

Rethinking the framework for child online protection in Nigeria (and the Global South)

LIKE A PALM TREE FOUNDATION

DATAFICATION AND DEMOCRACY FUND

Final Narrative Report

Organization name Like a Palm Tree Foundation

Country Nigeria

Project title Rethinking the framework for child online protection in Nigeria (and the Global South)

Grant duration from April 15, 2024 to October 15, 2024

Reporting period from June 30, 2024, to October 15, 2024

Prepared by Chukwuemeka Monyei (Executive Director)

Contact email chukwuemeka@likeapalmtreefdn.com



PROJECT SUMMARY

Our project is titled Rethinking the framework for child online protection in Nigeria (and the Global South).

We requested the sum of \$8000 to carry out research on the digital rights of children in Nigeria.

THEME/SCOPE

Child online protection in Nigeria suffers from two issues: the first issue is the limitation of the existing legal framework for child protection in Nigeria. The second issue is poor enforcement of existing laws due to ethno-religious and socio-economic factors. As a result, child online protection is hardly a priority for the government in Nigeria because actors that should ensure that children are protected online, do not exist, or where such actors exist, they are unable to take steps to regulate or reasonably sensitize the public. This situation is not peculiar to Nigeria as it also affects many countries in the Global South.

METHODOLOGY

- Literature Review
- Stakeholder Engagement
- Case Studies
- Policy Analysis
- Recommendations Development

OUR OBJECTIVES

- To provide an in-depth analysis of the current state of child online protection in Nigeria and the broader Global South, highlighting key challenges and opportunities.
- To develop actionable recommendations for improving the framework and enforcement of child online protection laws and policies in the Global South.

PROGRAM ACTIVITIES AND RESULTS

DESK RESEARCH

We conducted desk research into the current state of datafication of Nigerian children, exploring key challenges and opportunities. We carried out literature review and policy analysis to better understand the digital rights issues that Nigerian children face. We highlighted the following issues:

- i. Poor child data protection framework for data collectors
- ii. Failure of public bodies to take the lead in implementing strong data protection practices and policies, for children
- iii. Online grooming of Nigerian children
- iv. Absence of an online protection framework to safeguard Nigerian children from content, contact, conduct and contract risks.

We now have a clearer understanding of the extent to which Nigerian children are being datafied. From a young age, Nigerian children already have their data exposed. Recently, there was a report about the fact that NIN data collected by the National Identity Management Commission (NIMC) had been leaked. Even though this affects Nigerians on a general note, young people are very vulnerable as they are not yet well-experienced with cyber-resilience. Then, there is the datafication that takes place as young people use the internet for online banking, communication, social media, and to enjoy certain services.

CASE STUDY

Our research revealed that the United Kingdom arguably has the leading framework for child online protection and data protection of children, in the English-speaking world. As a result, we explored its policies and approach to define our proposed standards for Nigeria, and for other countries in the Global South.

We were able to identify that the United Kingdom's robust child online protection framework today is a product of about two decades of government-led efforts at protecting children.

The framework exists today due to the following approaches:

1. Investment in robust research
2. An existing strong framework for child online protection

3. Coordination of government activities with civil society and academics
4. Policy making and goal setting
5. Law making

Unfortunately, Nigeria (and many countries in the Global South) do poorly across the above approaches, with the overall issue being the severe failures in the sphere of child protection. Nigeria has the highest number of out-of-school children in the world. It has a high number of child brides, malnourished children, and even the children that are in public school are receiving low quality education.

We explored literature that deals with datafication of children, with the goal of coming up with policy-direction and standards that are tailored to the case of Nigerian children.

In the course of our research, we partnered with Oaks Intelligence Ltd, a data and software company. We examined data collected from 2718 children across every state in Nigeria, on their online activities, including the challenges they experience while using the internet. The project gave us an opportunity to analyze the data.

MAIN LEARNINGS DURING THE PROJECT

Our organization has been involved in child online protection since 2016, but due to the insights we have gathered from this research, we are reviewing our approach to refocus our resources on digital inclusion (first) and then safety (second).

Exploring the landscape of child online protection in the Global North loudly highlighted the extent to which investments have been made into protecting children online, and how Nigeria, and many countries in the Global South greatly lag behind in general child protection.

As a nonprofit with limited resources, it is our priority to focus on areas that will lead to the greatest good for the digital rights of children. Up until now, we have seen child online safety as the greatest good that we should focus our energy on, and the issue that the Nigerian government should prioritize.

Now, we think that the Nigerian government should prioritize child education that is digital led, and that seeks to educate children for the digital world that

we live in, and for the artificial intelligent world that we are entering into.

This research exposed us to the extent to which the Nigerian government lacks resources and the will to facilitate real change for protecting children online, in light of the fact that Nigerian children are some of the least protected children in the world. Hence, child online protection is best served if the government focuses its energy in educating children for the digital world, and for their protection while they engage in that world.

