially in recent years, particularly after the introduction of mobile phone data services and Fixed Wireless Access (FWA) services. There were about 100,000 internet users in 1999,<sup>3</sup> but the figure grew exponentially to 11 million in 2008<sup>4</sup> and reached 46 million in 2011.<sup>5</sup> This large jump in access is due to an increase in mobile phone usage and data services, private sector and government investment in technology, and increased competition between FWA providers over this period. Nevertheless, internet penetration stood at 28.4 percent in 2011 according to the International Telecommunications Union (ITU),<sup>6</sup> and access is greater in urban areas than in rural regions.

Increased competition has decreased the cost of access for many Nigerians, and while the price for internet use remains about US\$1 per hour in cybercafes, which have seen sharp decline in patronage in recent years due to increasing mobile internet usage enabled by decreasing costs of data plans. 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. In comparison, the minimum wage in Nigeria is about US\$116 per month, and the country's poverty rate actually increased in 2011.<sup>7</sup> Literacy remains an obstacle to access, with 28 percent of the population illiterate, particularly in English, the main language used by Nigerian online news outlets and blogs.<sup>8</sup>

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Administrative Staff College of Nigeria (ASCON), the United States Information Service (USIS), the Regional Information Network for Africa (RINAF), and the British Council. United Nations Economic Commission for Africa, "Nigeria: Internet Connectivity," [http://www.uneca.org/aisi/nici/country\\_profiles/Nigeria/nigeriainter.htm](http://www.uneca.org/aisi/nici/country_profiles/Nigeria/nigeriainter.htm), accessed August 27, 2010.

<sup>3</sup> Ibid.

<sup>4</sup> "Nigeria Internet Users Tops 11 Million, Penetration Now 7.8%," Web Trends Nigeria (blog), October 8, 2009, <http://webtrendsng.com/blog/nigeria-internet-users-tops-11-million-penetration-now-7-8/>.

<sup>5</sup> International Telecommunication Union (ITU), "Percentage of individuals using the Internet, fixed (wired) Internet subscriptions, fixed (wired)-broadband subscriptions," 2011, accessed July 13, 2012, <http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#>.

<sup>6</sup> Ibid.

<sup>7</sup> Paul Okolo, "Nigeria's Poverty Ratio Rises to 70% of Population, Trust Says," Bloomberg, January 18, 2011, <http://www.bloomberg.com/news/2011-01-18/nigeria-s-poverty-ratio-rises-to-70-of-population-trust-says.html>.

<sup>8</sup> "At a Glance: Nigeria—Statistics," United Nations Children's Fund (UNICEF), last modified March 2, 2010, accessed June 29, 2012, [http://www.unicef.org/infobycountry/nigeria\\_statistics.html](http://www.unicef.org/infobycountry/nigeria_statistics.html).

Frequent power cuts remain an impediment to internet access, with many users reportedly relying more than ever on private generators to stay online during outages. In January 2011, a report quoted Nigeria as the largest importer of private power generators in Africa, despite the country's status as an oil-rich country.<sup>9</sup> Cybercafes continue to close due to difficulties paying for such expensive backup power generation in addition to the growing popularity of access via mobile devices and data plans offered by FWA and GSM companies. Although many providers use the word "broadband" in their promotional materials, in practice there is limited broadband service available in Nigeria, with latest statistics from the ITU placing the number of broadband subscribers at only 215,000 in 2011, amounting to a penetration rate of just 0.13 percent.<sup>10</sup>

The number of mobile phone subscribers has increased dramatically over the past decade from almost no users in 2000 to over 100 million as of May 2012, according to official data from the Nigerian Communications Commission (NCC).<sup>11</sup> The latest ITU data notes over 95 million mobile phone subscriptions in 2011, amounting to a mobile phone penetration rate of 58.6 percent.<sup>12</sup> Mobile internet subscriptions reached 7.3 million users by 2008<sup>13</sup> and grew by over 25 percent between October 2010 and October 2011.<sup>14</sup> While smart phone users can access the internet on their mobile devices, specific handsets such as Nokia's range of phones and Research in Motion's BlackBerry provide bundled data services to mobile subscribers. The number of BlackBerry users appears to be growing, particularly among young Nigerians, though the service costs US\$20 per month. Nevertheless, the quality of service remains poor, with users frequently complaining about their inability to enjoy data services. Competition has forced service providers to offer alternative plans based on time (daily, weekly, or monthly payments) or use (social or messaging). According to credible sources in the industry, there were approximately 500,000 BlackBerry subscribers with all service providers as of October 2011.<sup>15</sup>

