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PUTTING PEOPLE AT THE CENTRE OF DIGITAL POLICY

Mechanisms for Citizen Engagement in Nigeria

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12.1 Introduction

Digital technologies offer countries economic, social, and political opportunities. But without robust national policies and regulations, technology's trade-offs can worsen the very issues they seek to improve.

As of September 2021, a majority of African countries have written or passed some degree of national policy, regulation, or law that addresses an issue in the technology sector (Abimbola, 2021). This chapter focuses on the process by which national-level digital policies, regulations, and bills are developed, with a specific focus on how policymakers engage diverse stakeholders in this process, particularly citizens. When stakeholders ranging from consumers (both current and future), businesses, industry associations, civil society organisations (CSOs), to other community representatives, have mechanisms to provide their opinions regarding a proposed legislative procedure, the final outcome will better represent all public interests and is more likely to achieve its intended goals (Hutahaean, 2016). Furthermore, when stakeholders participate in the policymaking process the practice becomes more transparent, which leads to higher levels of trust regarding divisive topics (OECD, 2017). Finally, when stakeholders are equal partners in the policymaking process, this provides an opportunity for collaboration and co-creation between various interest groups.

Despite the general benefits of stakeholder engagement in the policymaking process, there is rarely a level playing field between the various stakeholders. Citizens face knowledge, organisational, and time constraints that limit their ability to engage in policymaking themselves. They often rely on newly formed CSOs that specialise in digital technologies to serve as their agent in the digital policymaking processes. Likewise, consumer groups represent subscribers' specific interests and industry associations represent corporate interests in the

technology sector. These two stakeholder groups dispose of superior resources, political access, and knowledge, leading to power asymmetries amongst stakeholder groups.

Like many other African countries, Nigeria aspires to diversify its economy by further developing its nascent technology sector. As Africa's largest democratic country and host to the continent's largest mobile phone market, Nigerians are eager to enjoy technology's benefits and mitigate against any potential negative consequences from digital transformation (The World Bank, 2019). As a result, Nigerian policymakers in the National Assembly and related federal agencies are developing technology policies, regulations, and bills to mitigate trade-offs without stifling national development. Nevertheless, this chapter argues that citizen-centric engagement in recent national-level digital policymaking is still insufficient in Nigeria. Despite the existence of guidelines for public consultation, citizen-centric engagement is minimal and tends to occur after national policies and regulations have already been introduced. This chapter also uses Nigeria as a case study to examine the extent that external institutions, such as the European Union (EU), can support these efforts. The EU's commitment to multi-stakeholder participation in the development of a digital society has positioned the institution well for supporting other countries during their own digital transformation. With the African Union-European Union (AU-EU) Digital for Development (D4D) Hub's recent formation, there is a fresh opportunity for these two institutions to work together in prioritising inclusive and people-centric digital transformation throughout African countries.

Section 12.2 provides an overview of Nigeria's policymaking processes in the technology sector. It describes how national policymakers engage with different stakeholders and explores power asymmetries between them. Section 12.3 and Section 12.4 analyses stakeholder engagement in four technology policy and regulatory areas: expanding internet access, data protection in the digital economy, free speech on social media, and digital identification. Section 12.5 concludes by outlining possibilities for more advanced citizen-centric policymaking that donors and institutions, among them the AU-EU D4D Hub, can support.

12.2 Nigeria's Policymaking and Stakeholder Engagement Processes

12.2.1 The Policymaking Process

Policymaking is the process through which state and non-state actors – that is, non-governmental and private stakeholders – influence the inception and development of policies, regulations, and bills addressing a specific problem. In Nigeria, state actors include the presidency, federal ministries and agencies, the judiciary, and the legislature (Popoola, 2016). Through executive orders, the president can develop and issue policies that federal ministries or agencies

implement. The judiciary involves itself in the policymaking process via judicial reviews of existing policies, regulations, and laws. However, since the legislature and federal agencies are state actors who most frequently interact and consult with civil society stakeholders, this chapter focuses on the policymaking process carried out by these two institutions.

