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## Executive Summary

The right to the internet has proved more relevant in the year 2020 than at any other time. The outbreak of the pandemic of COVID-19 has highlighted the undeniable importance of access to the Internet for all. Across all sectors and industries, the coronavirus disease has caused havoc and impacted the way people work and network. The Internet has been used as an important means for people to continue socialising, delivering multiple services, banking or holding conferences as they try to respect social distancing protocols. The internet has sustained remote working, virtual gathering, and videoconferences as well as enable several media institutions to reinforce their online presence.

The use of the internet has increased across countries. In West Africa, internet penetration is expected to rise above 36% as recorded in January. Social media use was estimated at 13% and have been increasing throughout the first and second quarter.

Current mobile connectivity (92%) in West Africa is expected to intensify, coupled with the massive use of ICT- enabled devices and social media platforms. Women are, however less likely than men to own a mobile phone and use mobile internet.

However, the improvement in internet access and the exercise of internet rights by citizens by way of expressing views and opinions are not without challenges. The increasing penetration and use of the internet are sometimes seen as a threat to autocratic regimes, particularly when citizens and journalists are using the internet and social media to demand social and political changes.

So as citizens' engagement online is steadily increasing, the crackdown and repression of civil and political rights in the digital space by autocratic governments is also increasing. The new legislation, cyber laws and sophisticated surveillance technologies are being used to repress freedom of expression online under the pretext of protecting "state security".

As part of its mission to defend and promote freedom of expression both offline and online, the Media Foundation for West Africa (MFWA) has been monitoring violations of freedom of expression online and reporting on internet-related developments. The present report covering April-June 2020, presents the findings of the monitoring exercise of the internet space in West Africa made up of the 15 ECOWAS countries plus Mauritania. It is the second of a series of four reports on internet related issues across the sub-region that will be published in 2020.

The current report highlights incidents of digital rights violations, presents a brief overview of social media use per gender, and discusses the challenges confronting digital freedom and internet use in nine countries – Benin, Burkina Faso, Cote d'Ivoire, Ghana, Mali, Mauritania, Niger, Nigeria, and Sierra Leone.

Five out of the nine countries recorded a total of ten incidents of digital rights violations during the quarter under review. Arrest and detention, the sentencing of a journalist and activist, abuse of privacy online were the types of violations recorded.

The report also highlights some good developments in the digital space during the quarter. For example, an imprisoned journalist was released, one female journalist arrested and detained unlawfully was released alongside an activist.

The report concludes with some recommendations for improving internet access and use in West Africa.

## Introduction

Internet use cut across all sectors of human activities. The need to promote and protect digital rights has become indispensable to the full realisation of other fundamental human rights. Consequently, the need to promote access and to advocate for affordable internet, safety, security and privacy online has also become even more imperative.

In the past two decades, there has been a significant expansion of the internet space and innovative advancements in Information and Communication Technologies (ICT's). According to GSMA, there are 747 million SIM connections in sub-Saharan Africa, representing 75%<sup>1</sup> of the population.

In West Africa, social networking has reached 55,060,000<sup>2</sup> people. 155,650,000<sup>3</sup> people have access to the internet in 2020 in the region. However, the percentage of women using the internet is meager. For instance, only 18% of women in Africa have access to the internet as against 25%<sup>4</sup> of men. Out of this only, 36% of females are using social media as of January 2020, against 64%<sup>5</sup> of males.

The unequal access to the internet in the region is accentuated by uneven telecommunications infrastructure coverage between the rural and urban areas. The high price of data, lack of digital literacy, online harassment and abuse, and social burden are among other factors hampering women's online rights and keeping the gender digital divide increasing.

Also, with advances in digital communication, as evidenced by the increasing access to gadgets such as smartphones and other internet-enabled devices, it is obvious that the existing gender divide is increasing. Issues of safety encountered by women offline are also replicated online. Protecting women online and promoting equitable access to the internet and ensuring gender-balance have become crucial for women empowerment.

West Africa is enjoying a relatively reasonable share of the boom in communication technology. However, online safety has become a matter of major concern. Besides, the gains made in the digital space are being distorted by the misuse of the internet; cyberattacks, phishing attacks, password attacks, hacking, bullying, and harassment.