In March 2007, the government established the Nigerian Internet Exchange Point as a means of connecting internet service providers (ISPs) to one another; as of mid-2011, it had 32

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<sup>9</sup> Clara Nwachukwu, "Nigeria maintains lead in generator imports in Africa..." Vanguard Newspaper, January 10, 2011, <http://www.vanguardngr.com/2011/01/nigeria-maintains-lead-in-generator-imports-in-africa-%E2%80%A6/>.

<sup>10</sup> International Telecommunication Union (ITU), "Percentage of individuals using the Internet, fixed (wired) Internet subscriptions, fixed (wired)-broadband subscriptions," 2011, accessed July 13, 2012, <http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#>.

<sup>11</sup> "Subscriber Data – Monthly Subscriber Data," Nigerian Communications Commission, accessed June 29, 2012, <http://www.ncc.gov.ng/industry-statistics/subscriber-data.html>.

<sup>12</sup> International Telecommunication Union (ITU), "Mobile-cellular telephone subscriptions," 2011, accessed July 13, 2012, <http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#>.

<sup>13</sup> Charlie Fripp, "Mobile Internet Usage Soars in Nigeria," IT News Africa, December 4, 2008, <http://www.itnewsafrika.com/?p=1906>.

<sup>14</sup> Jayne Augoye, "Why More Internet Users Prefer Mobile Browsers to Desktop," Nigerian Best Forum, November 10, 2011, <http://www.nigerianbestforum.com/generaltopics/?p=108283>.

<sup>15</sup> Interview with a service provider who requested anonymity, August 2010.

members.<sup>16</sup> Several telecommunications companies have also migrated to private fiber-optic cable projects, such as Glo-1 and MainOne. The latter cable went live on July 1, 2010 and now provides connectivity for 18 ISPs and telecommunication companies in Nigeria and Ghana,<sup>17</sup> though the reduced cost of a cable rather than a satellite connection has yet to be passed on to consumers. The Glo-1 cable, a project of Globacom, launched in Ghana in April 2011.<sup>18</sup>

The video-sharing website YouTube, social-networking site Facebook, microblogging application Twitter, and various international blog-hosting services are freely available and among the most popular websites in the country. As of May 2012, there were over five million Facebook users.<sup>19</sup> According to Alexa, a website rating company, the ten most popular websites in Nigeria as of 2011 were Facebook, Google, Yahoo, Google.com.ng, YouTube, Blogspot.com, Twitter, Vanguard Newspaper, Wikipedia, and Nairaland (a Nigerian online discussion forum).<sup>20</sup> Four other Nigerian websites—VConnect (a local search engine with a huge database of relevant locations) at number 13, GTBank at number 14, Punch newspaper at number 16, and Jobberman (a job search portal) at number 20—were cited in the top 20.

The ICT market in Nigeria has expanded significantly over the past decade. The number of licensed ISPs has risen from 18 in 2000 to 136 (with 35 holding licenses that need renewal) as of mid-2011,<sup>21</sup> in addition to 11 active FWA providers<sup>22</sup> and four GSM mobile phone operators that also provide internet access to their subscribers.<sup>23</sup> Nigeria had more licensed ISPs and active FWA providers in 2010, but unlike the growth recorded by GSM operators, ISPs and FWA providers have not had as much success, as more people now access the internet through mobile (GSM) phones. As of June 2011, the four GSM companies had a total of 84 million subscribers between them: MTN had 40.5 million, compared to Globacom's 19.5 million, Airtel's 16 million, and Etisalat's 7.8 million.<sup>24</sup> All of the above companies are privately-owned.

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<sup>16</sup> "Our Members," Internet Exchange Point of Nigeria, accessed December 13, 2011,

[http://www.nixp.net/index.php?option=com\\_content&view=article&id=13&Itemid=13](http://www.nixp.net/index.php?option=com_content&view=article&id=13&Itemid=13).

<sup>17</sup> "Our Clients," Main One Cable Company, accessed December 23, 2011, <http://www.mainonecable.com/our-clients>.

