



February 26, 2020

**The Executive Secretary**

National Human Rights Commission (NHRC) Headquarters  
Abuja

Dear Sir,

**Request for National Human Rights Commission's Advisory on Controversial Bills in the National Assembly**

Coming under the mandate of the Commission in Section 5 (k) of the National Human Right Commission Act, 2010 (as amended), we request for an urgent review and advisory on the following Bills before the National Assembly:

1. **Protection from Internet Falsehood and Manipulation Bill ('Social Media Bill'),**
2. **Independent National Commission for the Prohibition of Hate Speeches Bill ('Hate Speech Bill'), and**
3. **Civil Society Regulatory Commission Bill ('NGO Bill').**

As a group, we are concerned with these deliberate attempts by the State to close the democratic space and prevent every person from exercising their constitutionally guaranteed rights. In addition to these bills, NGOs have come under serious attacks by the government for providing oversight on public governance and defending citizens' rights.

We are of the firm view that the Protection from Internet Falsehood and Manipulation Bill ('Social Media Bill') is not reasonably justifiable in a democratic society; even though the Government's purpose may be legitimate and substantial, that purpose cannot be pursued by means that broadly stifle fundamental personal liberties. We strongly believe that the Bill contravenes extant constitutional provisions that guarantee right to freedom of expression. Restrictions that undermine the ability to receive and exchange information undermine the fundamental human rights provided in the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and International treaties that Nigeria has agreed to be bound by.

Similarly, the Civil Society Regulatory Commission Bill ('NGO Bill') is inconsistent with the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and other national laws. The Bill falls significantly short of international human rights norms governing the rights to freedom of association and peaceful assembly, as provided in, Section 40 of the Constitution of Nigeria 1999 (as amended), Articles 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR), and Articles 10 and 11 of the African Charter on Human and Peoples' Rights to which Nigeria is a state party.

Section 4 of the Independent National Commission for the Prohibition of Hate Speeches Bill ('Hate Speech Bill') also prohibits abusive, threatening and insulting behavior, which is open to very wide interpretation. The nebulous and vague nature of its provisions and unfettered discretion afforded government agencies pose significant danger to the constitutionally guaranteed freedom of expression (Section 39 of the Constitution of Nigeria), and the rule of law in general. These provisions would pose a threat to critical opinion, satire, public dialogue, and political commentary.

These attempts by the State to close the democratic space and prevent every person from exercising their constitutionally guaranteed rights call for urgent action from institutions of accountability like the National Human Rights Commission (NHRC), saddled with the statutory mandate of promoting and protecting all human rights, as established by the National Human Rights Commission Act of 1995, as amended in 2010.

It is against this background that we call on the National Human Rights Commission to exercise its functions as stated in Section 5 (a) of the National Human Right Commission Act, 2010 (as amended) to **“deal with all matters relating to the promotion and protection of human rights guaranteed by the Constitution of the Federal Republic of Nigeria, and other international and regional instruments on human rights to which Nigeria is party”**; in Section 5 (e) to **“publish and submit, from time to time, to the President, national Assembly, Judiciary, State and Local Governments, reports on the state of human rights promotion and protection in Nigeria”**; and in Section 5 (k) to **“examine any existing legislation, administrative provisions and proposed bills or bye-laws for the purpose of ascertaining whether such enactments or proposed bills or bye-laws are consistent with human rights”**.

Therefore, as concerned citizens and groups, we call on the National Human Rights Commission to:

1. Issue an advisory to the Executive and Legislature (National Assembly) on the inconsistencies of such legislations with constitutionally guaranteed human rights and international human rights norms to which Nigeria is a state party; and
2. Publish a report on the state of human rights promotion and protection in Nigeria.

Thank you.

Signed:

**Organizations:**

1. Amnesty International, Nigeria
2. Centre for Information Technology and Development
3. Girl Child Africa
4. Enough is Enough
5. Say No Campaign Nigeria
6. Spaces for Change
7. Yiaga Africa