



# Table of Content

Executive Summary .....	2
Introduction.....	3
Methodology.....	4
General Findings.....	5
Country-Specific Findings .....	6
Conclusions and Recommendations .....	12

## Executive Summary

Mobile telephone penetration, particularly the use of the smartphone, has revolutionized the mode of communication. The steady use of mobile internet has added unprecedented dimensions to the way people relate to each other, communicate or socialize.

The outbreak of the pandemic of COVID-19 has highlighted the undeniable value of the internet. The internet emerged as a pivotal communication medium across all sectors of life, business, bank, education, governance, and politics, just to name a few. This new trend of life has obviously come to stay.

In sub-Saharan Africa, internet use is progressing at an increasing fast pace. This has been favoured by the massive use of internet-enabled devices. By the end of 2020, 495 million people subscribed to mobile services in Sub-Saharan Africa, representing 46%<sup>1</sup> of the region's population – an increase of almost 20 million on 2019.

Internet connectivity, however, varies from one country to the other as well as from one region to the other on the continent. Penetration in West Africa was estimated at 42% as of January. It is naturally expected that this figure would increase by the end of the quarter under review. What this means, is the fact that our mode of life is becoming more and more digitalized. Ghana, for instance, has taken major steps to introduce digital currency, the Digital Cedi, or the e-Cedis<sup>2</sup>.

What is certain, internet use and access are increasing, particularly in West Africa. The penetration of the internet brings to the doorsteps of citizens, increased possibilities for them to exercise their rights to freedom of expression online, express views and opinions, and partake in public debate. The use of the internet has been a catalyst to the opening up of civic space. Consequently, citizens are using these platforms to make informed decisions, hold public duties bearers accountable, and demand social and political changes.

However, the exercise of freedom of expression online, including civil and political rights, is not without challenges. The increasing penetration and use of the internet are often seen as a threat by autocratic regimes, particularly when media and journalists are publishing critical information online to enable the populace to understand and take an informed stand on governance issues. Besides, governments are resorting to cyber laws to stifle freedom online or devising new legislation, and sophisticated surveillance technologies to track, target, and 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 2021, 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

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<sup>1</sup> GSMA (June 2021). Mobile Economy. Retrieved from <https://www.gsma.com/mobileeconomy/sub-saharan-africa/>

<sup>2</sup> Bank of Ghana, Retrieved from: <https://www.bog.gov.gh/wp-content/uploads/2021/08/CBDC-Joint-Press-Release-BoG-GD-3.pdf>

of a series of four reports on internet-related issues across the sub-region that will be published in 2021.

The current report presents internet-related incidents and violations of digital rights over the period April-June, 2021. It discusses the challenges confronting digital freedom and internet use in ten countries – Benin, Burkina Faso, Cote d’Ivoire, Ghana, Liberia, Mauritania, Nigeria, Senegal, Sierra Leone and Togo.

Five out of the ten countries recorded a total of six incidents of digital rights violations during the quarter under review. The killing of a social media activist, arrest and detentions, sentencing of a journalist and activist, were the types of violations recorded. Some nefarious online activities by some cybercriminals were also recorded.

The report also highlights some good developments in the digital space during the quarter. For example, Senegal embarked on the building of a regional data centre aimed at fostering digital initiatives and capacity building. Benin voted in presidential elections without resorting to internet shutdown, before, during, and after the election.

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

## Introduction

The Internet cut across all sectors of human activities. This has made it the enabler of socio-economic growth and a political tool for mounting pressure and demanding change. The rights to the Internet have become critical, particularly when it comes to civil and political rights.

The need to promote and protect digital rights is ever indispensable to the full realization 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 more imperative.

As of June 30, the Africa Coast to Europe (ACE) activated the last of a series of intercontinental connections. Several countries on the continent, including West African countries such as Côte d’Ivoire, Ghana, and Senegal<sup>3</sup> added a layer to their internet connection infrastructure. This was considered as one of the biggest on the continent, and was intended to bring the internet closer to people, and foster other socio-economic activities as well as internet rights.

