

THE MEDIA AND PROMOTION AND PROTECTION OF HUMAN RIGHTS IN NIGERIA

By

Charles Chizitere Ajagba II Esq.*

Abstract

In Nigeria, the mass media serves as an essential instrument for information dissemination and a fundamental Fourth Estate for upholding democracy. However, rising human rights violations, coupled with systematic government censorship and intimidation of the press, have profoundly compromised the media's watchdog role. This paper critically examines the capacity of the Nigerian media to promote human rights within a hostile socio-political environment. Utilizing a doctrinal research methodology, this study analyzes the intersection of constitutional freedom of expression, statutory limitations on press freedom, and the practical challenges faced by media practitioners. The research investigates the impact of violence against journalists and the pervasive fear that hinders objective reporting, utilizing the #EndSARS protest as a case study. The findings demonstrate that, while the media has the potential to enhance human rights protection, its ability is curtailed by restrictive media laws and executive interference, leading to widespread self-censorship. The paper concludes with recommendations for a necessary shift in government mindset regarding media regulation, urging for the repeal of repressive laws to empower the media to perform its democratic duty in protecting fundamental human rights.

Keywords: Media Law; Human Rights; Nigeria; Censorship; Freedom of Expression; #EndSARS.

1. Introduction

The media refers to all means, channels, ways or vehicles used in conveying information, be it in the form of news, entertainment or any other form, from its source to the target audience.¹ The media has been described as that which depicts every society and its modus operandi, and it involves any electronic or print form of spreading information or means of communications.² The media has two major forms; Print media (examples being Newspapers, Magazines, Books, Journals and other physically written work), and Electronic media (examples being Television, Radio, Telecommunications devices).³ Another form of the media is social media, which could be regarded as part of the electronic media. Social media refers to all electronic communication outlets which people use to communicate online (or in cyberspace), to share ideas and information.⁴ This communication is done through what is known as social media handles, and they include Facebook, WhatsApp, Twitter, Instagram, Telegram, and others.⁵ The general functions of the media include the spread of information, for entertainment, to make the public aware of the political state and affairs of the society, to enlighten people on the current affairs of the society, for educational purposes, and to give general information, and such

*(ABSU); B.L(NLS Abuja Campus); LL.M (RSU)

¹ Hakim Khalid Mehraj, Akhyar Neyaz Bhat and Hakeem Rameez Mehraj, *'Impacts of Media on Society: A Sociological Perspective'* [2014] 3(6) International Journal of Humanities and Social Science Invention 56

² Nity and Gaurav Singh, *'Role and Impact of Media on Society: A Sociological Approach with Respect to Demonetisation'* [2017] 5(10) International Journal of Research in Humanities, Arts and Literature 127

³ *ibid*

⁴ Simoen Edosomwan *et al*, *'The History of Social Media and Its Impact on Business'* [2011] 16(3) The Journal of Applied Management and Entrepreneurship

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⁵ Trisha Dowerah Baruah, *'Effectiveness of Social Media as a Tool of Communication and its Potential for Technology Enabled Connections: A Micro-Level Study'* [2012] 2(5) International Journal of Scientific and Research Publications 1

could be information from the government offices, advertisement, job vacancies, etc.

Having noted the forms of media, all will be taken under the umbrella of “media” in the course of this paper. It has been noted that the frequent involvement of the media in human rights discourse is due to the numerous human rights abuses that take place during armed conflicts, including wars.⁶ The essence of gaining access to and obtaining any information concerning the affairs of the government or any information on any subject in order to hold or express opinions on them have gained more acceptability and recognition under domestic law instruments, which are also upheld by their international counterpart.⁷ This assertion points to the need of the media in obtaining information about the Human Rights situation of the country, openly condemning it and providing, if possible, ways that can mitigate the situation. Noting the media can be easily accessed now, it would be wise to utilize this medium in promoting Human Rights respect and protection in Nigeria.

1.1 Human Rights and the Media

Having explained the concept of media, this paper seeks to explain the relationship between the media and human rights. The rights to be taken into consideration here include the Right to Freedom of Expression, Right to Information and Press Freedom. This is so because information made or posted through the media is usually a form of expression of what a person feels or a position or view held by such a person and the media houses should be able to spread such views without undue alteration. Additionally, apart from being a medium of expressing the ideas and feelings of an individual, the media is also a major source of information. Therefore, it is for this

⁶ Ttembo Francis, ‘*The Role of Electronic Media in Promoting Human Rights in Uganda: A Case Study of NTV Uganda*’ (Dissertation, Kampala International University 2017) 15

⁷ Maeve McDonagh, ‘*The Right to Information in International Human Rights Law*’ [2013]13(1) Human Rights Law Review 25-26

reason that it has been noted that the right to information is founded or has its basis in the right to freedom of the opinion and expression of an individual.⁸ Furthermore, the right to freedom of information is a major feature of the right to freedom of expression.⁹