Governments are also clamping down on the legitimate use of the internet. The clampdowns are noticeable through the repressive laws, arbitrary arrests, detention, and harassment of outspoken citizens and activists in the cyberspace, particularly on social media, and even through internet shutdowns at critical moments such as elections and mass protests.

As an organisation that works to promote freedom of expression online and offline, the Media Foundation for West Africa (MFWA) has been monitoring and reporting on internet-related challenges to help to advance internet rights, consolidate the gains and fight back the repression.

The reports from the monitoring are published periodically as **The West Africa Internet Rights Monitor** and are intended to provide credible reference material for internet rights advocacy and policy dialogues at the national, regional, and international levels. This edition of The Internet Rights Monitor covers 9 countries – Benin, Burkina Faso, Cote d'Ivoire, Ghana, Mali, Niger, Nigeria, and Sierra Leone.

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<sup>1</sup> Elliott R. (July 18,2019). Mobile phone penetration throughout sub - saharan Africa. Retrieved from <https://www.geopoll.com/blog/mobile-phone-penetration-africa/>

<sup>2</sup>Statista (2020). Number of social networking users worldwide in 2020, by region. Retrieved from <https://www.statista.com/statistics/454772/number-social-media-user-worldwide-region/>

<sup>3</sup>Statista (2020). Number of worldwide internet users in 2020, by region. Retrieved from <https://www.statista.com/statistics/249562/number-of-worldwide-internet-users-by-region/>

<sup>4</sup> World Wide Web Foundation (2019, August). <https://webfoundation.org/2019/08/including-women-and-girls-in-the-digital-revolution-lessons-from-west-africas-eskills4policymakers-workshop/>

<sup>5</sup>We are Social and Hootsuite (2020, January). Share of social media users by gender. Retrieved from <https://datareportal.com/reports/digital-2020-global-digital-overview>

The methodology, findings, and recommendations from the three-month (April -May and June 2020) monitoring are presented below.

## Methodology

This report is the result of the monitoring, documentation and reporting of internet-related issues, especially violations against online expression, recorded in West Africa from April to June 2020. The monitoring is undertaken by MFWA's internet right monitors and national partner organisations across West Africa.

The quarterly report focuses on countries in which abuses and other developments were recorded during this quarter.

The monitoring and reporting are directed by an internet rights monitoring tool which was developed by the MFWA and shared with its national partner organisations and internet rights monitors. A user manual that provides tutorials on the monitoring tool also provides additional information to the monitors who send monthly monitoring reports to the MFWA. The various country reports are then analysed into quarterly reports, which are published as 'The West Africa Internet Rights Monitor'.

## General Findings

In all, five countries recorded internet rights-related violations. One journalist and three social media users were arrested and detained in Mauritania for publishing critical material on digital platforms. One journalist and an activist were also arrested, unlawfully detained, and later released in Sierra Leone for respectively criticising the government and posting a picture on social media. In Nigeria and Niger two male journalists and a female respectively, were arrested, detained and arraigned before court. Still in Nigeria, a social media influencer was detained for creating a parody account using the name and picture of a former president while a political activist was detained and brought before the court for his online activism. A partial social media blackout was registered in Mali at the height of anti-government protests.

Victims of internet rights violations during this second quarter were mainly journalists (five), social media users (three), and two activists. All the violations recorded during the period under review were perpetrated by state security agencies, state officials and individuals.

Regarding internet use by women, Niger has emerged as the country that is closest to closing the digital gender gaps, with 49.7% of women Facebook users (against 50.3% men) while Mali has the widest gap (24.1% women against 75.9%). Also, all the countries covered did not have a clear-cut of woman online protection policy as compared to other existing laws on data protection, cybersecurity, child online protection.

Further, as part of efforts to contain the spread of the COVID-19 pandemic, several governments have set up a digital platform for information sharing and dissemination. Individuals and some institutions as part of their contribution have embarked on application development and deployment to help to fight the spread of the disease.