However, inequality of access to the internet in the region is a major concern and is accentuated by uneven telecommunications infrastructure coverage between the rural and urban areas. The high price of data in most countries in the regions impedes considerably the internet rights. This is because several people find the cost of data unaffordable.

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<sup>3</sup> Solène Benhaddou (July 13, 2021). Africa: Which countries charge the most for internet data? <https://www.theafricareport.com/107259/africa-which-countries-charge-the-most-for-internet-data/>

Women are particularly left behind in this digital revolution. The harassment and violence meted to them offline, are transposed to online, hence dissuading women to engage online, while the gender digital divide is increasing.

Worst of these internet rights violations are physical attacks, sometimes murders and killings targeted to critic voices, dissidents, journalists. Another worrying issue, that keeps on increasing is the internet shutdown and social media disruption or ban. This has been on the rise, and it is alarming particularly around elections, political events, and anti-government protests.

Though West Africa has been witnessing a mitigated growth of digital space, the democratic rule seems down sliding with an increased internet shutdown, ban of social media platforms, online surveillance, and abusive interpretation of cyberlaw, prosecution, and imprisonment of critical voices and journalists.

Also, worrying is the trend of the misuse of the internet; cyberattacks, phishing attacks, password theft, hacking, bullying, and harassment. These incidents, unfortunately, serve as a ground to unfriendly governments to pass cybersecurity that target also freedom of expression online.

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 10 countries – Benin, Burkina Faso, Côte d’Ivoire, Ghana, Liberia, Nigeria, Mauritania, Nigeria, Senegal, Sierra Leone, and Togo.

The methodology, findings, and recommendations from the three-month (April -May and June 2021) 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 2021. The monitoring is undertaken by MFWA’s internet rights 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 that 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 was arrested and detained in Mauritania for publishing an article on Facebook questioning the use of public funds. A social media activist was killed, one another journalist was arrested and detained in Ghana. One female journalist came under attack through Facebook publication for simply reporting on a politician that presented fake academic credentials to the authorities. In Benin, a political activist was arrested.

Besides, Nigeria has been making the headlines of the news and has so far recorded the longest shutdown of a social media platform in the sub-region. Additionally, several other countries have taken steps to control the free flow of information on social media. For instance, Senegal indicated establishing a monitoring center of social media platforms. While in Sierra Leone, there were heated debates around the adoption of a cybersecurity Bill, considered detrimental to freedom of expression. But finally, the authorities adopted the law, with an amendment of the provisions considered problematic of the press freedom, freedom of expression online.

On the other side, some incidents of a deviant form of internet use were recorded, including the arrest of cybercriminals, detention of a social activist that allegedly propagated fake news in Cote d'Ivoire that led to communities' clashes, with a death fatality.

Victims of internet rights violations during this second quarter were the vast users of the Twitter platform in Nigeria, where the platform was banned. Four journalists, one social media activist, and one political activist were also part of victims of internet rights violations. All the violations recorded during the period under review were perpetrated by state officials, state security agencies, and individuals.

Regarding good digital developments, several initiatives were recorded that, portrayed increasing efforts to bridge the digital gaps, accelerate digital inclusion, and attempt to offer internet to all. However, there is still much to do to close the digital gaps, reduce the cost of internet access, and protect the rights of freedom of expression online, including the promotion of civil and political rights, privacy and data protection, and safety for all.



## Country-Specific Findings

### Benin

Over recent times, Benin has made the headline of international human rights organisation publication for increasing shrinking of civic space and freedom of expression violations under the regime of Patrice Talon.

During the quarter under the review, Benin headed to the election. Unlike the previous legislative elections that witnessed the internet shutdown, the authorities keep the internet on. However, it must be recalled that several social media activists, were arrested, detained, even prosecuted under the inimical digital code during the first quarter.

On April 15, Joel Aivo, a lecturer a presidential candidate in the recent election, was arrested and since detained. The political opponent was accused of attempting to state security, of money laundering by the Economic Crime and Terrorism Court (CRIET). However, it is believed that his arrest was linked to his publication on Facebook<sup>4</sup>, where he announced his attention to boycott the presidential election, and also because of his supposed tie with Reckya Madougou, another arrested opposition figure.