The freedom of expression upholds promotion and protection of personal liberty in a democratic setting.¹⁰ When recourse is made to the freedom of expression, the International Covenant on Civil and Political Rights is of utmost significance and importance.¹¹ It is imperative to note that the right to freedom of expression is a fundamental right in Nigeria under section 39 of the Constitution of the Federal republic of Nigeria 1999.¹² The freedom of expression sprung up as opposed to censorship that occurred over the years in certain climes of the world.¹³ There is a popular saying that “you are entitled to your personal opinion but not to your own facts.”¹⁴ This may have been the basis why the government failed to hear the cries of its citizens. The citizens were only expressing themselves with word of mouth without any cogent evidence and it is trite that in law, he who asserts must prove.¹⁵

⁸ Ogbuitepu F, ‘*An Analysis on the Practicality of the Nigerian Freedom of Information Act 2011*’ (2011) 1 The National Human Rights Commission Journal 2

⁹ N. O. Obiaraeri, ‘*Access to Public Information in Nigeria- Celebrating with Caution*’ (2011) 4(2) Confluence Journal of Jurisprudence and International Law 1

¹⁰ Imo J. Udofa, ‘*Right to Freedom of Expression and the Law of Defamation in Nigeria*’ (2011) 2(1) International Journal of Advanced Legal Studies and Governance 75

¹¹ Evelyn Mary Aswad, ‘*The Future of Freedom of Expression Online*’ (2018) 17(1) Duke Law and Technology Review 35

¹² Constitution of the Federal Republic of Nigeria 1999 (With Amendments)

¹³ Gedion Timothewos, ‘*Freedom of Expression in Ethiopia: The Jurisprudential Dearth*’ (2010) 4(2) Mizan Law Review 202

¹⁴ Mike Robbins, ‘You’re Entitled to Your Own Opinions, But Not Your Own Facts’ (Mike Robbins, 17 November 2020) <<https://mike-robbins.com/podcast-post/youre-entitled-to-your-own-opinions-but-not-your-own-facts/>> accessed 10 April 2026.

¹⁵ Evidence Act No. 18, 2011, s 131.

The freedom of expression is the leeway or unrestricted freedom to portray or exhibit publicly with the aid of spoken words or actions the line of thought or view of an individual. This liberty is made critical with reference to interacting and communicating with a number of people, and with regards to the provisions of the law.¹⁶ This right is so vital to the extent that it has legal stipulations under various domestic, international, and regional laws.¹⁷ The right extends to having in print form the thoughts and views of a person.¹⁸

In examining the domestic laws of many countries, this right is most enshrined under their constitutional provision. With reference being made to its international affiliation, Nigeria is one of the parties to numerous international and regional instruments.¹⁹ In international and regional human rights instruments, there are stipulations specifically on the freedom of expression, as well as other fundamental human rights. This right is vital because it aids the development of an individual.²⁰ The justification is because such expressed views are usually open to any form of criticism; preferably constructive criticism. This enables a person to build or search for more backing to his or her views in order to properly defend them. A downside to this is in terms of destructive criticism which aims at bringing down the confidence of a person. Nevertheless, in terms of development of a person and the media,

¹⁶ Demet Celik Ulusoy, 'A Comparative Study of the Freedom of Expression in Turkey and EU' (2013) 43 *The Turkish Yearbook of International Relations* 51

¹⁷ *ibid*

¹⁸ *ibid*

¹⁹ Jacob Abiodun Dada, 'Human Rights Protection in Nigeria: The Past, the Present and Goals for Role Actors for the Future' (2013) 14 *Journal of Law, Policy and Globalization* 1

²⁰ Emily Howie, 'Protecting the human rights to freedom of expression in international law' (2018) 20(1) *International Journal of Speech-Language Pathology*, 12

the development is mainly mental due to the form of information that the media releases to the public.²¹

Van Vollenhoven states that the right to freedom of expression is one of the major features of a democratic society.²² The main ideology of a democratic society or setting is to provide the citizenry with the desired arena or venue where their plight can be made known, and where the authorities can take strategic measures and actions towards ensuring that the ample need of the public is met. The freedom and liberty to display or express one's self without any restriction or limitation is the most efficient way the public can let the government know their mindset on the happenings in the society. Such expression is usually done through the media. This is so because every individual has direct access to this media, especially social media.

The freedom of information stems from the freedom of expression as earlier stated. This information freedom guarantees access to and use of information.²³ And this is so because every individual needs access to necessary information before ascertaining a view on it. This ensures good governance and proper practice of democracy.²⁴ Freedom of expression is key to freedom of expression, and a feature of a functioning democracy by extension.²⁵ This is what led to the

²¹ Jana L Raver and others, 'Destructive Criticism Revisited: Appraisals, Task Outcomes, and the Moderating Role of Competitiveness' (2012) 61(2) *Applied Psychology: An International Review* 177.

²² WJ Van Vollenhoven, 'The Rights to Freedom of Expression: The Mother of our Democracy' (2015) 18(6) *Potchefstroom Electronic Law Journal* 2299

²³ Madubuike-Ekwe and Mbadugha, 'Obstacles to the Implementation of the Freedom of Information Act, 2011 in Nigeria' (2018) 9(2) *Nnamdi Azikiwe University Journal of International Law and Jurisprudence* 96

²⁴ Preye Kuro Inokoba, 'Freedom of Information Act and Democratic Consolidation in Nigeria: Prospects and Challenges' (2014) 3(12) *International Journal of Development and Sustainability* 2258

²⁵ Oberiri Destiny Apuke, 'An Appraisal of the Freedom of Information Act (FOIA) in Nigeria' (2017) 13(1) *Canadian Social Science* 40

creation of the Information Act in Nigeria.²⁶ Therefore, it should be noted that the mass media is very vital in the exercise of the right to information.²⁷ This is due to the fact that the mass media is the largest carrier of all forms of information.

