



Ethics, Regulation, and Responsible AI in Nigeria

Technical Presentation: Session 4

3-Day National Summit on Artificial Intelligence and Robotics

Theme: "Harnessing Artificial Intelligence and Robotics for Economic Sustainability and National Resilience"

ABUBAKAR MAHMUD, MACM, CDPO, MNCS, Certified ISO 42001 Practitioner

Representative of the National Commissioner/CEO
Nigeria Data Protection Commission (NDPC)

Presentation Overview

1 Nigeria's AI Landscape

Current position, opportunities, and challenges in the global AI ecosystem

3 Data Subject Rights

Citizens' rights in the age of automated decision-making and AI

5 AI System Impact Assessment

Comprehensive evaluation framework for ethical AI deployment

7 NDPC's Regulatory Role

Mandate, enforcement powers, and compliance framework

2 NDPA 2023 Framework

Key provisions of the Nigeria Data Protection Act relevant to AI governance

4 DPIA Requirements

Data Privacy Impact Assessment for high-risk AI processing

6 Ethical AI Principles

Core values guiding responsible AI development in Nigeria

8 Inter-Agency Collaboration

Whole-of-government approach to AI governance

The AI Revolution in Nigeria: Opportunities and Challenges

📈 Nigeria's Global AI Position

103rd → 72nd

Oxford AI Readiness Index 2025

35th

Global Policy Capacity Ranking

49th

Development & Diffusion

16-18% → 20%

Digital Economy GDP Contribution

🔑 Key Government Initiatives

- **National AI Strategy (2024):** Comprehensive roadmap for ethical AI development
- **NCAIR (2020):** National Centre for AI and Robotics under NITDA
- **3MTT Programme:** Training 3 million technical talents
- **AI Research Scheme:** N5M grants to 45 AI researchers
- **Project BRIDGE:** 90,000km fiber optic deployment

✅ Opportunities

- ✓ Economic growth & job creation
- ✓ Enhanced public service delivery
- ✓ Innovation in agriculture, health, finance
- ✓ Global competitiveness

⚠️ Challenges

- ⚠️ Data privacy & security risks
- ⚠️ Algorithmic bias & discrimination
- ⚠️ Lack of skilled workforce
- ⚠️ Ethical concerns & misuse potential
- ⚠️ Infrastructure gaps

Nigeria Data Protection Act 2023: Foundation for AI Governance

NDPA 2023 at a Glance

- Effective Date:** June 12, 2023
- Scope:** All data controllers/processors in Nigeria or processing Nigerian data subjects' personal data
- Authority:** Establishes NDPC as independent supervisory body (Section 4)
- Replaces:** Nigerian Data Protection Regulations (NDPR) 2019

Data Protection Principles (Section 24)

- Lawfulness, Fairness & Transparency
- Purpose Limitation
- Data Minimisation
- Accuracy
- Storage Limitation
- Integrity & Confidentiality
- Accountability
- Duty of Care

Key NDPA Sections for AI (Section 37)

Automated Decision-Making Rights

Data subjects have the right not to be subject to decisions based solely on automated processing with legal or significant effects.

Exceptions (with safeguards)

- Necessary for contract performance
- Authorized by written law
- With explicit consent

Required Safeguards

- Human intervention mechanism
- Right to express point of view
- Right to contest the decision

Implication for AI Systems

All AI systems processing personal data in Nigeria must comply with NDPA 2023. This includes obtaining lawful basis for processing, ensuring transparency, implementing data security measures, conducting DPIAs for high-risk processing, and respecting data subject rights including the right to human intervention in automated decisions.