Building into the elections, several capacities initiatives were undertaken at large and breadth across the country to update journalists, bloggers, and administrators of social media forums on the ethics and professional standard on election reportage.

For instance, on April 6, the Department of the Republican Police (DDPR)<sup>5</sup> in Abomey, one of the biggest towns in Benin, a workshop of information exchange on security-related matters around the election, and the critical roles of media, and particularly social media, and online platforms in fanning tensions or promoting peaceful.

### Burkina Faso

Burkina Faso has been struggling with insecurity issues that cut across the Sahel region. Likewise, in several countries in the sub-region, Burkina Faso has recently organised a successful and peaceful election. Internet and social media have played a major in terms of virtual campaigning and public debates. The country kept the internet on before, during, and after the last year's presidential elections.

During the quarter under review, the country did not record any internet-related violations. However, other developments aiming at addressing digital challenges were recorded.

As part of a public-private partnership, on May 25, the authorities launched the manufacturing plant of computer and cell phone components<sup>6</sup> in the industrial area of Kossodo, in Ouagadadou, the capital city. According to Harouna Kabore, minister of

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<sup>4</sup> Mar Duerksen (May 5, 2021). La démocratie détricotée au Bénin

Retrieved from: <https://africacenter.org/fr/spotlight/la-democratie-dettricotee-au-benin/>

<sup>5</sup> ABP (April 7, 2021). Médias / Journalistes et web activistes impliqués dans la coproduction de la sécurité dans le Zou

Retrieved from <https://www.agencebeninpresse.info/web/depeche/41/journalistes-et-web-activistes-impliques-dans-la-coproduction-de-la-securite-dans-le-zou>

<sup>6</sup> Agence Ecofin (May 27, 2021). Burkina Faso : la construction de la 1re usine de montage d'ordinateurs et de téléphones portables a démarré. Retrieved from : [Burkina Faso : la construction de la 1re usine de montage d'ordinateurs et de téléphones portables a démarré](https://www.agenceecofin.com/Burkina-Faso-la-construction-de-la-1re-usine-de-montage-d-ordinateurs-et-de-telephones-portables-a-demarre) ([agenceecofin.com](https://www.agenceecofin.com))

industry, trade, and artisanal, the initiative sought to consecrate the digital as a determinant factor in the socio-economic development of the country.

## Côte d'Ivoire

In recent times, freedom of expression both online and offline was under judicial harassment with the imposition of hefty fines on critical media. Before the October 2020 presidential elections, the country witnessed some sociopolitical upheavals that were quelled violently. Several political dissidents were arrested and detained. On June 17, Laurent Gbagbo, the former president of Côte d'Ivoire, returned home after standing trial on alleged charges of crimes against humanity during the civil war in the country before the International Criminal Court.

During the quarter, Côte d'Ivoire did not report any internet-related violations of freedom of expression.

However, a worrying development related to the publication of fake news<sup>7</sup> on social media engendered intercommunal and xenophobic violence in Abidjan, the capital city of Côte d'Ivoire. As a result of the circulation of that fake video, one person was killed, several others were injured.

In connection with the fight against fake news detrimental to public cohesion and safety. On May 20, Nawa Fofana<sup>8</sup>, a social media activist has arrested the security forces. He was charged for inciting violence and murder through an electronic medium, and sentenced to five years imprisonment, with a fine of two million CFA (\$ US 3,484) under article 62 of the cybercrime of Côte d'Ivoire.

## Ghana

Several incidents of press violations and freedom of expression were recorded in recent times in Ghana that have cast dust on the glowing culture of press freedom in the country.

During the period under review, a social media activist died as a result of attacks meted to him for his publication online.

On June 27, a group of unidentified thugs accosted and assailants fatally assaulted Ibrahim Anyass Muhammed, aka Kaaka, a social activist at Ejura in the Ashanti Region. The 45-year-old died in hospital a day after the assault. He was a member of a socio-political pressure group, the Economic Fighters League, and a militant advocate of better social services on Facebook.