For press freedom, this has been regarded as the liberty to publish, with good intentions and justifiable grounds, any information whether it concerns the government or any other party in a society.²⁸ The press freedom connotes the unhindered freedom to write and distribute information for public use.²⁹ When press freedom is mentioned, the liberty for journalists to write and publish their views without fear of being abused by the government should be the next line of thought.³⁰ Press freedom is also tantamount to freedom of the media, and freedom of corruption to an extent.³¹ The freedom of the press is vital in determining the role of the media in every facet of every society.³²

1.2 Role of the Media in Promotion and Protection of Human Rights in Nigeria

²⁶ Chike Walter Duru and Nkiru Ezeh, *'Nigeria's Freedom of Information Act: Opportunities and Challenges'* (2018) 15 *Global Journal of Applied, Management and Social Sciences* 51

²⁷ Jacob U Agba, Eric Ugor Ogori and Kwita Ojong Adomi, *'The Nigerian Freedom of Information (FOI) Act and the Rights to Know: Bridging the Gap Between Principle and Practice'* (2018) 73 *New Media and Mass Communication* 21

²⁸ Mark Pearson, *'Press Freedom, Social Media and the Citizen'* (2013) 19(2) *Pacific Journalism Review* 215

²⁹ Apuke Destiny Oberiri, *'Exploring the Extent of Press Freedom in Nigeria'* (2017) 3(2) *International Journal of International Relations, Media and Mass Communication Studies* 28

³⁰ *ibid*

³¹ Dustin R Daniels, *'Freedom of the Media as Freedom from Corruption'* (Thesis, The Florida State University 2011) 27

³² Victoria Chioma Nwankwo, *'The Role of the Media in Promoting Human Rights: An Analysis of the BBC Documentary, 'Chocolate: The Bitter Truth''* (Dissertation, Roehampton University 2011) 7

In a democratic setting or society, one of the requirements which the media is meant to fulfill is depicting the principles or features of democracy in a society.³³ It is common knowledge that one of the features of a democratic society is the promotion and protection of Human Rights.³⁴ Every democracy upholds respect for these rights.³⁵ Noting that there are many factors that aid in the promotion of Human Rights in Nigeria, the media is the focus of this paper. Journalists play a major role in sourcing and publishing information on any media platform they operate with; which could be print like newspapers, or online platforms for those that have blogs or social media handles.³⁶

The essence of the mass media in promoting and safeguarding Human Rights in every society cannot be exaggerated.³⁷ In this light, a major role the media plays is the “agenda-setting role”. By this, it is meant that the media has an idea or an agenda it desires to give a solid ground in the society. This is done by displaying information or news focusing on that agenda it seeks to drive which registers in the mind of the public.³⁸ In this case, the agenda could be pushing for the acknowledgement and safeguarding of Human Rights by the government following cases of constant violations. This agenda-setting could be in the form of a campaign to affirm human rights

³³ Lai Oso, ‘*Media and Democracy in Nigeria: A Critique of Liberal Perspective*’ (2013) 10 *New Media and Mass Communication* 13

³⁴ Ozoigbo Bonaventure Ikechukwu, ‘*Democracy and Human Rights in Nigeria: A Critical Inquiry*’ (2017) 5(5) *Global Journals of Arts, Humanities and Social Sciences* 25

³⁵ Ngambu Wanki Justin, ‘*(Un)Constitutional Amendments and Cameroon Constitutions: Strange Bedfellows with the Rule of Law and Constitutionalism*’ (2021) 29(1) *African Journal of International and Comparative Law* 95

³⁶ Abiodun Adeniyi and Salisu Suleiman, ‘*Specialized Reporting in Nigeria: Strengths, Weaknesses and a Problematic Understanding*’ (2017) 60 *New Media and Mass Communication* 43

³⁷ Kwesi Nyarkoh Koomson, ‘*The Mass Media as a Mechanism for the Promotion and Protection of Human Rights*’ (*GRIN*, 2013) <<https://www.grin.com/document/338948>> accessed 27 January 2025

³⁸ *ibid*

protection. As part of the agenda-setting role, the media can be regarded as agents of social change. This is so because the essence of pushing or promoting an agenda to the public is to effect a positive change that will benefit every individual within the society.³⁹

The media showcases or reports instances of Human Rights Abuses. The media is a key factor in the realization of these human rights in every society.⁴⁰ If the situation was ideal, the media is meant to serve as the eyes and ears of the public for the sake of reporting any and every form of Human Rights infringements.⁴¹ The media must have the ability to freely survey the environment and give their reports on daily occurrences without hindrance.⁴² All journalists and media handlers or career persons have the duty to properly utilize the media.⁴³ In this case, by reporting prevalent Human Rights issues in Nigeria. They can also partner with Human Rights non-governmental institutions. There are Human Rights Organizations who also use the media to campaign against Human Rights abuses. A good example is Amnesty International, a globally recognized Human Rights institution that investigates and reports prevalent Human Rights issues all over the world. They stand firmly against all forms of abuse and they do not fail to report the abuses people suffer in different parts of the world.