In Nigeria, publicly elected policymakers in the National Assembly, composed of the Senate and House of Representatives, possess the legal authority to design policies, regulations, and bills, whilst public officials at federal agencies are responsible for implementing adopted legislations (Popoola, 2016). Concerning the technology sector, public officials include those at the Federal Ministry of Communications and Digital Economy (FMoCDE), which contains the National Information Technology Development Agency (NITDA) and the Nigerian Communications Commission (NCC).

There are multiple mechanisms for legislators and federal agencies to consult with stakeholders during the policy formulation phase. The consultation process can involve a National Assembly committee developing a draft policy, regulation, or bill internally and inviting specific stakeholders to join working groups and provide comments (Philip, 2013). Stakeholders who do not receive such an invitation may submit written memoranda on the draft. Additionally, federal agencies such as NITDA have published processes for "ensuring stakeholder inclusiveness in the rule making process" (NITDA, 2017). This process outlines detailed steps on how to request public comments, provide stakeholders with notice, and includes a web portal for them to submit comments on draft-regulation for review.

A bill before the legislature must go through three readings. The first reading essentially tables the bill. The second reading is the first opportunity for a debate by members, after which the bill is approved to be considered by the relevant committee of the legislature. Consideration by the relevant committee will often involve a public hearing where stakeholders can attend and comment on the draft. A bill is passed only after it has been read a third time, following a debate. Government agencies will also often hold public hearings on topical policy issues. The NCC has hosted 17 such hearings between 2009 and 2020 (Public Inquiries). Since 2015, however, the attendance by stakeholder groups at these hearings has been low, with only one instance featuring a technology-focused CSO (Public Inquiries 1-5). Low attendance by stakeholder groups indicates that these groups themselves can improve participation in policymaking and might be a reflection of the general sense of powerlessness amongst citizens – a sentiment that has grown in the last decades (Aibieyi, 2014).

Finally, policymakers typically engage stakeholder groups after a first draft of a policy, regulation, or bill has been proposed. However, by not engaging stakeholders during the inception phase, the consultation process may not address specific problems stakeholders hope to resolve and further discourages participation. In addition, these mechanisms for engagement are not outlined in a national-level policymaking guide. Rather, each federal ministry or agency is responsible

for its own engagement processes. Without national standardisation, stakeholder engagement for technology policymaking varies between respective ministries and agencies.

12.2.2 Stakeholders Involved in Policymaking

When stakeholder groups do engage with policymakers, they fall into three categories: industry associations, consumer groups, and technology-focused CSOs. The first two groups represent specific business interests as well as digital consumers. Technology-focused CSOs attempt to represent a broader public view. However, power asymmetries between stakeholders often preclude technology-focused CSOs' perspectives from having a substantial impact on the policymaking process.

The first stakeholder group, industry associations, encompasses actors like the Association of Telecommunications Companies of Nigeria (ATCON) and the Association of Licensed Telecoms Operators of Nigeria (ALTON). This stakeholder group represents Nigeria's large telecommunications companies. ATCON and ALTON work to advance the sector's growth and development. Whilst these industry associations do not typically engage directly with the Nigerian public, they work to influence policies that can indirectly affect citizens through areas such as expanded internet access or a more competitive digital economy. Since industry groups are major contributors to Nigeria's development and are critical to laying the foundation for national-level digital transformation, national policymakers often seek these stakeholders' input on relevant draft policies and regulations that will affect the telecommunications sector. Furthermore, industry associations benefit from significant financial support and organisational strength, which improves their ability to dedicate resources to influence the policymaking process.

The second stakeholder group that policymakers engage with are consumer groups such as the Association of Telephone, Cable, TV, and Internet Subscribers of Nigeria (ATCIS) and the National Association of Telecommunications Subscribers of Nigeria (NATCOM). These two consumer groups collaborate with National Assembly policymakers and other agencies such as the NCC to promote the interests of Nigeria's telecom subscribers. Consumer groups focus on ensuring that current digital consumers benefit from low prices and reliable access to telecommunications. They are less focused on representing the broader public interest and the needs of the unconnected, or potential future consumers. For example, ATCIS has called on the NCC to oppose mobile data price increases and ensure that current telecommunication subscribers have reliable internet services (ICT Monitor Worldwide, 2020). ATCIS's focus is on existing subscribers' concerns, not the issues unconnected individuals face. Furthermore, like industry associations, consumer groups are well resourced, which improves their ability to work alongside national policymakers during stakeholder engagement and secure a seat at the policymaking table.