On April 1, the police arrested David Tamakloe, editor of the online newspaper, Whatsup News, and released him later on bail. The journalist was accused of alleged extortion and

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<sup>7</sup> Le Figaro (May 21, 2021). Côte d'Ivoire : un mort dans des violences xénophobes après une fausse information sur les réseaux sociaux  
Retrieved from: <https://www.lefigaro.fr/flash-actu/cote-d-ivoire-un-mort-dans-des-violences-xenophobes-apres-une-fausse-information-sur-les-reseaux-sociaux-20210521>

<sup>8</sup> RFI (May 22, 2021). Côte d'Ivoire : une cyberactiviste condamnée suite à des appels à la violence  
Retrieved from : [Côte d'Ivoire : une cyberactiviste condamnée suite à des appels à la violence \(rfi.fr\)](https://www.rfi.fr/fr/cote-d-ivoire/20210522-cote-d-ivoire-une-cyberactiviste-condamnee-suite-a-des-appels-a-la-violence)



publication of false news, according to a police statement issued a day later. However, the journalist flatly denied the allegations made against him. He told the MFWA that his arrest is an act of intimidation aimed at dissuading him from investigating a scandal involving a businesswoman whose husband is a senior police officer.

Other developments related to what has been considered a deviant form of social media users were also recorded.

On April 16, Rosemond Brown<sup>9</sup>, an actress popularly known as Akuapem Polo, was sentenced to 90 days into prison for publication of obscene over the publication of “obscene material and domestic violence” on social media by a circuit court in Accra. Her sentence came as a result of the posting of nude a picture of herself with her seven years old boy on social.

On what can be considered good news for a public conversation on the social media platform in Ghana, Twitter on April 12, announced a plan of establishing its Africa continental office in Ghana<sup>10</sup>. This according, according to the executive of Twitter, is to get closer to the drivers of conversations on the platform, tailor service to its users, and improve its presence on the Africa continent.

## **Liberia**

Liberia is enjoying sociopolitical stability over recent years. Power transferred has been so far successful and peaceful. The civil and political rights are also improving, with more and more people engaging online, despite the slow pace of internet penetration, estimated at 15%<sup>11</sup> of the population early this year.

During the quarter under review, the media landscape online recorded an incident of attacks on press freedom.

From mid-June, some unknown individuals suspected to be sympathisers of Liberian legislator Alex Grant have been threatening to harm Aryee Davis<sup>12</sup>. The journalist said that she has been receiving threats and attacks via her Facebook page following her reportage on the fake academic credentials presented to the University of Liberia by Alex Grant.

## **Mauritania**

In Mauritania, the repressive attitude of the authorities of freedom of expression online, and particularly the control of information flow on social media has always blemished the freedom of expression landscape in the country.

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<sup>9</sup> Modupeoluwa Adekanye (April 16,2021). Ghanaian actress Akuapem Poloo sentenced to 90 days in prison.

Retrieved from: <https://guardian.ng/life/ghanaian-actress-akuapem-poloo-sentenced-to-90-days-in-prison/>

<sup>10</sup> Kayvon Beykpour and Uche Adegbite (April 12, 2021). Establishing Twitter's presence in Africa

Retrieved from: [https://blog.twitter.com/en\\_us/topics/company/2021/establishing-twitter-s-presence-in-africa](https://blog.twitter.com/en_us/topics/company/2021/establishing-twitter-s-presence-in-africa)

<sup>11</sup> Simon Kemp (February 11, 2021). Internet users in Liberia. Retrieved from <https://datareportal.com/reports/digital-2021-liberia>

<sup>12</sup> CEMESP Liberia(June 24, 2021).Retrieved from: [After reporting on Legislator's Alleged Academic fraud Female Journalist receives Life threatening Messages. - CEMESP Liberia](#)

On April 24, the police arrested and detained a journalist, Abdellahi Mohamed Ould Atigha, editor-in-Chief of the privately-owned *AlHoor*a newspaper. The arrest of Atigha followed a publication on Facebook questioning the state of the distribution of COVID relief funds. The publication of the journalist did not content, Naha Mint Haroun Cheikh Sidiya, minister of social affairs, child and family, who lodged a complaint of defamation against him. Atigha was detained for two days, was released.