³⁹ Kubiati Umana, 'Mass Media in Promoting Human Rights in Nigeria' (*Research Cyber*, 20 October 2018) <<https://researchcyber.com/mass-media-promoting-human-rights-nigeria/>> accessed 27 January 2025

⁴⁰ 'The Role of the Media in Human Rights' (*Media Guide*, 14 November 2015) <<https://mediaguide.fi/mediaguide/the-role-of-the-media-in-human-rights/>> accessed 31 January 2025

⁴¹ *ibid*

⁴² Ben U Nwanne, 'Another Look at Press Freedom in Nigeria' (2014) 2(4) *European Journal of Research in Social Sciences* 10

⁴³ Asemah Ezekiel S, Edegoh Leonard Onyeka, and Ogwo Comfort, 'Employing the Mass Media for the Promotion of Rights in Nigeria' (2013) 7(1) *African Research Review; An International Multidisciplinary Journal* 47

The media is there to give the true story behind an occurrence or an event.⁴⁴ Therefore, the media stands at the forefront of news coverage. It is the duty of the media to investigate the truth of every story. It is trite that there is a lot of false information. The duty of the media here lies towards exposing hidden truths. For instance, during the ENDSARS protest in Nigeria, while other news channels failed to report the true situation, **Arise TV** stood against all odds and reported most of the occurrences which the government tried to hide. This is the true nature of a media house with integrity. The media serves as a watchdog against the activities of the government. And on activities of other societal actors that may in any manner grossly affect human rights.

It is the role of the media to publish information in hard or soft copy.⁴⁵ It could be in hard copy such as any physical or print form and it could be soft copy such as online or electronic format. Making available information to people gives them the necessary information they require. By extension, the media plays the role of educating people on vital happenings within the vicinity.

The media also reports the effects of globalization on Human Rights.⁴⁶ In this vein, reference is made to actions that affect the environment, which falls under socio-economic rights. Through the media, there is the successful creation of awareness on any issue,⁴⁷

⁴⁴ Victoria Chioma Nwankwo, *The Role of the Media in Promoting Human Rights: An Analysis of the BBC Documentary, 'Chocolate: The Bitter Truth'* (Dissertation, Roehampton University 2011) 39

⁴⁵ Udenze Silas, *'Print Media and the Challenges of Social Media'* (2018) 2(3) International Journal of Advanced Research and Publications 20

⁴⁶ Forum A Pandya and Bhavesh H Bharad, *'Impact of Globalization on Human Rights and Environmental Protection'* (2019) 3(1) GAP INTERDISCIPLINARITIES 191

⁴⁷ 'Experts Discuss Role of Free Press in Promoting Human Rights, Democracy and Development' (*International Press Institute*, 4 July 2012) <<https://ipi.media/experts-discuss-role-of-free-press-in-promoting-human-rights-democracy-and-development/>> accessed 3 February 2025

one of them being Human Rights violations and the need for safeguarding it. Through the media, the public is constantly made aware of their constitutional and fundamental rights.⁴⁸

2. Challenges in the Use of the Media in Promoting Human Rights in Nigeria

One major factor militating against the effective use of the media in promoting Human Rights in Nigeria is Media Censorship and lack of press freedom in Nigeria. Media censorship has become a major discourse in the global plane on its pros and cons.⁴⁹ Prior to its abuse, media censorship means the regulation of the media to prevent the publication of false information and to prevent the spread of information that would lead to a breakdown of law and order in the society. But now, it is regarded as a major feature of an autocratic society.⁵⁰ This is so because rather than focus on eliminating false information, focus has been shifted to hindering any information that may smear the government or some powerful members of the society even if such information is true. Calling out the government for its misdeeds is now regarded as revolution or treason, leading to unlawful arrest and detention. Points should be made to the fact that the only way the media can serve its purpose is by depoliticizing it.⁵¹ By depoliticizing, it means the existence or removal of all forms of influence from the government in power. This can only be done by removing all media houses from the direct control of the government. Unfortunately, this is usually not the case in Nigeria.

⁴⁸ Kubiati Umana, 'Mass Media in Promoting Human Rights in Nigeria' (Research Cyber, 20 October 2018) <<https://researchcyber.com/mass-media-promoting-human-rights-nigeria/>> accessed 3 February 2025

⁴⁹ Irum Saeed Abbasi and Laila Al-Sharqi, 'Media Censorship: Freedom Versus Responsibility' (2015) 7(4) Journal of Law and Conflict Resolution 21

⁵⁰ Yuyu Chen and David Y Yang, 'The Impact of Media Censorship: 1984 or Brave New World?' (2019) 109(6) American Economic Review 2294

⁵¹ Dukagjin Leka and Bajram Kosumi, 'The Impact of Democracy in the Media and Public Opinion' (2017) 11(2) ACTA UNIVERSITATIS DANUMIUS 39

Media censorship can be done either by the government or the media companies themselves.⁵²

This media censorship shows the attitude of the government of Nigeria towards the incessant violations of Human Rights prevalent in the country. The state of Human Rights in Nigeria is terrible given the constant violations of all forms and generations of these rights by both government and non-governmental actors.⁵³ The situation seems like the government makes a conscious effort to see to these Human Rights Abuses. Clearly, the right to information and expression falls under such rights that are clearly abused. This media censorship serves as a major hindrance to the freedom of expression. Factors surrounding the sporadic abuse and constant disregard for Human Rights in Nigeria fall under corruption, lack of competent leadership, unconcerned outlook of the government, private and selfish gain over public interest, etc.