# Country-Specific Findings

## Benin

As of June 30, 2020, the percentage of mobile internet users in Benin was 54,24%<sup>6</sup>. The population is estimated at 12, 182, 445<sup>7</sup>. The proportion of women represents 52% of the population. The country is intensifying efforts towards the digitalisation of its administration system in pursuance of the SDGs<sup>8</sup>. However, the legal framework governing cyberspace posed a threat to freedom of expression online. Also, the digital gender divide skews access to the internet and social media in favour of men 69.2%, with women having 30.8%<sup>9</sup> access.

On June 24, 2020, Ignace Sossou, a journalist working with an online media outlet, was released from prison after spending six months. Sossou was sentenced to 18 months in prison and fined CFA Francs 200,000 (about USD400) for sharing on social media remarks made by the Public Prosecutor, Mario Metonou during a forum on fake news in Benin in December 2019. The country did not record any incident of violation of freedom of expression online.

As part of efforts to fight the spread of COVID-19, Jordan Vitou, a student from Epitech Benin launched<sup>10</sup> an online pre-diagnosis App that registered 37.389 users as of April 7, 2020. Also, a technology innovation center, Seme-City launched the “X-Over<sup>11</sup>” mobile application. The application was developed to help manage the Covid-19 disease, and trace people who came into contact with a COVID-19 infected person. It also provides users with reliable information about the COVID-19<sup>12</sup>.

Other developments recorded related to the quality of services provided by the mobile telephony companies. Following numerous complaints from customers regarding poor quality services of mobile money from MoMoPay SBEE and Canal+Bénin, the sector regulator, l’Autorité de Régulation des Communications Electroniques et de la poste (ARCEP BENIN)<sup>12</sup>, on June 10, 2020, urged these telecom corporations to ensure quality service, accountability and transparency. It further directed the service providers to compensate customers for damages incurred as a result of their failure to deliver the desired services.

## Burkina Faso

The population is expected to reach 21,510, 181<sup>12</sup>. The percentage of women is estimated at around 50.3%. As of July 2020, there were 2,112,700 Facebook users in Burkina Faso<sup>11</sup>, out of 4,590,00 million internet users. Few women access to the internet, only 28.6% compared to 71.4% men. Access to the internet is further disrupted by the attacks of terrorist groups in the north of the country.

<sup>6</sup> ARCEP Benin (Juin 30,2020). Observatoire de l’Internet, Tableau de bord au 30 Juin 2020. Tableau 2 : Evolution du parc internet mobile. Retrieved from <https://arcep.bj/wp-content/uploads/2020/08/Tableau-de-bord-Internet-au-30-Juin-2020-1.pdf>

<sup>7</sup> Worldometers (September 11, 2020). Benin population (live). Retrieved from <https://www.worldometers.info/world-population/benin-population/>

<sup>8</sup> Juin 2020. Contribution nationale volontaire à la mise en œuvre des ODD au forum politique de haut niveau. Digitalisation et numérique en faveur des ODD. Retrieved from [https://sustainabledevelopment.un.org/content/documents/26282VNR\\_2020\\_Benin\\_Report.pdf](https://sustainabledevelopment.un.org/content/documents/26282VNR_2020_Benin_Report.pdf)

<sup>9</sup> Kemp S. (February 17, 2020). Digital 2020: Benin. Facebook audience overview. Retrieved from <https://datareportal.com/reports/digital-2020-benin>

<sup>10</sup> EPITECH (Avril 24, 2020). À Epitech Bénin, un étudiant imagine une application pour lutter contre le Covid-19 <https://www.epitech.eu/fr/actualites-evenements/epitech-benin-etudiant-solution-application-covid-19/>

<sup>11</sup> Kinhou B (July 22, 2020). Bénin : le centre d’innovation "seme-city". Retrieved from <https://fr.africanews.com/2020/07/22/benin-le-centre-d-innovation-seme-city/>

<sup>12</sup> ARCEP Benin (Juin 11, 2020). Difficultés des consommateurs dans l’achat des services MOMOPAY SBEE et CANAL+ Benin. Retrieved from <https://arcep.bj/difficultes-des-consommateurs-dans-lachat-des-services-momopay-sbee-et-canal-benin/>

<sup>13</sup> INSD. Chiffres clés. Indicateurs démographiques. Burkina Faso (Projections 2020). Retrieved from <http://www.insd.bf/n/>

[1] NapoleonCat (July, 2020). Social media users in Burkina Faso <https://napoleoncat.com/stats/social-media-users-in-burkina-faso/2020/07>



An incident of abuse of privacy online violation by an individual was recorded during the period under review. Like other countries across the globe facing the disease of coronavirus, the country recorded 980<sup>13</sup> confirmed cases of coronavirus disease as of 30 June 2020.