Related to the expansion of high-speed mobile internet, it must recall that Moov Mauritania started deploying the service of 4G, last year. According to Commupdate<sup>13</sup>, the telecom is progressing with its coverage, and as of April 2021, 4G services were available in major big towns across the country.

## Nigeria

The frenzy attitude of the state's control of social media in Nigeria has been hovering over the country for so long. This is underscored by the several attempts by authorities trying to pass repressive laws that curtail freedom online in recent years.

Not too surprisingly, the authorities' shutdown of the Twitter platform during the quarter, came to highlight this tendency.

On June 4, the authorities banned access to the Twitter platform. The ban followed the deletion of a tweet of President Muhammadu Buhari. Twitter considered that Buhari's post violated its community standards.

As a result of the Nigerian government's unpopular order, four major telecoms and mobile internet service providers in Nigeria, MTN, Airtel, 9mobile, and Glo, all disconnected their users from accessing Twitter. Millions of people were denied access to information. This violated their fundamental freedom rights of expression.

As people were trying to bypass the illegal ban by using Virtual Private Networks (VPNs) to access Twitter. Nigeria authorities issued another statement threatening to arrest and prosecute individuals and media organisations that defied the ban.

Despite global condemnation of the censorship, in addition to a verdict of the ECOWAS Court of Justice in Abuja on June 22, 2021, condemning the ban as illegal and tantamount to a blatant violation of a constitutional right, the Nigeria authorities deafen their ears. The social media platform remained openly inaccessible.

In an attempt to fight against hate speech online, a popular evangelist, TB Joshua saw his Youtube account blocked by the channel following his allegations of hate speech against LGBT people. According to Yahoo News, the removal of the populist evangelist was criticized by several Nigerians and their followers<sup>14</sup>.

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<sup>13</sup> Comms Update (April, 2021). Lucky 13 for Moov Mauritel 4G. Retrieved from: <https://www.commsupdate.com/articles/2021/04/08/lucky-13-for-moov-mauritel-4g/>

<sup>14</sup> Yahoo News (April 19, 2021). Blocked by YouTube over 'curing' gays, Nigerian pastor speaks up

Still with accordance to Yahoo News reports during the quarter under review, Mubarak Bala<sup>15</sup>, a self-proclaim atheist was arrested in Kaduna, one year ago, and his whereabouts are still unknown. It is believed that the arrest of Bala, followed his online publication on Facebook, allegedly criticising the prophet of Islam. An act that is considered blasphemy and deemed of death sentence in Nigeria's conservative Muslim north where sharia law is enforced alongside common law. The use of social media by Bala to share his views was inspiring some movement, and authorities were getting concerned. This eventually led to his arrest and detention.

On April 15, five security forces stormed the office of the privately owned online newspaper, Daily Nigeria. The security officers came to tender a letter summoning Jaafa Jaafar, the publisher of the online news outlet. According to the summoning letter, the police wanted the journalist for questions over “criminal conspiracy, defamation, injurious falsehood and inciting violence against the Inspector General of Police.” This came at the back of a petition that the journalist filed through his lawyer against Abdullahi Ganduje in March, following threats proffered against him for a series of videos produced in 2018 alleging the governor's involvement in corruption and bribes.

## Senegal

Unlike the first quarter when the Senegalese authority shut down the internet, including major social media platforms such WhatsApp, Facebook, Instagram, and YouTube, as a means to crack down on protests that rocked the country and control the free flow of information. The government has also indicated considering during the first quarter, setting up a platform of regulation and monitoring system of social media platform<sup>16</sup>. During this second quarter, the country did not record internet-related developments violations.

However, an interesting development aiming at boosting digital strategic growth and development in the country. According to Dakaractu.com, a Digital Technology Park (PTN), is under construction in Senegal, in the town of Diamniadio. The PTN is funded at the tune of 46 billion CFA francs is expected to be one of the biggest digital centers destined to house a data center, Business Process Outsourcing (BPO), audiovisual production, and multimedia content. The parc will provide also capacities building and serve as a hub for digital technologies innovations.

## Sierra Leone

Over the recent years, the Sierra Leone media landscape has witnessed some significant improvement. Mobile telephony and internet penetration are reported to be on the rise.