Another factor is the maltreatment of Journalists and Media Houses. Journalists face a huge deal of physical or online threats in the course of carrying out their duties.⁵⁴

Overtime, journalists have been accused of violating people's right to privacy in the guise of getting information. Generally, the lives of journalists are at risk, which history has shown that some people make good of the threat. For this reason, there is no zeal on the part of the media houses and the journalists themselves in the pursuit of the truth. Some of them limit themselves to what media censorship allows to avoid being targeted. Apart from the maltreatment, some journalists in Nigeria do not adhere to the Code of Ethics for

⁵² Mustapha Zanzoun, *'The Use of Social Media in Promoting Human Rights Among Speakers of English in Morocco: The Case of Facebook'* (2017) 5(9) International Journal of Education and Research 169

⁵³ Adetoro Rasheed Adenrele and Omiyefa Muraina Olugbenga, *'Challenges of Human Rights Abuses in Nigerian Democratic Governance – Which Way Forward'* (2014) 1(5) Journal of Social Economics Research 87

⁵⁴ Adegboyega Adedolapo Ola, *'Illegal Assaults and Treatment of Journalists: A Big Challenges to the Journalism Profession in Nigeria'* (2020) 12(3) Journal of Aggression, Conflict and Peace Research

Journalists in Nigeria.⁵⁵ They end up carrying out professional misconduct in the form of publishing false information or invading the right of privacy of people they are investigating. This invasion of the right to privacy makes nonsense of the use of the media in promoting Human Rights, as one of the parties meant to promote the rights end up abusing it.

Overtime, the media has become a vehicle for carrying false and inaccurate information on the happenings within the society.⁵⁶ Due to the easy access to various media platforms, every individual has access to publish any information without doing detailed research or investigation on it. This false information appears in the form of false accusations, slanderous statements or through other forms.

The Nigerian government employs several mechanisms to censor media, primarily through regulatory bodies, laws, and direct actions targeting critical content. These methods often cite national security, misinformation, or public order as justifications.

1. Over Regulations and Sanctions: The National Broadcasting Commission (NBC) imposes heavy fines on TV and radio stations for airing content deemed unprofessional, such as documentaries on banditry or protests, with penalties up to N5-10 million. Courts have ruled against such unilateral fines, declaring them unconstitutional violations of free expression under Sections 22, 36, and 39 of the Constitution of the Federal Republic of Nigeria 1999, yet enforcement persists.

2. Legal Persecutions: The Cybercrimes (Prohibition, Prevention, etc.) Act 2015, especially Section 24, criminalizes "offensive" or "false" online messages with fines up to N7 million or three years imprisonment, often used against journalists and bloggers for

⁵⁵ Qaribu Yahaya Nasidi, '*Media and Ethics: Journalism Ethics in Nigerian News Media*' (2016) 21(12) Journal of Humanities and Social Science 1

⁵⁶ Ahmed Al-Rawi, '*Gatekeeping Fake News Discourses on Mainstream Media Versus Social Media*' (2018) 37(6) Social Science Computer Review

critical posts. This has led to numerous arrests, including those of Agba Jalingo and Omoyele Sowore for exposing alleged corruption.

3. Shutdowns and Suspensions: Government-imposed internet shutdowns severely hinder the media's ability to promote and protect human rights by blocking information flow, silencing journalism, and enabling abuses to go unreported. State governments occasionally shut down broadcast stations for covering opposition events, as seen in Zamfara in 2022, though NBC claims sole authority over such actions. The federal government has also suspended platforms like Twitter in 2021 for months after it removed a presidential post.⁵⁷

Internet shutdowns disrupt journalists' capacity to report live events, gather evidence, or share human rights violations in real time, especially during protests or elections. For instance, they prevent the media from acting as watchdogs, allowing governments to conceal violence or electoral fraud without scrutiny. Media lose their role in amplifying marginalized voices and educating the public on rights, as shutdowns throttle access to platforms for advocacy and debate. Shutdowns impede emergency reporting that could protect lives, such as alerting to health crises or atrocities, while enabling misinformation in the information vacuum.⁵⁸

4. Harassments and Intimidations: Police and agencies like the Department of State Services (DSS) account for over 70% of attacks on journalists, including arbitrary arrests and assaults, fostering a

⁵⁷ United Nations, 'Internet shutdowns: UN report details 'dramatic' impact on people's lives and human rights' <<https://www.ohchr.org/en/press-releases/2022/06/internet-shutdowns-un-report-details-dramatic-impact-peoples-lives-and-human>> <<https://www.ohchr.org/en/press-releases/2022/06/internet-shutdowns-un-report-details-dramatic-impact-peoples-lives-and-human>> accessed 10 April 2026.