As part of measures to ensure social distancing, share information and raise awareness, the health ministry in Burkina Faso fell on digital initiatives to counter the spread of the COVID-19.

On May 6, 2020, the health ministry, with support from UN Agencies, International NGOs, and a private entity, launched three mobile applications<sup>14</sup>: Corona-Detect, Corona Contact, Corona-Corus. All these applications were deployed on mobile android phones and comprised local language features to reach the large majority of people.

Still in the line of deploying digital platforms to combat the spread of the coronavirus, Faso Civic, an associative startup launched, DiagnoseMe<sup>15</sup>, a mobile application to help detect the symptoms by filling a questionnaire in three languages (French, Dioula or Fula).

On April 2, 2020, Harouna Yoda, Public Prosecutor of Burkina Faso instructed the judicial police to identify, search, and arrest the authors of sex tape video on social media and all those who shared it. The instructions were given as a result of the complaints of some victims.

## Côte d'Ivoire

As of June 2020, there were an estimated 5,275,000 Facebook users while internet penetration was at 45,3%. The mobile telephony coverage with 4G broadband services was estimated at 58,51%<sup>16</sup> with 1,910 localities across Cote d'Ivoire. The population is estimated at 25,673,882, with 49.1% of women. Regarding engagement on social media, women were estimated to be 33.3 % for Facebook as against 66.7% of men. Access to and use of the internet by women remain a challenge. Like in many developing countries, women's empowerment through the internet is hampered by the high cost of data, lack of literacy, and digital skills arising out of entrenched social discrimination.

During the period under review, there was no reported incident of digital rights violations.

As of June 30, the country recorded 9,49917 confirmed cases of contamination with the coronavirus, Covid-19.

In the line of the fight against COVID-19, some startups and a civic society organisation have joined efforts in partnership with the government to develop "Anticoro"<sup>18</sup>, an application that helps to trace potential coronavirus carriers, raise awareness and connect to an online platform for rapid treatment. However, the geo-localisation functionality of this application poses a threat to privacy and could be potentially used after COVID-19 to repress freedom.

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<sup>13</sup>Zoodomail. Coronavirus au Burkina/30 juin 2020 : 13 nouveaux cas importés, 75 cas actifs. Retrieved from <https://www.zoodomail.com/index.php/fr/covid-19/coronavirus-au-burkina30-juin-2020-13-nouveaux-cas-importes-75-cas-actifs>

<sup>14</sup>Terre des hommes (May 6, 2020). Press clippings. COVID-19 au Burkina Faso : Trois applications mobiles lancées. Retrieved from <https://www.tdh.ch/en/node/29590>

<sup>15</sup>Societe Generale in Africa (June 4, 2020). News. YUP PARTNER OF DIAGNOSEME IN BURKINA FASO. Retrieved from <https://societegenerale.africa/en/societe-generale-africa/news/news-details/news/diagnoseme-app-detect-covid-symptoms/>

<sup>16</sup>ARTCI (11Aout, 2020). Couverture du territoire national. Retrieved from <https://www.artci.ci/index.php/secteurs-regules/telecommunications/couverture2.html>

<sup>17</sup>AIP (30 Juin, 2020). Côte d'Ivoire-AIP/COVID-19 : 285 cas confirmés de plus en une journée (MSHP). Retrieved from <https://aip.ci/cote-divoire-aip-covid-19-285-cas-confirmes-de-plus-en-une-journee-mshp/>

<sup>18</sup>Digital business Africa (21 Avril 2020). Retrieved from <https://www.digitalbusiness.africa/cote-divoire-lapplication-anticoro-entre-dans-la-lutte-contre-le-covid-19/>

## Ghana

At the end of June 2020, the total number of Facebook users was 7,032,000. At the time of this review, the population of the country was estimated by Countrymeters (live) to be 31,002,824. Women were estimated to constitute 49.1%. Women's online activities on social media represent 36.5% against 63.5% of males on Facebook. With the surge of the coronavirus, social media engagement was expected to increase.