<sup>18</sup> "Glo 1 Cable Launches in Ghana," AfricanBrains, April 15, 2011, <http://www.africanbrains.net/2011/04/15/glo-1-cable-launches-in-ghana/>.

<sup>19</sup> "Nigeria Facebook Statistics," Socialbakers, accessed June 29, 2012, <http://www.socialbakers.com/facebook-statistics/nigeria>.

<sup>20</sup> "Top Sites in Nigeria," Alexa Web Information, accessed December 4, 2011, <http://www.alexa.com/topsites/countries/NG>.

<sup>21</sup> "Internet Services," Nigerian Communications Commission, accessed December 31, 2011, [http://ncc.gov.ng/component/docman/doc\\_download/11-internet-services.html](http://ncc.gov.ng/component/docman/doc_download/11-internet-services.html).

<sup>22</sup> "Fixed Wireless Access," Nigerian Communications Commission, accessed December 31, 2011, [http://ncc.gov.ng/component/docman/doc\\_download/4-fixed-wireless-access-fwa.html](http://ncc.gov.ng/component/docman/doc_download/4-fixed-wireless-access-fwa.html).

<sup>23</sup> "Digital Mobile License," Nigerian Communications Commission, accessed December 31, 2011, [http://ncc.gov.ng/component/docman/doc\\_download/2-digital-mobile-licence-gsm-.html](http://ncc.gov.ng/component/docman/doc_download/2-digital-mobile-licence-gsm-.html).

<sup>24</sup> "Fixed Wireless Access," Nigerian Communications Commission, accessed December 18, 2011.

The only government-owned firm in the market, NITEL, is now inactive, with only 58,750 land lines and 258,520 mobile lines. It has remained on the government's privatization list for several years following multiple attempts to sell it. In February 2009, Transcorp, a local conglomerate with strong ties to the government, relinquished its 51 percent stake, which it had acquired in 2006.<sup>25</sup> In February 2010, New Generation Telecoms, a consortium that includes China Unicom, won a controversial bid to purchase the company.<sup>26</sup> Responding to allegations of corruption surrounding the purchase, the president initiated an investigation,<sup>27</sup> but the findings have not yet been published. As at the end of 2011, NITEL remained on the government's list of to-be-sold companies.

Internet services are governed by the Nigerian Telecommunications Act, which vests regulatory responsibilities in the Nigerian Communications Commission (NCC). All ISPs must obtain a license from the NCC to operate, but there have been no reports of any ISP being denied a license or registration renewal. However, new ISPs seeking to enter the market have faced challenges in their operations due to competition from larger ISPs and investor focus on the mobile sector. Although the NCC's nine-member board is nominated by the government, the regulator's decisions are viewed as relatively independent.

## LIMITS ON CONTENT

There have been no reports of the Nigerian government engaging in any form of internet filtering.<sup>28</sup> According to the most recent study by the OpenNet Initiative (ONI), several websites were inaccessible surrounding the elections in 2007; however, the ONI researchers concluded that the disruptions were due to technical problems, not government intervention.<sup>29</sup> On May 29, 2011, there were reports by residents of the capital city, Abuja, that telecommunication services were inaccessible in certain areas. While the incident was not confirmed or reported by the mainstream media, various blogs covered the story, with one blogger reporting quotes from NCC representatives and the Visaphone service provider that confirmed the security reasons behind the isolated telecom shutdown.<sup>30</sup> Nevertheless,

<sup>25</sup> "NITEL Board Ratifies Appointment of Chairman: About NITEL," Transcorp, September 24, 2008, <http://www.transcorp-nigeria.com/corporatecom/archives.php?page=fullstory&nid=60>; Bertrand Nwankwo and Juliet Alohan, "Nigeria: Transcorp Relinquishes 51 Percent Equity Share in Nitel/Mtel," *Leadership*, February 26, 2009, <http://allafrica.com/stories/200902260498.html>.

<sup>26</sup> Camillus Eboh, "New Generation Telecoms Acquires NITEL," Reuters, February 16, 2010, [http://234next.com/csp/cms/sites/Next/Home/5527697-146/new\\_generation\\_telecoms\\_acquires\\_nitel.csp](http://234next.com/csp/cms/sites/Next/Home/5527697-146/new_generation_telecoms_acquires_nitel.csp).