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Retrieved from: [Blocked by YouTube over 'curing' gays, Nigerian pastor speaks up \(yahoo.com\)](#)

<sup>15</sup>Louise DEWAST (April 20, 2021), [A year in jail for Nigeria's 'atheist with a cause' \(yahoo.com\)](#)

<sup>16</sup> ASUTIC (February 4, 2021). Dispositif spécifique de régulation des réseaux sociaux du Gouvernement du Sénégal : De nouvelles menaces sur la liberté de la presse ? Retrieved from: <https://www.apc.org/fr/news/dispositif-specifique-de-regulation-des-reseaux-sociaux-du-gouvernement-du-senegal-de-nouvelles#:~:text=Le%20communiqué%20du%20conseil%20des,encadrement%20spécifique%20aux%20réseaux%20sociaux.>

According to Abdul Rahman Swaray, minister of information and communication, 87 % of the Sierran Leone are using a mobile telephone and 25 % are connected to the internet<sup>17</sup>.

During the quarter the country has not recorded any internet-related freedom of expression violations. However, there was growing fear concerning some provisions of the Cybersecurity and Crime Bill. These provisions were considered posing threats to the protection of human rights. From the perspective of some analysts, the legislation has significant loopholes. It cannot be effectively implemented and represents a threat to data protection, citizens' privacy, human rights, and freedom of expression<sup>18</sup>.

However, on June 23, the House of Parliament of Sierra Leone passed into law the Bill titled "Cybersecurity and Crime Act 2021"<sup>19</sup>. The passage of the law came into force, after amendments made by parliament following wide stakeholder engagements. This has been considered as another major milestone for press freedom, freedom of expression both offline and online, after President Julius Maada Bio on October 28, 2020, officially assented to a new law that repeals Criminal Libel.

## Togo

Over the recent years, Togo was featured among top countries in West Africa that shut down the internet or disrupted social media connectivity around civil, political protest, and around the presidential election. Access to the internet remains in the country very costly, accounting for 15% of monthly income.

During the quarter under review, the country did not record any internet-related freedom of expression violations. However, some cybercriminals were arrested by the police, and other digital good developments were recorded.

On May 7, 2021, the Togo National Police service reported 15 cybercriminals, of Nigerian nationalities, were apprehended. According to the police, these criminals lured their victims through scams, deceit, and production of counterfeit documents to defraud people and make them believe they are serious businessmen living in Europe or some Asian countries, said a press release of the police<sup>20</sup>.

Besides, some digital developments considered progressive took place during the quarter under review.

In what can be considered as a signal of warning to telecommunications who fail to comply with their portfolio of services and offer competitive tariffs of mobile telecommunications services. On April 26, 2021, a court in Togo dismissed the complaint of Togocel. It was related to an imposed sanctions by the mobile telecommunications

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<sup>17</sup> Alpha Abu (June 28, 2021). Information Minister envisages safe digital space in Sierra Leone as parliament passes cyber bill. Retrieved from: <https://politicosl.com/articles/information-minister-envisages-safe-digital-space-sierra-leone-parliament-passes-cyber-bill>

<sup>18</sup> Slint (March 31, 2021). 2020 Cyber Crimes Bill. Sierra Leoneans in Technology Response. Retrieved from: <https://slint.org/sites/default/files/2021-03/slinter-cyber-crimes-2020-bill-response-v1.0.pdf>

<sup>19</sup> Ibraahim Sesay (June 24, 2021). Parliament passes into law cybersecurity and crime act 2021. Retrieved from: <https://slena.gov.sl/News/parliament-passes-into-law-cyber-security-and-crime-act-2021>

<sup>20</sup> Godfred Akpa (May 16, 2021). Togo- Sécurité numérique : À quand l'agence nationale de la cybersécurité ? Retrieved from : [Togo- Sécurité numérique : À quand l'agence nationale de la cybersécurité ? | Icilome](#)

authority, l'Autorité de Régulation des Communications Electroniques et des Postes (ARCEP), on the telecom. The latter failed to comply with its portfolio while practicing excessive costing of inter-network communication, thus violating the clause of non-taxation differentiation for inter-networks<sup>21</sup>.