During the quarter under review, there were no reported digital rights violations. However, a journalist was summoned by the police over a YouTube video publication.

As of June 30, 2020, the number of confirmed COVID-19 cases had reached 17,351<sup>19</sup>.

As COVID-19 was causing havoc around the globe, the authorities took an initiative to counter the spread of the disease. On April 13, 2020, the Vice President of Ghana, Dr. Mahamudu Bawumia launched the Ghana COVID 19 Tracker App. The application was expected to track people with the virus, and those who have come into contact with an infected person.

The COVID-19, nearly got a Ghanaian journalist into trouble. On June 3, 2020, the Criminal Investigations Department (CID) of the Ghana Police Service, summoned Adomah to its headquarters in Accra and interrogated him over the source of the information contained in his video.

In the said video, Adomah accurately predicted a number of COVID-19 restrictions which would be eased. According to the police, the journalist's predictions about what the President was going to say in his May 31, 2020 address to Ghanaians were too accurate to be mere coincidence.

In an attempt to ensure equity and competitiveness on the data mobile service market, the National Communications Authority (NCA)<sup>20</sup> has taken measures to reduce the dominance of MTN Ghana which commands (70%) of the market.

## Mali

As of June 2020, there were 1,998,400<sup>21</sup> Facebook users, according to data from NapoleonCat Stats in Mali. The population of Mali was estimated at 20,490,210 at the time this report was being compiled. The female population was estimated at 50%. Women online activity is marginalised, with few of them on social media, only 24.1% using the Facebook platform, against 75.9% of men. Like other countries in the Sahel region, the spread of internet coverage is hampered by the insecurity posed by terrorist groups.

The pandemic of coronavirus hit also the people of Mali. As of June 30, the country had recorded 2,181 cases of COVID-19 with 116 deaths.<sup>22</sup>

Similar to many governments in the sub-region, the government took to the internet to drive information sharing and awareness-raising. Through Agence des technologies de l'Information et de la communication (AGETIC), a state institution in charge digital infrastructure, the "SOS Corona"<sup>23</sup> application was developed and deployed. The application sought to inform and raise

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<sup>19</sup>Reliefweb (July 1, 2020). UNICEF Ghana: COVID-19 Situation Report - #6, 16th – 30th June 2020  
Retrieved from <https://reliefweb.int/report/ghana/unicef-ghana-covid-19-situation-report-6-16th-30th-june-2020>

<sup>20</sup>Joy Online (June 8, 2020). Government moves to curtail MTN's 'monopolisation' of telecom industry  
Retrieved from <https://www.myjoyonline.com/business/telecom/government-moves-to-curtail-mtns-monopolisation-of-telecom-industry/>

<sup>21</sup>NapoleonCat (July, 2020). Social media users Mali. Retrieved from <https://napoleoncat.com/stats/social-media-users-in-mali/2020/07>

<sup>22</sup>Reliefweb (Jul 1, 2020). Mali : COVID-19 - Rapport de situation #9, 30 juin 2020. <https://reliefweb.int/report/mali/mali-covid-19-rapport-de-situation-9-30-juin-2020>

<sup>23</sup>JSTM (Juin 4, 2020). Mali : SOS Corona, une application qui souffre d'un désintérêt. Retrieved from <https://www.jstm.org/mali-sos-corona-une-application-qui-souffre-dun-desinteret/>



awareness about the pandemic. However, its success was limited compared to other countries in the sub-region.

Still to help propagate information about the coronavirus and raise awareness, Mohamed Fofona, a young Malian computer scientist, developed an application called "Alerte Coronavirus"<sup>24</sup>.

On the side of the anti-government protest, the country recorded internet blackout, amid the high of the protests that was swirling in the capital town.

From July 10 to 15, social media and messaging platforms were partially blocked in the country, as demonstrations against the President Ibrahim Boubacar Keita intensified.

## Mauritania

As of June 2020, 862,500 out of Mauritania's population of 4,622,089 were using Facebook. While women constitute 49.79% of the population, they represent only 33.8% Facebook users. Cultural and religious discrimination against women is widespread and deep-seated.