The third stakeholder group responsible for representing the public interest in policymaking consultations are technology-focused CSOs such as the Paradigm Initiative and the Centre for Information and Technology and Development (CITAD). Nigeria's technology-focused CSOs promote and represent a diverse portfolio of the public's concerns regarding technology and advocate for digital rights. Unlike industry associations and consumer groups, technology-focused CSOs directly liaise with the broader public, including those who currently use technology and those who do not. Technology-focused CSOs engage with many Nigerians to better understand "on-the-ground" perspectives on national technology policy and regulations and provide the public with technical information about issues in technology. For example, in June 2021, the Paradigm Initiative and CITAD organised a stakeholder engagement session with the public to educate people about digital rights issues concerning the Nigerian government's digital identification programme (Njiaba, 2021).

Although technology-focused CSOs are important to stakeholder engagement in policymaking and represent the public's position on technology issues, they are new organisations and remain disadvantaged compared to the other two more established stakeholders. Technology-focused CSOs face financial constraints that the other two stakeholders do not. Their relationship with the government can often be antagonistic. They are expected to hold the government accountable, which is often uncomfortable for policymakers. Following the recent Twitter ban in Nigeria, for example, Paradigm Initiative along with 55 CSO co-signers published an open letter demanding the immediate reinstatement of the platform and accused the Federal government of digital human rights abuses (Communications, 2021). Public confrontations often lead to a situation in which the government and technology-focused CSOs struggle to find common ground, potentially hampering National Assembly working groups' ability to include those stakeholders as participants in the policymaking process. Lastly, although technology-focused CSOs are the public's direct line to the policymaking process, public awareness of such groups is limited. This is due to the general public's unfamiliarity with technology policy and regulation as well as a low level of public outreach by the CSOs themselves. As more Nigerians use digital technologies and services, their understanding of these issues may increase, a potential lever for more frequent public engagement.

All three stakeholder groups play an important role in assisting national policymakers in developing legislation for the technology sector. But they differ in the interests each group represents and the capabilities they have to carry out public engagement. Similarly, the degree to which ordinary Nigerians show interest in technology policy–related issues varies significantly. This discrepancy in the public interest can affect the levels of public engagement in the policymaking process. To demonstrate these dynamics and Nigeria's current levels of citizen and CSO engagement in digital policymaking, the next section examines four priority areas that have drawn attention from policymakers in recent

years: expanding internet access and affordability, data protection in the digital economy, free speech on social media, and digital identification.

12.3 Assessing Citizen and CSO Engagement in National-Level Digital Policymaking

12.3.1 Expanding Internet Access and Affordability

Nigeria's national policymakers wish to provide reliable internet access and more affordable mobile internet through national policies. In 2020, 2G covered 89%, 3G covered 74%, and 4G covered 37% of the country, with significant usage disparities between the north and the south (Nigeria Federal Ministry of Communications and Digital Economy, 2020). Mobile data prices still need to fall 97% to reach the 2% of monthly net income standard the Alliance for Affordable Internet recommends (Adeleke, 2020). To prevent high prices and a lack of connectivity from worsening Nigeria's digital divide and to increase marginalisation, national policymakers launched the Nigerian National Broadband Plan (NNBP) 2020–2025 in March 2020. The NNBP provides a national policy for improving internet access and affordability through improved infrastructure and cost-sharing initiatives with the telecommunications sector.

In October 2020 and March 2021, the FMoCDE and Broadband Implementation Steering Committee (BISC) engaged in consultations with 29 publicly listed external stakeholders (ITedgenews, 2020) to collect input (Imah, 2021; Nigeria FMoCDE, 2020). However, of those 29, only 2 were technology-focused CSOs despite broadband access and affordability affecting the public and contributing to the digital divide (Nigeria FMoCDE, 2020). Rather, national policymakers engaged directly with industry association stakeholders such as ATCON to solicit ideas about how the telecommunications industry could help achieve the NNBP's objectives and expand broadband (Onwuaso, 2020). By not engaging with stakeholders equally, it becomes more likely that the NNBP fails to reflect a diversity of stakeholders' perspectives, particularly those with less influence. For example, although the NNBP makes mention of lowering mobile internet prices to 2% of net monthly income and advance last-mile connections to rural and underserved areas, there are no clear steps for how to achieve such outcomes. Had the consultative process involved more citizen–centric stakeholders, especially those who represent individuals living in last-mile areas, there might have been a more defined strategy on how to achieve these objectives.

