

HUMAN RIGHTS IN NIGERIA

NIGERIA NETWORK OF NGOS



UPR Info Pre-sessions

Situation in Nigeria – Issue 1

➤ **Implementation of previous recommendation**

- ❑ **Italy:** Protect and promote freedom of expression, association and peaceful assembly in order to create a safe and favourable environment for human rights defenders, journalists and civil society

➤ **New developments**

- ❑ Ongoing legislative review of the Companies and Allied Matters Act and court decisions setting aside some sections.
- ❑ National Risk Assessment conducted leading to risk-based regulation of CSOs
- ❑ Code of Corporate Governance developed to follow international best practices of “adopt or explain”
- ❑ Emergence of sub-national regulations without legal basis is growing across the 36 States of the Federation bringing unnecessary burden on nonprofit actors with administrative provisions subject to arbitrary abuse.
- ❑ Unregistered associations not having access to banking services

Recommendations – Issue 1

We recommend the Nigerian Government to:

- Establish a metrics for the Corporate Affairs Commission on ease of post incorporation obligation for small nonprofits
- Sustain ongoing outreach by regulators to the civil society sector
- Repeal Decree 12 of 1974
- Mandate the Special Control Unit on Money Laundering to conduct a targeted National Risk Assessment of Unregistered Associations.

Situation in Nigeria – Issue 2

➤ **Implementation of previous recommendation**

- ❑ A ban on Twitter in June 2021 after President Mohammmadu Buhari's tweet was deleted by Twitter on account that his post violated community standards prevented access to the platform for 7 months except through Virtual Private Networks (VPNs).
- ❑ Under section 24 of the Cybercrime Act 2015, law enforcement officers are empowered to arrest journalists and bloggers on grounds of cyberstalking.

➤ **New developments**

The Cybercrime Act is under review by the National Assembly and has undergone public hearing as of November 22, 2023.

Recommendations – Issue 2

We recommend the Nigerian Government to:

- Repeal section 24 of the Cybercrime Act.
- Ensure that the internet, including social media and other digital communication platforms including websites, remain open, accessible, and secure across Nigeria (in respect of the ECOWAS Court ruling).

Situation in Nigeria – Issue 3

- Implementation of previous recommendation
- Canada: *Ensure that the fundamental rights to freedom of association and peaceful assembly are respected and protected for all Nigerians without distinction of any kind and in accordance with the Constitution*
- Government made far reaching commitments to civic space in the 2ND and 3rd OGP National Action Plan

Recommendations – Issue 3

We recommend the Nigerian Government to:

- Allocate resources in the 2024 budget and fully release same for the full implementation and monitoring of the civic space component of NAP III.

Thank you

- ❑ Small Media Foundation
- ❑ Nigeria Network of NGOs