⁵⁸ Remsha Hussain and others, 'Internet Shutdown with Violations of Human Rights and Freedom of Speech' (2024) 1(3) Asian Journal of Public Health and Nursing 1

climate of fear. In 2025, 69 verified incidents highlighted government officials as primary offenders.⁵⁹

5. Film and digital Censorship Boards: Issuing AI guidelines in 2026. Digital restrictions during elections or unrest, such as SMS code shutdowns, further limit online dissent.⁶⁰

3. Legal Framework on the Use of Media in Promoting Human Rights

a) Universal Declaration of Human Rights

The right to freely express one's self and opinion, including formulating opinions without fear of restriction, and liberty to source for and obtain information through any media platform is guaranteed under article 19 of the Universal Declaration of Human Rights.⁶¹ The right to source and obtain information through any media platform as provided under this declaration connotes that the right to information should be flexible enough to cover all media platforms without limitation.⁶²

A limitation under the declaration is observed in article 29 which provides for the exercise of this right within the law.⁶³ Usually, reference made to "law" in any statute is made with reference to the law enforceable in a State.⁶⁴

⁵⁹ Sunday Aikulola, 'A year of impunity, assault on journalists, press freedom' *Nigeria* (The Guardian, 30 December 2025) <<https://guardian.ng/features/media/2025-a-year-of-impunity-assault-on-journalists-press-freedom>> accessed 10 April 2026.

⁶⁰ Mimeta, 'Policing Culture in Kano, Nigeria's North' <<https://www.mimeta.org/mimeta-news-on-censorship-in-art/2026/1/8/policing-culture-in-kano-nigerias-north>> accessed 10 April 2026.

⁶¹ Universal Declaration of Human Rights, 1948

⁶² Wolfgang Benedek and Mathias C. Kettemann, '*Freedom of Expression and the Internet*' (Council of Europe Publishing 2013) 24

⁶³ Universal Declaration of Human Rights, 1948

⁶⁴ Maduabuike-Ekwe & Mbadugha, '*Obstacles to the Implementation of the Freedom of Information Act, 2011 in Nigeria*' (2018) 9(2) Nnamdi Azikiwe University Journal of International Law and Jurisprudence 97

Article 6 of the resolution of the General Assembly of the United Nations states that everyone has the right to obtain information, publish it and form opinions on obtained information.⁶⁵ It is noteworthy that there is no restriction on this right under the resolutions.

b) International Covenant on Civil and Political Rights

The right to express oneself, obtain information and form opinions on them through different media platforms is guaranteed under article 19 of the International Covenant on Civil and Political Rights provides that:⁶⁶ The limitation here is exercising the right under the ambits of the law. The reason for this restriction is to prevent the spread of falsehood or provocative information. Nevertheless, such restrictions are open to abuse by the government. Having no express provision under this covenant, the right to information can only be inferred. And this is because access to information conditions precede information formulation and expression.⁶⁷

Asides from the domestic laws which will be mentioned under this heading, its international counterpart will be mentioned as well. This is simply to reinforce the global acceptance of the right.⁶⁸ There is a legal framework for this fundamental right because it is an innate right that must exist in every society.⁶⁹ The right to freedom is not a soft law. All its provisions must be enforced by all legal means.⁷⁰ Same with the right to information.

⁶⁵ Resolution Adopted by the General Assembly of the United Nations 1999

⁶⁶ International Covenant on Civil and Political Rights, 1976

⁶⁷ Aaron Olaniyi Salau, *'The Right of Access to Information and National Security in the African Regional Human Rights System'* (2017) 17 African Human Rights Law Journal 371

⁶⁸ Imam I *et al*, *'Striking a Balance Between Freedom of Expression and Political Violence: Rights and Restrictions under the International and Domestic Instruments'* (2010) 1(2) Ahmadu Bello University Journal of Public and International Law 185

⁶⁹ Ramesh Kumar, *'Right to Information Vis-à-vis Freedom of Speech'* (2013) 13 American International Journal of Research in Humanities, Arts and Social Sciences 239

⁷⁰ Haruna B. A., *'An Analysis of Fundamental Rights Enforcement Instruments in Nigeria: Past and Present'* (2010) 2(1) Bayero University Journal of Public Law 1-2

c) The African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act

Article 9 of the African Charter on Human and Peoples' Rights states that everyone has the freedom of expression, to obtain information, publish and distribute it, and form opinions based on the provisions of the law.⁷¹ Looking at the wordings of this instrument, it does not ensure full access to information as it gives the State the power through law to regulate access to information.⁷² Irrespective of this, the charter posits that the freedom to express and hold opinions should be guaranteed.⁷³ In the exercise of the limitation of access of the right to information through the law by the State, article 27 (2) of the African Charter on Human and Peoples Rights provides that such restriction can only be exercised in consideration of the rights of the public.⁷⁴

Children have the liberty to express themselves and hold opinions by virtue of article 7 of the African Charter on the Rights and Welfare of the Child, while respecting the provisions of the law.⁷⁵ This charter also provides for a restriction on this right. Nevertheless, the charter has been ratified in Nigeria awaiting domestication.⁷⁶