<sup>27</sup> Camillus Eboh, "Nigeria Cabinet Sacking Delays Nitel sale," Reuters, March 19, 2010, <http://www.reuters.com/article/idUSLDE62I0WS20100319>.

<sup>28</sup> OpenNet Initiative, "Internet Filtering in Nigeria," October 1, 2009, <http://opennet.net/research/profiles/nigeria>.

<sup>29</sup> OpenNet Initiative, "Internet Watch Report: The 2007 Presidential Elections in Nigeria," November 2007, <http://opennet.net/research/bulletins/014>.

<sup>30</sup> Charlie Fripp, "Nigerians angry over Abuja telecom shutdown," IT News Africa, May 31, 2011, <http://www.itnewsafrika.com/2011/05/nigeria-angry-over-abuja-mobile-shutdown>.

the complex nature of Nigeria's internet framework as described above makes it difficult to carry out systematic filtering or censorship. Some ISPs have been known to block access when users infringe on laws by downloading copyrighted content, but this has often been done to manage network traffic rather than protect intellectual property.

In June 2009, reports emerged that the Nigerian government planned to invest in sponsoring pro-government websites and blogs.<sup>31</sup> In practice, it has not been possible to confirm whether the plan has been implemented. Websites, blogs, and commentators are generally divided among anti-government, pro-government, and neutral leanings, and this continued as online political discussions increased in advance of the parliamentary and presidential elections in April 2011. Web commentary appeared to tilt in favor of anti-government leanings in January 2012 during the protests that became known as the Occupy Nigeria protests, but there has been a more balanced set of discussions since then, with many online commentators moving the conversation away from pro- and anti- leanings towards socioeconomic debates.

The April 2011 elections also saw heavy use of social media in discussions concerning the elections, campaigns, and citizen participation. A youth-led group, Enough is Enough Nigeria,<sup>32</sup> launched the Register-Select-Vote-Protect (RSVP) project that relied heavily on the use of social media to mobilize citizens for voter registration and disseminate information on competing candidates, actual voting drives, and election monitoring. The group also launched the mobile application, ReVoDa, which enabled citizens to monitor elections from their respective polling locations on their mobile phones.

Nigeria is home to a diverse blogosphere, with entertainment blogs drawing the most readers and a growing number of Nigerians blogging about their personal lives or social activism issues. Blogs have gradually emerged as an important platform for discussion and a source of reliable news for many users. Readers often leave comments on popular news-oriented blogs to express their frustration with societal ills. The Facebook page of the president has also become a major avenue through which citizens comment on public issues. At the height of the increasing security tensions in the country in January 2012, various comments on the president's Facebook page went as far as accusing the president of incompetence.

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<sup>31</sup> Sokari Ekine, "Nigeria government launches attack against bloggers," Global Voices, June 25, 2009, <http://advocacy.globalvoicesonline.org/2009/06/25/nigeria-government-launches-attack-against-bloggers/>; "Umaru Yar'adua Regime Launches \$5 Million Online War," Sahara Reporters, June 16, 2009, <http://www.saharareporters.com/news-page/umaru-yar%E2%80%99adua-regime-launches-5-million-online-war>.

<sup>32</sup> The report author is a founding member of the EnoughisEnough Nigeria group (<http://www.eienigeria.org>).

The Nigerian blogosphere includes both Nigerians living abroad and locally-based writers. While many of the former are longtime bloggers, only in the past six years have Nigerian residents actively joined the blogosphere,<sup>33</sup> with local blogging gaining momentum following a Nigerian bloggers' conference in 2008.<sup>34</sup> Although two attempts to create Nigerian blog aggregators have failed,<sup>35</sup> GlobalVoicesOnline.org, Blogger.com, Afrigator.com, and WordPress.com are popular platforms on which Nigerian bloggers interact and learn from one another. ICTs have also played an important role in mobilizing people for real life protests and providing updates on unfolding events. In November 2008, a widely circulated YouTube video showed an admiral and several other military officers severely beating a woman whom they deemed too slow in making way for their convoy.<sup>36</sup> Following public outcry, the woman received legal aid from the state government and sued the officers for assault and battery. In January 2010, a court awarded her 100 million naira (approximately US\$613,000) in compensation.<sup>37</sup>