With regard to the Corona Virus outbreak, the country had 4,363 confirmed cases as of 30 June, with 1,280 recoveries and 129 deaths.

During this quarter, Mauritania recorded incidents of digital rights infringement and the passage of cyberspace related law.

On June 2, the police arrested Salma Mint Tolba, a female biologist Mauritanian citizen who allegedly shared an audio recording on WhatsApp. In the audio, the lady was questioning aspects of the government's response to the COVID-19. She accused the authorities of inflating the number of infections. Mohamed Ould Semmane and Sidi Mohamed Ould Beyah, who were alleged to have participated in the dissemination of the audio, were also arrested.

On June 3, the police arrested a journalist, Eby Ould Zeidane, over a Facebook post in which he challenged the dates on which Mauritians observe the annual fasting in the Islamic month of Ramadan. He condemned religious fanaticism in Mauritania and said his compatriots have deviated a lot from the path of Prophet Muhammad.

Zeidane was brought before an investigating judge on charges of blasphemy on June 8. He was also charged with "publishing leaflets that undermine the values of Islam" under section 21 of the Cybercrime Act.

Also, the National Assembly on June 24, 2020, approved a new law to deal with the publication of false information on social media, prompting criticism from some opposition Parliamentarians and human rights activists who cite several "ambiguities" and "inexactitudes."

When it comes into effect, the law will penalise infractions with a jail term of between three months and five years. It also imposes fines ranging from 50,000 Mru (150 USD) and 200,000 Mru (600 USD).

## Niger

As of the first quarter of 2020, internet users were only about 2.78 million out of 24, 373,871<sup>25</sup> people populating the country during the period of this report. The female population is 49.7% against 50.3% men. Social media penetration is also meagre, with Facebook users estimated at

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<sup>24</sup>Joliba fm (9 Avril, 2020). Application « Alerte Coronavirus » de Mohamed Fofana  
Retrieved from <http://www.jolibafm.com/news/application-alerte-coronavirus-de-mohamed-fofana-260>

<sup>25</sup>Countrymeters (September 10, 2020). Horloge de la population du Niger. Retrieved from <https://countrymeters.info/fr/Niger>

557.000<sup>26</sup>. The percentage of women using Facebook was estimated at 49.7% against 50.3%. From this indication, women's online activity seems to almost equal that of men. Literacy rate stands at 19% for adults above the age of fifteen years.

Niger registered 1,036 COVID-19 infections, of which 911 recovered and 67 died. A total of 6,170 patients tested for the virus during the second quarter of 2020.

During the period under review, Niger recorded an incident of digital rights violations.

On June 10, 2020, Samira Sabou, a journalist and activist, was arrested after she made a critical publication on Facebook (May 26, 2020) about corruption scandal in which Sani Issoufou, the son the President, was allegedly involved.

## Nigeria

With a population of 207,096,361<sup>27</sup> (49.4% females and 50.6% male), Nigeria represents a dominant market share of social media and mobile internet in West Africa. As of June 2020, the number of data subscribers with active lines was estimated at 196,242,456<sup>28</sup>. Social media users were estimated at around 27,000,000 in January this year, with 38% of the female and 62% of the male population on Facebook.

With regard to the Corona virus, Nigeria had 25,133 confirmed cases, 9,402 discharged, and 573 deaths<sup>29</sup> as of June 30, 2020.

The government in Nigeria, like others across the globe, deployed information online, especially on social media in an attempt to contain the spread of the pandemic.

Nigeria is known for its obsession to regulate online freedom. Over the past years, several attempts were made by lawmakers to enact inimical legislations that restrict freedom online. With the surge of the corona virus pandemic and the viral phenomenon of fake news that came along, there were more fears that the pending Bills such as the Prohibition of Hate Speech Bill, the Protection from Internet Falsehood and Manipulation and other Related Offences Bill, could be passed. However, that scenario did not occur.

Nonetheless, there were a number of arrests in connection with critical publications or citizens' activities in the digital space.