⁷¹ African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act – CAP A 9 L.F.N. 2004

⁷² Aaron Olaniyi Salau, 'The Right of Access to Information and National Security in the African Regional Human Rights System' (2017) 17 African Human Rights Law Journal 373

⁷³ Aaron Olaniyi Salau, 'Right of Access to Information and its Limitation by National Security in Nigeria: Mutually Inclusive or Exclusive' (Thesis, University of Cape Town, 2017) 64

⁷⁴ African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act – CAP A 9 L.F.N. 2004

⁷⁵ African Charter on the Rights and Welfare of the Child 1990

⁷⁶ Okpalaobi & Ekwueme, 'United Nations Convention on the Rights of a Child: Implementation of Legal and Administrative Measures in Nigeria' (2015) Nnamdi Azikiwe Journal of International Law and Jurisprudence 122

Public access to information on matters arising and those that affect them is guaranteed under article 6 of the African Charter on Values and Principles of Public Service and Administration.⁷⁷

d) Constitution of the Federal Republic of Nigeria, 1999 (as amended)

Section 39 of the constitution states that every citizen of Nigeria is free to express themselves and hold opinions without restrictions.⁷⁸ A limitation to this right as seen under section 39 (3) (a) is that any law in Nigeria made by the legislature which allows holding back certain sensitive information, and can be justified in a democracy, is legal and enforceable.⁷⁹ The freedom of the press in Nigeria, as earlier stated, stems from section 39 of the constitution enforceable in Nigeria.⁸⁰ Some recognized and court approved restrictions on this right in Nigeria are publications regarded as treason, defamatory, etc.⁸¹

e) The Freedom of Information Act 2011

Section 1 (1) of the freedom of information act states that the liberty to request and obtain information held by a public officer is ascertained.⁸² Under subsection 2, no proof of need or interest in the information is required.⁸³ Subsection 3 states that court proceedings can be initiated against a public officer who withholds a requested information.⁸⁴ Section 7 provides for a statement of reasoning for

⁷⁷ African Charter on Values and Principles of Public Service and Administration 2011

⁷⁸ Constitution of the Federal Republic of Nigeria 1999 (With Amendments)

⁷⁹ Constitution of the Federal Republic of Nigeria 1999 (With Amendments)

⁸⁰ Obinna Johnkennedy Chukwu, ‘*The Press and Freedom of Information in Nigeria and the United States of America: An Analysis*’ (2018) 1(1) International Journal of Law and Society 26

⁸¹ Olajumoke Williams-Ilemobola and Oladipo Abimbola, ‘*An Examination of the Right to Freedom of Expression in Nigeria*’ (2018) 1(2) Journal of Human Rights Law and Practice 3

⁸² Freedom of Information Act 2011

⁸³ *ibid*

⁸⁴ *ibid*

refusing to release information. A limitation is seen under Section 12 of the Act. It provides that any information that will disrupt investigations, modus operandi, denial of right to fair trial and so on, shall not be released.⁸⁵ Also, information obtained confidentially cannot be released.⁸⁶ Nevertheless, where public interest outweighs all the limitations under this Act, the information would be released under section 11 (2).⁸⁷

f) Nigerian Data Protection Act 2023

The above section provides a specific exemption for journalistic, educational, artistic, or literary purposes, while requiring these to uphold constitutional privacy rights and abide by data security principles. The Act bolsters human rights by protecting privacy in digital reporting, enabling the media to advocate for victims of data misuse while countering misinformation threats. It empowers media to promote accountability via NDPC enforcement stories, fostering public trust in digital governance, though overreach could chill rights advocacy. Ultimately, compliant media can amplify human rights narratives, such as digital equity, without undermining privacy safeguards. Section 3(2)(d) provides an intentional exception to journalism, education, art, and literature, in recognition of the important function the media plays in ensuring human rights protection.⁸⁸ It recognizes that investigative journalism, which is an essential accountability instrument, may require processing personal information.

The Act also places certain obligations on the part of media organizations. Section 24 requires that the data be processed fairly, lawfully, and transparently.⁸⁹ Media organizations dealing with data concerning audiences, sources, and subjects must process data in a

⁸⁵ Freedom of Information Act 2011

⁸⁶ *ibid*

⁸⁷ *ibid*

⁸⁸ Nigerian Data Protection Act, 2023

⁸⁹ *Ibid*

responsible manner. The data subjects have access, correction, and erasure rights under Section 34.⁹⁰ Individuals can exercise these rights against media organizations. Additionally, the breach notification obligation in Section 40 and the sensitive data provisions in Section 30 (concerning the health status, political opinion, and religion of individuals) limit the manner in which the media deals with data about vulnerable persons.⁹¹

3.1 Government Censorship of the Media and its Effects in Promotion and Protection of Human Rights in Nigeria

The media is a crucial tool in advocating for and defending human rights. Nevertheless, it becomes dysfunctional when the government censors information. In Nigeria, the government has been censoring the media, and human rights have been suffering in one way or another because of this practice. Government censorship is an environment of fear. If a journalist publishes an article or makes any other statements that criticize members of the government, there is always a risk of being detained, harassed, or persecuted by the authorities. The fear of punishment becomes an internal factor that drives people to practice self-censorship, a very harmful practice where people hide true information from their audience out of fear. In such cases, the media shows a false image of stability to the audience. People do not have access to reliable information and human rights abuses are overlooked.⁹²