Online citizen activism in Nigeria was particularly evident during the 2011 elections, with social media enhancing the flow of information for mobilization and reporting. According to one report,<sup>38</sup> social media changed how information was disseminated, and "citizens accessed information directly and more accurately, resulting in unsurpassed participation in politics during the 2011 elections."<sup>39</sup> In January 2012, following an announcement of fuel pump price increases, protests were staged across Nigeria with the help of information disseminated on social media networks. The protests came to be known as Occupy Nigeria and were also covered by citizens using social media applications.<sup>40</sup>

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<sup>33</sup> Remmy Nweke, "Nigeria: Blogging as a Trend in Nigeria," *Daily Champion*, January 12, 2006, <http://allafrica.com/stories/200601120144.html>.

<sup>34</sup> Gbenga Sesan, "The Nigerian Bloggers' Forum," *Oro* (blog), September 22, 2005, <http://www.gbengasesan.com/blog/?p=10>.

<sup>35</sup> The Nigerian Blog Aggregator is available at <http://www.nigerianbloggers.com> and the Nigerian Weblog Ring at <http://nwr.cowblock.net>.

<sup>36</sup> "Brutalization of Uzoma Okere," YouTube, November 10, 2008, 1 min., 40 sec., <http://www.youtube.com/watch?v=VHdkyvn41us>.

<sup>37</sup> "Uzoma Okere Won N 100 Million," *Nigerian Curiosity* (blog), January 29, 2010, <http://www.nigeriancuriosity.com/2010/01/uzoma-okere-won-n100-mn-video.html>.

<sup>38</sup> Judith Asuni and Jacqueline Farris, "Tracking Social Media: The Social Media Tracking Center and the 2011 Nigerian Elections," Shehu Musa Yar'Adua Foundation, 2011, accessed March 31, 2012, <http://www.cfr.org/content/publications/attachments/Tracking-Social-Media-COMLETE-final.pdf>.

<sup>39</sup> *Ibid.*, pg. 18.

<sup>40</sup> Peter Vlam, "Social media inspires Nigerian protests," *Radio Netherlands*, January 12, 2012, <http://www.rnw.nl/africa/article/social-media-inspires-nigerian-protests>.

## VIOLATIONS OF USER RIGHTS

Nigeria's legal framework has not been revised to reflect the use of new media technologies.<sup>41</sup> This lack of internet-specific legislation has generally fostered an open environment for online activities. Much of the public accepts the need for some regulation of internet use in light of the unchecked cybercrime in the country and the costs it has imposed on Nigeria's economy and global reputation.

At the commencement of the newly-elected National Assembly in June 2011, several proposed bills that could be used to restrict users' rights expired, and many of them have yet to be reintroduced on the assembly floor. In November 2011, the office of the National Security Adviser and other government departments drafted the Cybersecurity Bill, a revised version of the earlier Cyber Security and Information Protection Agency Bill, which had provisions that could restrict users' rights to free expression and privacy because it suggested that security officials could apprehend and prosecute users based on suspicion and without a court order. Taking into account feedback from citizens and stakeholders in the Nigerian ICT sector, the revised version reduced the powers granted to security officers by requiring a court order for the seizure of any equipment and for arrests based on suspicion.

While the 1999 constitution guarantees freedom of expression and of the press, the state often uses arbitrary and extralegal measures to suppress political criticism in the traditional media, and there is a culture of impunity for crimes against media workers. Libel remains a criminal offense, with the burden of proof resting on the defendant. Journalists covering sensitive issues such as official corruption, the president's health, and communal violence are regularly subjected to criminal prosecution. However, no such cases have yet been brought for online expression.<sup>42</sup> The implementation of Sharia (Islamic law) penal codes in 12 northern states has generally not affected internet freedom. However, in March 2010, a Sharia judge in Kaduna state banned efforts by the Civil Rights Congress of Nigeria to initiate online discussion of an amputation sentence on Facebook and Twitter.<sup>43</sup>

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<sup>41</sup> For example, the Evidence Act does not provide for the acceptance of digital evidence in court, although an appellate court in Lagos ruled in May 2010 that computer-generated bank statements could be admitted in the graft trial of a former minister. See, Patience Akpuru, "Nigeria: Fani-Kayode Appeal Court Admits Computer Print-Out," *Daily Champion*, May 28, 2010, <http://allafrica.com/stories/201005310338.html>.