Whilst the stakeholder consultation process did engage with stakeholder groups at varying levels, most consultations were conducted ex post. Once national policymakers had written the NNBP, the FMoCDE and BISC engaged with stakeholders. As a result, the consultation process did not intend to change the main policy points but rather to brief stakeholders, brainstorm ideas about meeting objectives, and build support for the NNBP. The limited engagement

with technology-focused CSOs and ex post consultations meant that the policymaking process left important gaps in terms of consumer inputs into the NNBP. Instead, policymakers wrote the policy and then consulted with industry associations to generate ideas for implementation and achieve shared goals. Although industry associations are committed to increasing broadband access and bring people online, the methods to obtain such a goal diverge between the public and business. Businesses focus on expanding mobile broadband networks to bring more people online. Certain members of the public, however, prefer publicly available Wi–Fi hotspots, as they are more affordable. Without policymakers hearing citizens' concerns from the start, the NNBP does not go far enough in fully engaging a broad range of Nigerian citizens to resolve the digital divide.

12.3.2 Data Protection in the Digital Economy

Since Nigeria's 1999 Constitution, data protection has been a constitutionally protected right that guarantees citizens will not have their data or personal information collected by a third party without explicit consent (Stears Data, 2021). However, over the last several years, technology companies have found ways to use their digital platforms or services to track and collect digital data of individuals without acquiring such consent. To address this problem and continue to defend data protection, the National Assembly passed a digital data protection regulation known as the Nigeria Data Protection Regulation (NDPR) in 2019 (OneTrust DataGuidance, 2020).

The policy development and stakeholder engagement process for NDPR highlights a long-standing policymaking trend in developing countries, adopting Western countries' regulations as their own. In developing the NDPR, national policymakers adopted many of the features of the EU's General Data Protection Regulation (GDPR), one of the most comprehensive data protection laws that provide EU citizens with control over their digital data and how businesses can access it. The GDPR and NDPR use the same definition for a data controller and processor; they identically categorise personal data, and apply the same regulations to their citizens at home or abroad (OneTrust Data Guidance, 2020).

Whilst the NDPR may have mirrored the GDPR in *substance*, Nigeria did not mirror the *process* that the European Commission (EC) followed to develop the GDPR. The EC undertook extensive stakeholder engagement processes when drafting the GDPR (EC. Expert Groups, 2021). The EC held consultations in a multi–stakeholder working group consisting of civil society, businesses, and industry associations to incorporate public comments about the GDPR (EC. Expert Groups, 2021). This working group still regularly meets to assist the EC in overcoming regulatory challenges and provides members with first-hand knowledge about the GDPR's implementation. (EC. Expert Group, 2021). The continuous stakeholder engagement process means the regulation maintains stakeholder inputs and can adapt more readily to changes.

Although the NDPR did not involve stakeholder engagement in the policy-making process, official supplementary policymakers at NITDA did host information sessions for stakeholders about becoming NDPR compliant (OneTrust DataGuidance, 2020). This process demonstrates opportunities for stakeholders to engage with national policymakers, but only once the data regulation was already in place. As such, this engagement process is an opportunity for stakeholders to learn more about a technical regulation and how to comply with it rather than influence processes for regulation development.

Since Nigerian stakeholders did not have many opportunities to comment or engage during the policy development process, NDPR received criticism from several stakeholders after its introduction (This Day, 2019). ALTON publicly expressed concerns about NITDA acting as the lead agency for implementing the data protection regulation rather than the primary telecommunications regulatory body, the NCC (ITedgenews, 2019). ALTON feared that too many agencies involved themselves in data regulation, resulting in over-regulation, which stifles innovation in the digital economy. Because the NDPR did not include a consultative process, ALTON raised its concerns through public memoranda (ITedgenews, 2019). Additionally, technology-focused CSOs such as the Paradigm Initiative criticised the NDPR's development process and its shortfalls (This Day, 2019). Paradigm critiqued the NDPR for not going far enough in data protection and publicly urged national policymakers and the president to pass the more comprehensive Data Protection Bill that has been stuck in the National Assembly since 2019 (Okeowo, 2021).