On May 8 and June 4, Saint Mienpamo Onitsha, founder of the news website Naija Live TV was detained over the publication of his media reports on an alleged collapse of a COVID-19 isolation centre in Kogi State. On the first incident of arrest, DSS four elements stormed the home of Onitsha and carried him away at gunpoint. The secret service detained Onitsha at their headquarters in the state capital Yenagoa. On May 12, 2020, after he "apologized" for the "erroneous" publication, he was released on bail.

A day after his release, Onitsha issued a statement giving details of how he was arrested and revealed that he was forced to issue the apology over the publication. On June 4, Onitsha was summoned and detained again over the same publication, and arraigned before a federal court on

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<sup>26</sup> NapoleonCat(June, 2020).Social media users in Niger.Retrieved from <https://napoleoncat.com/stats/social-media-users-in-niger/2020/06>

<sup>27</sup> Worldmeter (September 11, 2020).Nigeria population(live).Retrieved from <https://www.worldometers.info/world-population/nigeria-population/>

<sup>28</sup>Nigerian Communications Commission. (June, 2020). Subscriber Statistics. Months: April 2017-July 2020. Retrieved from <https://www.ncc.gov.ng/statistics-reports/subscriber-data>

<sup>29</sup>Africanews (June 29, 2020). Coronavirus - Nigeria: COVID-19 case update for Nigeria. Retrieved from <https://www.africanews.com/2020/06/30/coronavirus-nigeria-covid-19-case-update-for-nigeria-29th-june-2020//>

June 5, on charges of publishing false news under the section 24(1) b of Nigeria's Cyber Crime Law 2015. However, he was granted bail.

On May 22, 2020, the police in Kwara State arraigned before a Federal High Court in Abuja, the freelance journalist Rotimi Jolayemi on charges under section 24(1)(b) of the Cyber Crimes (Prohibition, Prevention etc) Act 2015. The journalist had composed and shared on a WhatsApp platform a critical poem about the Nigeria's Minister of Information and Culture, Alhaji Lai Mohammed. He was released on bail on June 16.

On May 23, 2020, Babatunde Olusola, a student of Ladoke Akintola University of Technology in Ogbomoso, a city of Oyo State, in south-western Nigeria was arrested by the police and detained at the Force Criminal Investigation Department in Abuja, the federal capital of Nigeria.

Olusola was accused of creating a parody Twitter account with the name of the former Nigeria President, Goodluck E. Jonathan, and the photo of the later. It must be noted that Olusola had indicated that the account bearing the name of the former president is a parody one. His profile read in part, "BrezziLife, not GEJ30".

On May 28, the DSS arrested a political activist, Ambrose Nwaogwugwu, manager of the New Media Centre of the Imo State Chapter of the People's Democratic Party (PDP). On June 5, Nwaogwugwu was arraigned before a Magistrate's in Owerri, Imo State on court on a six-count charge, three of them under the cybercrime.

Nwaogwugwu arrest and appearance before the court followed his Facebook post considered to be defamatory of Hope Uzodinma, governor of Imo State. The charge sheet, however referred to a series of social media publications by Nwaogwugwu considered to be "false" and "insulting." However, he was granted a N500,000 (1, 295. 56 USD) bail on June 22, 2020.

## Sierra Leone

The population of Sierra Leone is estimated at 7,233,549, 51.9% of it female and 48.9% male. As of January 2020, internet users in Sierra Leone were estimated at around 1,990,000<sup>31</sup>. An estimated 40.3% of Facebook users are female and 59.7% male. Like other countries featured in this report, Sierra Leone recorded 1,169 confirmed COVID-19 cases, with health workers accounting for 10.9% of all cases.

In a glaring violation of freedom of expression online, the authorities in Sierra Leone arrested, detained and prosecuted a female journalist and political activist alongside another activist following their social publications.

On May 1, 2020, police arrested and detained Sylvia Olayinka Blyden, publisher of the *Awareness Times* newspaper at her home in Freetown for alleged "cyber-related" offenses. She was accused of publishing on April 23, a defamatory story against the President and the Government of Sierra Leone. Her phones and computers were seized and searched without due process, thus violating her rights to privacy. After 22 days of detention, Blyden appeared before a court and was remanded on bail. On May 28, she made her second appearance before the court and was granted bail but released the following day.