<sup>42</sup> Karin Karlekar, ed., "Nigeria," in *Freedom of the Press 2009* (New York: Freedom House, 2009), [http://www.freedomhouse.org/inc/content/pubs/pfs/inc\\_country\\_detail.cfm?country=7675&year=2009&pf](http://www.freedomhouse.org/inc/content/pubs/pfs/inc_country_detail.cfm?country=7675&year=2009&pf).

<sup>43</sup> The case centered on Buba Bello Jangebe, whose hand was amputated in 2000 as punishment for stealing a cow. See, Imam Imam, "Nigeria: Sharia Judge Bans Amputation Discussion on Facebook, Twitter," *This Day*, March 24, 2010, <http://allafrica.com/stories/201003240460.html>; "Civil Right Congress—Nigeria," Facebook page, accessed March 31, 2012, <http://www.facebook.com/group.php?gid=372845616580>; Shehu Sani, "CRC Condemns the Amputation of Buba on March 22, 2000," Twitter post, March 30, 2010, <http://www.twitter.com/shehusani>.

Cybercafes do not require customers to register or present any form of identification to go online, and any monitoring software installed on their computers is used only for billing purposes. In June 2009, drawing on the 2003 Nigerian Communications Act, the NCC announced that mobile phone companies would be expected to register all SIM cards by March 1, 2010 (later postponed to September 28, 2011).<sup>44</sup> After the cut-off date, the telecom regulator denied news reports that it had extended the registration deadline,<sup>45</sup> but it allowed the exercise to continue until the completion of the reconciliation exercise for data submitted by telecom service providers. Though the telecom regulator has complained that the exercise has suffered delays because of how telecom companies have managed decentralized registration, users could still register their SIM cards as of March 31, 2012.

Nigerian security services do not appear to proactively monitor internet and mobile phone communications, but many online journalists suspect that they are being monitored by the state. Due to the increase in activities considered acts of terrorism, the Nigerian government announced in November 2011 its intention to acquire “state of the art” security equipment to combat terrorism.<sup>46</sup> As of December 2011, not much has been heard of the project, but suspicions of state monitoring have increased since then, mostly because of the increased use of social media channels by government representatives. At least three government ministers have hosted Twitter chats between January 2011 and March 31, 2012.<sup>47</sup>

The Nigerian authorities have a history of arresting and intimidating traditional media workers, and at least eight journalists have been killed in connection with their work since 1998.<sup>48</sup> Although no individuals have been sentenced to prison or physically attacked for online activities as of April 2012, security agencies in late-2008 detained and interrogated two overseas bloggers upon their arrival in Nigeria. Jonathan Elendu, author of the website Elendu Reports, was arrested in October 2008 by the State Security Service, which is known to take orders directly from the president. He was reportedly questioned in relation to national security issues and for “sponsoring a guerrilla news agency.”<sup>49</sup> Many observers believed he was detained for an alleged connection with another online platform, Sahara Reporters, that had published photographs of President Yar’Adua’s 13-year-old son “waving

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<sup>44</sup> Nigerian Communications Commission (NCC) and National Identity Management Commission (NIMC), *Design, Development and Delivery of SIM Card Registration Solution* (Abuja: NCC and NIMC, June 15, 2009), [http://www.ncc.gov.ng/Headlines/SIM\\_Registration\\_RFP.pdf](http://www.ncc.gov.ng/Headlines/SIM_Registration_RFP.pdf).

<sup>45</sup> “Nigerian regulator will not extend SIM registration deadline,” *Telecom Paper*, September 22, 2011, <http://www.telecompaper.com/news/nigerian-regulator-will-not-extend-sim-registration-deadline>.

<sup>46</sup> “Federal government to acquire ₦10b gadgets to combat terrorism,” *Next Newspapers*, November 11, 2011, <http://234next.com/csp/cms/sites/Next/Home/5747537-146/story.csp>.

<sup>47</sup> “[Town Hall Chat] Nigerian Youth Minister On Twitter @ 3-5pm Today,” *Tekedia*, September 8, 2011, <http://tekedia.com/21375/town-hall-chat-nigerian-youth-minister-twitter-35pm-today/>.