Censorship results in a lack of media coverage of human rights-related problems. For example, police brutality, extra-judicial killings, election fraud, and corruption are topics that journalists should write about more often but are too afraid to cover. Censorship curtails the unrestricted exchange of information, thereby

⁹⁰ *ibid*

⁹¹ Nigerian Data Protection Act, 2023

⁹² Eyitayo Abiodun Aluko and I Bayo Oloyede, 'Censorship and Security: Impact of Media Laws and Government Actions on Journalists Safety in Nigeria' (2025) 9(6) International Journal of Humanities, Literature and Art Research 43

undermining media pluralism. If only government-sanctioned perspectives are available, the populace is unable to form any judgments regarding politics, voting, and civil liberties. The media that operate independently are subjected to regulatory persecution, license cancellations, and financial coercion intended to stifle dissident views. This will ultimately result in information being concentrated within the government, which erodes the public's confidence in the media. This distrustful perception of the media hinders its ability to champion human rights.⁹³

A healthy democracy must ensure that there is debate, discussion, criticism, and freedom of expression by all individuals, including the minorities. Media censorship makes it difficult for people to voice opposition, non-governmental organizations are not able to transmit their messages, and citizens are deprived of important information that could be used in opposing such policies. Media censorship thus acts as an obstacle to the enjoyment of human rights. Without information on what their rights are, people are unable to defend them.⁹⁴

The detention of journalists amounts to direct media censorship. The journalists working for the press in Nigeria have always been arrested when they were reporting incidents of elections, community violence, and other security issues. Such actions have been committed deliberately as part of censorship to silence the whistleblowers of human rights violations. At times of elections and armed conflict, media coverage is vital to expose any cases of abuse

⁹³ Stefan Theil, 'Private Censorship and Structural Dominance: Why Social Media Platforms should have Obligations to their Users under Freedom of Expression' (2022) 81(3) *The Cambridge Law Journal* 645.

⁹⁴ Aniceto Masferrer, 'The Decline of Freedom of Expression and Social Vulnerability in Western Democracy' (2023) 36(4) *International Journal for the Semiotics of Law* 1.

and protect human rights.⁹⁵ Censorship by the government causes great harm to human rights in Nigeria. Truth is silenced, the oppressor is protected, and citizens are disempowered. An independent and pluralistic media is crucial for ensuring human rights in Nigeria.

4. Conclusion

The media is an invaluable tool for advancing and safeguarding human rights in Nigeria. The above analysis has clearly shown that the fundamental human rights to freedom of expression, right to freedom of information and press freedom form the bedrock of any meaningful involvement by the media in human rights advocacy. Agenda setting, being a watchdog, human rights reporting and enlightenment are all crucial roles the media plays in democratic governance. Yet, censorship of the media, the prosecution of journalists, conflicting ownership and the proliferation of lies continue to hinder these responsibilities. More than just weakening the role of the media, these practices threaten the basic human rights of ordinary Nigerians who rely on factual reportage for information. For there to be genuine human rights advocacy in Nigeria, the media must remain free and responsible. This calls for dismantling of the censorship system, securing the safety of journalists and guaranteeing human rights in accordance with Section 39 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended). In addition, the media must commit itself to professional and ethical standards of practice.

5. Recommendations

As a carrier of information, the media should ensure that every published information must be investigated and fact-checked. This is to prevent publication of false information. Journalists aid so

⁹⁵ Adegboyega Adedolapo Ola, 'Illegal assaults and treatment of journalists: a big challenge to the journalism profession in Nigeria' (2020) 12(3) *Journal of Aggression, Conflict and Peace Research* 151.

much in delivering relevant and fact-checked information to the public, even with the daily threats some of them face. The government should do well to create a conducive work atmosphere for journalists. This can be done by improving their salaries, giving them incentives, and other benefits that can be accorded to journalists. Most importantly, the security situation in Nigeria must be improved. This way the journalists can operate and feel safe at the same time.

Also, for the media to aid in the promotion of Human Rights in Nigeria, they need to be sensitized on the nitty gritty of Human Rights. Now by “media” here, reference should not be made to the media platforms such as the Television, radio, newspapers, etc. The reference should be made to the people who use and regulate these media platforms, those who use these media platforms to deliver information. Also, emphasis here is made on broadcasting media platforms. This sensitization can be made by organizing media seminars either by the government or Human Rights non-governmental organizations. The seminar will be based on describing the importance of Human Rights and the need to expose violations to enable the appropriate authorities take action.

A right directly connected to the use of the media is the freedom of press. Unfortunately, there is no right to freedom of press in many Human Rights instruments. The right is merely an aberration of the freedom of expression and right to information. In other words, press freedom is merely inferred. The right exists to protect the media of external undue influence. This work suggests that having an express law in Nigeria which guarantees this right would aid substantially. The law could contain a provision that gives them the right to access the court when their activities are interfered with. Given that the media has various forms, the law could reflect those forms in the law with instances on how the right can be abused. These instances should be open-ended because the legislature may not be able to give all instances that may amount to the breach of the right.