12.3.3 Free Speech on Social Media

Social media platforms are an effective tool for citizens to engage in public discourse and information sharing. Social media provides civic advocates a decentralised platform to freely express critical political views, even when governments attempt to restrict critical speech in other non-digital mediums. Although Nigeria guarantees freedom of speech, national policymakers have a history of limiting critical speech in print journalism under the guise of national security (Ewang, 2019b). To maintain this control, national policymakers have attempted to exert similar power on social media platforms.

The Protection from Internet Falsehood and Manipulation Bill 2019, also known as the 2019 Social Media Bill, prohibits statements on social media that are "likely to be prejudicial to national security" and "those which may diminish public confidence" in Nigeria's government (Ewang, 2019a). The 2019 Social Media Bill was national policymakers' second attempt to restrict online speech after introducing a similar, albeit unsuccessful, bill in 2015 (Ayeni, 2020). National policymakers wrote the 2019 Social Media Bill as a response to public protests and online anti-government organising, such as the #EndSARS hashtag, first used in 2017 by social organisers and then extensively during the movements second wave in 2020 (Ayeni, 2020).

The policymaking process and level of stakeholder engagement for the 2019 Social Media Bill were unique. Nigerian social media users were vocal about their dissatisfaction with the Social Media Bill and felt it did not correctly reflect citizens' views and perspectives. Therefore, technology-focused CSOs advocated for the public perspective in the policymaking process to stop the bill's development and passage in the National Assembly. The Paradigm Initiative played a prominent role by engaging the public and national policymakers through email campaigns, opinion publications, speeches, and hashtags (Administrative, 2019). Additionally, Paradigm ran a sophisticated social media strategy to educate the public about the bill's restrictions on their online freedoms. Ahead of public hearings by the Senate Committee on Judiciary, Human Rights, and Legal Matters, Paradigm identified and published specific clauses in the bill that would threaten fundamental rights (Administrative, 2019). CSOs' participation in the policymaking process and public opposition to the Social Media Bill led to the National Assembly indefinitely tabling the legislation (Onukwue, 2020).

Technology-focused CSOs' efforts in opposition to the 2019 Social Media Bill show that direct citizen engagement in policymaking is possible when the policy problem being addressed has significant implications on public life. Since the Social Media Bill would affect a digital platform and service with high everyday usage, the public dissatisfaction was amplified. Additionally, this instance showed that campaigning and advocacy were effective tools for raising awareness of a technology-related policy issue. CSOs were able to capitalise on their advocacy efforts and channelled the public's displeasure through the stakeholder engagement processes by attending multiple public hearings and writing official memorandums. As a result, the process was inclusive of many citizen voices and reflected diverse perspectives back to policymakers, leading to a technology policy that protected free speech on social media.

12.3.4 Digital Identification

The 2007 National Identity Management Commission (NIMC) Act requires all eligible Nigerians to register onto a digital database to receive a digital identity or National Identity Number. Digital identification programmes provide governments with accurate citizen–level data and grew in popularity across sub-Saharan Africa in recent years, with Kenya and Zimbabwe implementing similar programmes (Toesland, 2021). However, digital identification programmes can result in individuals being more easily monitored and suffering privacy violations through data breaches. Furthermore, registering the entire Nigerian population onto a digital identification platform requires a high degree of trust between the public and the government. Stakeholder engagement could help build that trust and ensure vulnerable groups can influence the project's design to reflect their concerns accurately.