According to the World Bank, Togo has received funding support to improve internet connectivity, the country's digital economy. The funding was approved under the West Africa Regional Communications Infrastructure Program (WARCIP). The project aims at strengthening the contribution to major projects launched in the country and to expand the geographical coverage of broadband networks and reducing the costs of communications services<sup>22</sup>.

Still under the WARCIP – Togo Project, on June 4, Lomé Data Center was inaugurated. It is said that the Center will serve to store and secure national data, as well as provide colocation server hosting services to private operators<sup>23</sup>.

## Conclusions and Recommendations

The COVID-19 has come to stay and has highlighted the need for access to the internet for all. The role internet has been playing has proved it critical in all spheres of life. West Africa appears to be at the vanguard of internet penetration with a discrepancy in terms of internet and social use, from one country to the other. The use of telephones, particularly smartphones is projected to be increasing, with the large use of mobile internet.

Access in the sub-region remains unrestricted in West Africa and the rate of internet penetration is expected to keep increasing steadily. But as a democratic rule seems on the fall, with sporadic internet shutdown, and crippling cyber legislation and abusive interpretation of legislation to trample on freedom of expression, and attempts to silence critical voice as well as shrinking civic space online, there is a legitimate concern on reversing of gains made in terms of freedom of expression, press freedom.

In Nigeria for instance, the government ban a critical social media platform, Twitter, persisted in the ban, despite a court order to suspend the ban. Journalists are harassed or targeted with physical attacks, unlawful arrests, and detentions for simply doing their job of public information. Others are arraigned before courts and charged on several counts, with the invocation of the country's inimical online freedom cybercrime 2015 law.

In Liberia, a female journalist has been attacked through Facebook simply doing her work. Other times, a journalist working in the Sahel countries faced unlawful arrest, court prosecution, even jail sentence because of their publication online. In this context, under the

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<sup>21</sup> Togo First (April 26,2021). Togocel perd son bras de fer judiciaire avec l'Arcep devant la Cour suprême Retrieved from : [Togocel perd son bras de fer judiciaire avec l'Arcep devant la Cour suprême - Togo First](#)

<sup>22</sup> World Bank (May 21, 2021). Improving Connectivity in Togo Through Digital Infrastructure. Retrieved from: [Improving Connectivity in Togo Through Digital Infrastructure \(worldbank.org\)](#)

<sup>23</sup> Togo First (June 7, 2021). Faure Gnassingbé inaugurate Lomé Data Centre, Togo's first carrier hotel Retrieved from: [Faure Gnassingbé inaugurate Lomé Data Centre, Togo's first carrier hotel - Togo First](#)



pretense of the cybersecurity law are been invoked to trample on freedom online, or the fight against terrorism serves as a pretext. This phenomenon has been on the rise, though several countries have decriminalized press offences.

The pandemic has served also as a pretext for attacks on journalists and their critical publication. In Mauritania, a journalist has been arrested and detained for questioning the use of public funds destined to the vulnerable communities affected by the pandemic.

While there are commendable efforts ongoing to bridge the digital gaps, and connect marginalized communities and give access to the internet to all. There are concerns also being raised about the proliferation of fake news, favored by the use of internet-enabled gadgets. Another form of deviant use of the internet threatened also the progress made in terms of freedom of expression online. But this should serve as a ground to adopt the inimical provision of cybersecurity that curtails civil and political rights, indispensable for the demand of accountability, good governance, and democracy.

There is therefore the need to take stock of the cyber frameworks, internet-related laws, policies, and practices being enacted under emergency conditions 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
- embark on massive citizens' education on the responsible use of the internet, in particular, in this era of info pandemic, hate speech, and growing activities of cybercriminals.

**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.

**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:**

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

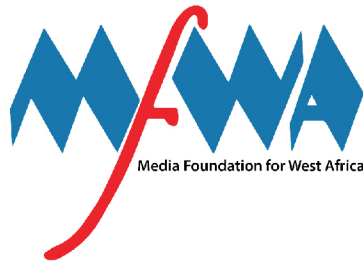


**Internet users:**

- 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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