On June 3, when she appeared for the third time, the court returned her into detention after accusing her of breaching her bail conditions by making public statements about the case. She was

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<sup>30</sup>Punch (July 25,2020). Student arrested for opening Jonathan parody account denied access to lawyers

Retrieved from <https://punchng.com/student-arrested-for-opening-jonathan-parody-account-denied-access-to-lawyers/>

<sup>31</sup> Kemp S. (February 18, 2020).Sierra Leone,the essential headline you need to understand the state of mobile, internet, and social media use.Retrieved from <https://datareportal.com/reports/digital-2020-sierra-leone>

finally released on bail on June 24. In all, the journalist-activist spent a total of 50 days in detention; 29 days before her short-lived bail and 21 days after.

On May 3, Hussain Muckson Sesay, a child rights activist, was arrested by the police and charged with “perversion of justice”. Sesay’s crime was that he had photographed the detention centre where Blyden was being held and shared the pictures on social media. Sesay also made his first appearance before the court on May 22, and was later granted bail on May 28 alongside Blyden.

## Conclusions and Recommendations

The internet is playing a critical role in the social and economic life of the people of West Africa, especially during the outbreak of the corona virus. The increase of internet penetration and the critical role the internet has played in helping people to cope with, and governments to manage the corona virus. The openness of the internet is projected to become part of the positive gains from the pandemic as many governments have seen the indispensable relevance of the internet in times of crisis.

Access in the sub-region remains unrestricted in West Africa and the rate of internet penetration is expected to keep increasing steadily, as governments come to appreciate its importance.

However, there are concerns about poor service delivery, lack of appropriate infrastructure and technologies, gender inequalities with regard to digital literacy and access to the internet. Internet service in the rural areas also lag far behind that of urban areas, while high cost of data limits access to marginalised sections of the population.

Equally disturbing is the abusive interpretation of the cybercrime laws to prosecute and stifle dissidents and critical journalism. In Nigeria several journalists and citizens have been arraigned before courts and charged on several counts, with the invocation of the country inimical online freedom cybercrime 2015 law.

Also, the enactment of new legislation ostensibly to curb the spread of fake news and misinformation is on the rise. Mauritania and Niger adopted new laws to deal with the phenomenon. Though relevant in times like this when inaccurate information can lead to disaster, some of the legislations adopted have the potential to reverse the gain so far made.

Concerns are also being raised about unregulated collection and processing of personal information, the use of new applications of surveillance, and artificial intelligence to track the spread of COVID-19, which could be abused to target government critics and opponents. The fight against fake news serves as a pretext for governments to target legitimate use of digital resources to expose corruption and bad governance.

There is therefore the need to take stock of the cyber frameworks, internet-related laws, policies and practices being enacted under emergency conditions in order to advocate for their roll-back when the emergency is over.

In light of the foregoing, the MFWA makes the following recommendations towards improving the internet freedom environment in West Africa:

### **Governments:**

- should, at all times, ensure that freedom of expression rights is respected online as well as offline
- desist from violating people's rights for merely publishing critical opinions online
- thoroughly investigate incidents of violations and punish perpetrators
- work with civil society to adopt legislation and mechanisms that are human rights-friendly, and ensure that they are fully and efficiently functioning to curb the trend of the growing insecurity in cyberspace.
- embark on massive citizens' education on the responsible use of the internet, in particular, in this era of the COVID-19 pandemic.

### **Security Agents:**

- avoid arbitrary arrests and detentions of journalists and activists for simply exercising their right to participate in online civil and political debates and discourses on national issues.

State institutions in charge of data protection and privacy

- step up efforts in ensuring effective individual information protection in this era of coronavirus pandemic, update existing frameworks and work towards harmonizing them at the sub-region level.

### **Courts:**

- should ensure that the interpretation of laws is compatible with regional and international legal frameworks on internet rights.

Telecoms companies and other Internet service providers:

- intensify efforts in improving internet delivery services, and offer affordable internet mobile broadband pricing concerning the Internet Universality Indicators.

### **Internet users:**

- seek reparation and redress whenever their rights are violated.
- demonstrate responsibility and respect for the rights of others.

### **All stakeholders:**

- work pro-actively and collaboratively in addressing online freedom and cybersecurity issues



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