For example, a common practice by the World Bank is to use its influence and require borrowers to engage in extensive stakeholder consultations, particularly

with civil society, when undertaking a new programme. Since the World Bank is involved in Nigeria's digital identification programme through the Nigeria Digital Identification for Development (ID4D) project, there are clear World Bank–issued guidelines that require formal consultations with diverse stakeholders to ensure the program is inclusive and maintains stakeholder buy-in (Nigeria Digital Identification for Development Project, 2020). As such, in Nigeria, the legal and regulatory reform working groups were established to liaise between relevant government ministries, National Assembly committees, and stakeholders in the digital identification ecosystem, such as civil society (Nigeria Digital Identification for Development Project, 2020) (Njiaba, 2021). The working group's responsibility was to ensure their inclusion in the decision-making process and to ensure close consultations take place on sensitive matters including privacy and data protection (Nigeria Digital Identification for Development Project, 2020). Furthermore, this approach is self-reinforcing, as it provides the government with access to the public to dispel any rumours or misinformation surrounding digital identification. For example, during a stakeholder meeting held in June 2021, the government was able to interact with the public in a collaborative setting to clarify issues and solicit feedback on challenges (Njiaba, 2021). Technology-focused CSOs are also involved in this working group, with Paradigm Initiative and CITAD leading a coalition of smaller civil society actors that participate in the public dialogue regarding digital identification. The coalition pools resources' which improve the organisational capacity for smaller CSOs. One successful engagement the coalition led in the policy development process was the request that the NIMC adheres to the Abuja Federal High Court's 2019 ruling about the National Assembly passing regulatory safeguards before moving forward with the digital ID programme (Anderson, 2020). The coalition led by Paradigm and CITAD engaged with various grassroots organisations, social media activists, and other branches of civil society to draw attention to these issues and held a virtual webinar on how to do so (Anderson, 2020). By building a like-minded coalition, technology-focused CSOs raised the public's awareness about the risks associated with digital identification and channelled those concerns back to the working group.

The policymaking process for Nigeria's digital identification system highlights how there are ways for the public, civil society, and the government to work together and collaborate on technology policy. When outside pressure – for example from donors – supports the establishment of an inclusive multi-stakeholder working group, it can result in greater civil society participation that allows for a better representation of the public perspective.

12.4 Considerations for Advancement in Stakeholder-driven Policymaking

This chapter has argued that the benefits from stakeholder engagement, particularly with the public, are essential to design policies and regulations for the

technology sector that effectively address technology's problems. As demonstrated in the development process for policies on internet expansion and data protection, civil society are often unable to adequately influence the process and provide the public viewpoint, leading to suboptimal outcomes. While there are some mechanisms for civil society engagement, which were utilised in reforms related to the 2019 Social Media Bill and digital identification system, there is room for more concerted efforts to increase citizen and stakeholder engagement, including micro, small, and medium enterprises who are not typically represented by industry associations. Section 12.5 proposes ways for regional, international, and multilateral institutions, to assist African countries in citizen-centric policymaking.

12.4.1 Support for Civil Society Organisations

In Nigeria, policymakers do engage with stakeholders during the policy development process. Yet, the uneven playing field amongst these groups tends to crowd the less powerful stakeholders out of the process. Whilst technology-focused CSOs already participate and achieve some results in policymaking, more consistent donor support could help them to enhance those efforts and overcome power asymmetries. The EU's long history of supporting civil society and stakeholder-led policymaking positions, as shown in the GDPR's policy development process, positions the institution well to support African CSOs through technical assistance on this topic. In addition, EU projects can support technology-focused CSOs through grants or capacity-building workshops to increase their organisational skills and ability to interact with national policymakers. By supporting technology-focused CSOs' efforts in evidence collection and original research on technology policy, these organisations can present policymakers with evidence-based comments during the consultation process, improving credibility with national policymakers. If sufficiently funded, technology-focused CSOs and general civil society can host more information sessions with the public to increase awareness about technology, digital rights, and the policymaking process itself. CSOs can also distribute short publications, online or through non-digital mediums, to highlight technology issues and explain involvement in policymaking – thus, potentially improving the public's desire to participate in hearings and overcome political apathy.