MAIN OBSTACLES DURING THE PROJECT

The major issue we faced in the course of executing the Project was political. For several years, the Nigerian Communications Commission (NCC) has been the Nigerian federal organization we have been dealing with, with respect to child online protection. NCC is responsible for all telecommunications matters in Nigeria. As a result, it also regulates the internet – which is a federal issue.

Globally, child online protection is a matter that cuts across different government functions. There is the responsibility for child protection and child welfare. There is the responsibility for data protection. There is the issue of cybersecurity. There is also the issue of children's rights. There is also the issue of internet regulation. There is also consumer protection. There are quite a number of sub-areas that are involved in a child online protection ecosystem. The question then becomes – which of the government ministries, departments or agencies responsible for the above-mentioned issues, should be responsible for child online protection in Nigeria?

Interestingly, the earlier policy for child online protection that was put in place in Nigeria, was facilitated by the office of the then First Lady of Nigeria.

There is an added twist that made our research complicated – the fact that child rights in Nigeria is first a responsibility for state governments. The implication therefore is that no matter the progressive child protection work at a federal level, its implementation must be led and championed by states.

This reality has always affected our work in child online protection because

whenever we do advocacy for legislation on children's digital rights, it seems counter-intuitive especially because not all states in Nigeria even have local laws protecting the basic rights of the children in those states. Children's digital rights in Nigeria now almost appears as if it were an elitist issue – trying to resolve issues affecting a 'limited number' of children, while the majority of children are denied even their most basic rights.

However, the NCC took up the gauntlet and had been leading the charge at the level of the federal government in Nigeria. However, in the last year, the very dedicated staff at the NCC who were championing child online protection issues, have been transferred out. In addition, child online protection has now been moved to the office of the National Security Adviser. This affected our research because we were only able to have one engagement with them and they made it clear that nothing had commenced because they were still trying to get the work started.

Aside from the fact that for administrative purposes, this serves as a set back, but also for policy and strategic purposes, there is hardly any reasonable scenario in which the office of an NSA will be best tasked for child online protection. Under Nigeria's Cybercrime Act (Amended in 2024), the Office of the National Security Adviser is the federal government agency tasked with national cybersecurity oversight. While this may be acceptable from a national security context, child online protection (although functioning as cybersecurity for children), is first a child protection matter before a cybersecurity matter.

Regardless of the change, we have been invited by the NSA's office to render support to them as they kick-start activities.

We had hoped that in light of the work that NCC had done in child online protection, we would leverage their experience and work in pushing for the implementation of our research findings and recommendations.

Aside from the political issue, financial limitation was another issue. While we are grateful for the funding from DDF and the fact that we have been able to accomplish what we set out to do, the scope of the work left to be done requires serious financial commitment and we wish we had better funding to jump right in and continue from where the work promoted by the DDF funding, stops.

RELATION WITH DATAFICATION AND DEMOCRACY

Our project is primarily a research project, that draws on desktop research exploring publicly available information, and quantitative and qualitative data. The aim is to produce an in-depth analysis of the current state of child online protection in Nigeria and the broader Global South, highlighting key challenges and opportunities; and, develop actionable recommendations for improving the framework and enforcement of child online protection laws and policies in the Global South.

To be able to achieve this, we are to conduct a literature review, undertake a case study and policy review. These have now been completed and we are currently working on applying the lessons learnt from this phase, to the situation we have in Nigeria.

We are suggesting a new regulatory framework by which we can protect children as they go online.

Finally, we are suggesting standards which may be applicable (subject to adaptations) to the other nations in the Global South.

Our project aligns with the main theme of the fund, which are datafication and democracy. Our focus is on how datafication affects children's safety online (and even offline). We are particularly concerned about how children are at more risk to lax data protection policies. This is very pronounced in Nigeria and many countries in the Global South, that are increasingly engaging in datafication.

To register for JAMB, an applicant (usually a young person) needs to have a National Identification Number (NIN). The same applies to the West African Senior School Certificate Examination (WASSCE). So Nigerian children are compelled to have a National Identification Number. Nigerian children also have to supply their details when they sign up for a sim card.

One of the major things we expect to put forward as a result, is a suggested way in which countries in the Global South can legislate for child online protection, without threatening the autonomy of citizens. That is one of the major issues that occurs in the Global South.

While it is acknowledged that there have to be laws to ensure the protection of data and rights as datafication occurs. Too often, cyber laws are employed against free speech. For example, it's very common to see social media and cybercrime laws being employed to shut journalists up or bully less powerful members of society.

The digital divide is another critical issue of datafication. We produce a report on how datafication creates digital divides and further exacerbates socio-economic differences for children. Our project also aligns with the democracy component of the fund. Conversations on democracy often exclude children, especially in the Global South. Although children do not vote, the Convention on the Rights of the Child (the most adopted international treaty) requires states and other relevant actors to take decisions 'in the best interest of the child'.

One of the results from our research demonstrates that child online protection in Nigeria suffers from the great challenges Nigeria faces in child protection. For example, Nigeria has the highest number of school children. Millions of children are also displaced.