<sup>48</sup> “8 Journalists Killed in Nigeria Since 1992/Motive Confirmed,” *Committee to Protect Journalists*, accessed August 27, 2010 <http://www.cpj.org/killed/africa/nigeria/>.

<sup>49</sup> Ndesanjo Macha, “Nigerian Blogger Arrested for Sponsoring a ‘Guerilla News Agency,’” *Global Voices*, October 24, 2008, <http://globalvoicesonline.org/2008/10/24/nigerian-blogger-arrested-for-sponsoring-a-guerilla-news-agency>.

wads of money around and holding a policeman's gun,"<sup>50</sup> or for falsely reporting that Yar'Adua had died during the 2007 presidential election campaign. Elendu was released after two weeks without facing charges.<sup>51</sup> The following month, another U.S.-based online journalist Emmanuel Emeka Asiwe, editor of the Huhuonline website, was detained. The State Security Service similarly stated that Asiwe was being questioned about "matters of national security" and released him after a week of interrogation.<sup>52</sup>

Most recently in January 2011, Okey Ndibe, a non-resident columnist with a local newspaper and online blogger was briefly detained on arrival in Nigeria. His passports were seized,<sup>53</sup> and he was directed to report to the State Security Service offices. Mr. Ndibe told the *Associated Press* that "he believed his brief detention and the passport seizures came from the government's displeasure over his articles." According to the news blog TransparencyNG, "Ndibe's columns criticized the 2007 election that brought late President Umaru Yar'Adua to power... From then on, Ndibe never referred to Yar'Adua as the president." The government did not make any comments about the reason for his arrest, but his passports were given back two days later.<sup>54</sup>

Cyberattacks have increased in Nigeria, though most of the targets remain government websites. The website of the National Assembly was hacked 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 years of independence.<sup>55</sup> In October 2011, following a statement by the head of the telecom regulatory agency calling for internet control, the website of the NCC and another government agency, the Economic and Financial Crimes Commission, were hacked by a group known as Naija Cyber Hacktivists,<sup>56</sup> the same activists who have claimed almost all such incidents to date. Cybercrime remains a major problem in Nigeria, and conversations around the need for cybercrime legislation have since moved on to broader discussions on cyber security, mostly

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<sup>50</sup> "News Blogger Detained in Nigeria," British Broadcasting Corporation (BBC), October 23, 2008, <http://news.bbc.co.uk/1/hi/world/africa/7686119.stm>. Sahara Reporters stated that Elendu was not on their staff and had nothing to do with the photos.

<sup>51</sup> Reporters Without Borders, "Nigeria: Online Journalist Emmanuel Emeka Asiwe Freed After One Week," news release, November 18, 2008, <http://allafrica.com/stories/200811181177.html>.

<sup>52</sup> Ibid.

<sup>53</sup> "Jonathan Government Arrests US -based Newspaper Columnist, Okey Ndibe, At Murtala Mohammed Airport In Lagos," Sahara Reporters, January 8, 2011, <http://saharareporters.com/news-page/jonathan-government-arrests-us-based-newspaper-columnist-okey-ndibe-murtala-mohammed-airpo>.

<sup>54</sup> "Okey Ndibe's Passport Released," Transparency for Nigeria, January 9, 2011, [http://www.transparencynig.com/index.php?option=com\\_content&view=article&id=3139:okey-ndibes-passports-released&catid=88:society&Itemid=131](http://www.transparencynig.com/index.php?option=com_content&view=article&id=3139:okey-ndibes-passports-released&catid=88:society&Itemid=131).

<sup>55</sup> "Protest Against Wastage At 'Nigeria At 50' Anniversary: Hackers Hijack National Assembly Website," Sahara Reporters, October 2, 2010, <http://www.saharareporters.com/news-page/protest-against-wastage-nigeria-50-anniversary-hackers-hijack-national-assembly-website>.

<sup>56</sup> Richard Essien, "EFCC & NCC websites hacked," Daily Times, October 29, 2011, <http://dailytimes.com.ng/article/efcc-ncc-websites-hacked>.

because of incidents of terrorism led by an Islamic sect popularly referred to as Boko Haram. A new draft cybercrime bill, coordinated by the offices of the National Security Adviser and the Attorney General, is expected to be presented to the National Assembly as a cyber security bill.