The EU–AU Digital for Development (D4D) Hub is an existing EU-supported initiative that is well placed to support technology-focused CSOs, general civil society, and private sector actors to engage in the technology policymaking process. The EU–AU D4D Hub's guiding principles include promoting sustainable digital transformations through multi-stakeholder involvement and placing citizens at the centre of the digital transformation (D4D Launch, 2021). It therefore consults with civil society but also with other relevant actors such as industry representatives, interested EU member states, international organisations, and institutional representatives from partner countries. Hosting regional workshops

for technology-focused CSOs and cross-cutting CSOs can improve African countries' outcomes in citizen-centric technology policy development. Regional workshops also provide an opportunity for leaders at various CSOs to share how they address engaging with policymakers regarding technology policy. Such regional workshops are already planned as part of the Hub's activities; for example in March 2022, the EU–AU D4D Hub held the first "Africa–Europe D4D Hub Multi-Stakeholder Forum" and brought together the private sector, governments, academia, and civil society to build an inclusive digital society (D4D Hub, 2022).

12.4.2 Support for National Policymakers

National policymakers are vocal about their desire to include citizens and other stakeholder groups in policymaking. However, persuading citizens to participate in policymaking is a challenge, and therefore advancing national policymakers' knowledge on how to engage citizens in policymaking can be beneficial. The EU–AU D4D Hub can leverage the EU's comparative advantage in technology policy, especially data protection, and train national policymakers on citizen engagement. Trainings can demonstrate how the EU undertakes a multi-stakeholder approach, and it may share lessons about how such a process can be replicated in the African context. By learning from the EU's development process for technology policy, African national policymakers can better understand how to design ex ante stakeholder engagement, as well as the ongoing benefits associated with continuous stakeholder engagement via expert groups.

Trainings for national policymakers on best practices for stakeholder engagement can also lead to better outcomes in policy areas besides technology. By improving stakeholder-led governance, policymakers can develop better relationships with the public, which could help decrease apathy amongst the public.

12.4.3 National Stakeholder Engagement Processes and Guidelines

Many of Nigeria's federal agencies already have published guidelines on the rule-making process and on how to engage with stakeholders. Whilst agencies do follow these guidelines and host public consultation, attendance by stakeholders, particularly citizen-centric stakeholders, is low. Often, Nigeria's federal agencies have different engagement methods and ways to publicise information regarding draft rules or hearings, leading to information overload and public confusion. For example, there is no clear mechanism for submitting public comments on the NCC website, whilst the NITDA website has a prominent portal for public comment submission.

In contrast, other African countries such as Uganda have developed universal stakeholder engagement manuals that all agencies follow (Uganda: Regulatory Reform, 2013). The Uganda policy clearly outlines when, how, and why

policymakers must engage in stakeholder-led policymaking, which results in all agencies following standard practice. This standardised process can potentially increase stakeholder participation and reduce confusion across different Nigerian agencies that engage in technology policymaking.

12.4.4 Outside Actors' Leveraging Influence

The influence that international and multilateral actors have in requiring donor-funded projects to include multi-stakeholder initiatives is not uncommon, as demonstrated by the World Bank's decision to include a diverse working group in designing Nigeria's digital identification project. International and multilateral actors can influence a country's approach to multi-stakeholder engagement, especially by requiring that donor-funded projects include these kinds of processes. The incentive for financial support will encourage national policymakers to take seriously multi-stakeholder-led policymaking. However, such behaviour does risk producing a situation where stakeholder engagement simply becomes a box to check.

12.5 Conclusion

Technology's rapid rise on the African continent presents multiple problems and risks that national policymakers must address to achieve successful and inclusive digital transformations. The creation process for policies, regulations, and bills to protect against these risks lead to successful outcomes when all stakeholders – especially citizens and their representatives – are consulted in the policymaking process. By including the public's input through civil society actors, policymakers can gain a better sense of long-term issues related to technology, not only those issues that are important to more established stakeholders and their business interests. However, as the case study on Nigeria shows, stakeholder-led policymaking requires intentional reforms and support to reduce power asymmetries between stakeholder groups, create national-level stakeholder guidelines, encourage the public to participate in policymaking, and expand policymakers' resources to learn both from each other and from global best practices. International institutions, including the EU–AU Digital for Development Hub, can support these reforms through trainings that promote citizen engagement in policymaking and capacity development for civil society. These steps will provide a critical foundation for policies that increase citizens' trust in digital platforms and meet the policy demands that fast-changing digital technologies will continue to create in the future.

technical experts and representatives of local organisations who took the time to speak with us.

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