Data Subject Rights in the Age of AI

How NDPA 2023 protects Nigerian citizens in an AI-driven world

Right to Information

Section 33: Before data collection

- Identity of data controller
- Purpose of processing
- Legal basis for processing
- Recipients of personal data
- Retention period
- Existence of automated decision-making

AI Impact: AI systems must provide clear notice about automated processing

Right to Access

Section 34: Confirmation of processing

- Access to personal data
- Purposes of processing
- Categories of personal data
- Recipients or categories
- Envisaged retention period
- Copy in electronic format

AI Impact: Citizens can request explanation of AI decisions affecting them

Right to Rectification & Erasure

Sections 35-36: Correction and deletion rights

- Correction of inaccurate data
- Completion of incomplete data
- Deletion without undue delay
- Right to be forgotten
- Restriction of processing

AI Impact: AI training data must support correction and deletion

Right to Object

Section 36: Objection to processing

- Object to processing anytime
- Object to direct marketing
- Object to profiling
- Processing must stop unless overriding legitimate grounds

AI Impact: Users can opt-out of AI profiling and targeted content

Right to Human Intervention

Section 37: Automated decision-making

- Not subject to solely automated decisions with legal/significant effects
- Right to obtain human intervention
- Right to express point of view
- Right to contest AI decisions

AI Impact: Critical AI decisions must include human oversight

Right to Data Portability

Section 38: Transfer to another service

- Receive data in structured, commonly used format
- Transmit to another controller
- Direct transfer between controllers
- Machine-readable format

AI Impact: Users can transfer their AI profiles to competing services

Data Privacy Impact Assessment (DPIA): A Mandatory Requirement

NDPA Section 28 Requirements

Data controllers must conduct a DPIA **prior to processing** that is likely to result in **high risk** to the rights and freedoms of data subjects.

If DPIA indicates high risk:

- Controller must consult the Commission before processing
- Commission may provide written advice within 8 weeks
- May be extended by 6 weeks for complex cases

What Constitutes High-Risk AI Processing?

AUTOMATED DECISION-MAKING

AI systems with legal or similar significant effects on individuals (credit scoring, recruitment, benefits eligibility)

LARGE-SALE SENSITIVE DATA

Processing special category data (health, biometrics, genetics) at scale using AI

SYSTEMATIC MONITORING

AI-powered surveillance, profiling, or tracking of individuals in public or private spaces

The DPIA Process (GAID 2025)

- 1 Systematic Description**
Nature, scope, context, purposes of processing
- 2 Necessity Assessment**
Assess necessity and proportionality
- 3 Risk Identification**
Identify risks to rights and freedoms
- 4 Mitigation Measures**
Measures to address identified risks
- 5 Documentation**
Include in Compliance Audit Return (CAR)

AI-Specific DPIA Considerations

- ✓ Assessment of disparate outcomes and bias
- ✓ Data Subjects' Vulnerability Indexes
- ✓ Technical and organizational parameters
- ✓ Safeguards for sensitive personal data
- ✓ Human intervention mechanisms
- ✓ Privacy by design and by default

AI System Impact Assessment (AISIA): Beyond Compliance

What is AISIA?

A comprehensive evaluation framework extending beyond DPIA to assess broader **societal, ethical, and economic impacts** of AI systems.

AISIA vs DPIA

Aspect	DPIA	AISIA
Focus	Data privacy	Broader AI impacts
Scope	Personal data	Societal, ethical, economic
Legal	Mandatory (NDPA)	Best practice
Assesses	Privacy risks	Bias, fairness, transparency
Outcome	Compliance	Responsible AI

Best Practice: Conduct both DPIA and AISIA for comprehensive AI governance

The 7-Step AISIA Process

1 Define System & Purpose

Describe AI system, intended outcomes, custom-built or third-party

2 Map Data Flows

Document data types, sources, movement through system, personal/sensitive data

3 Assess Risks

Impacts on rights, bias, discrimination, manipulation, reduced oversight, security

4 Review Legal & Ethical

Check NDPA compliance, fairness, accountability, transparency principles

5 Mitigate Risks

Human review, explainability, refine training data, strengthen security

6 Document Findings

Record risks, mitigation measures, decision rationale for accountability

7 Review & Update Regularly

Monitor performance, reassess risks when system updated, retrained, or used in new context. AI systems evolve - so must assessments.

Ethical AI Principles for Nigeria

Core values guiding responsible AI development and deployment



Fairness & Non-Discrimination

AI systems must not reinforce bias or discrimination

- Prevent bias in lending, hiring, service delivery
- Regular fairness testing and auditing
- Diverse training datasets
- Monitor for disparate outcomes

Application: Credit scoring, recruitment AI, benefits allocation



Transparency & Explainability

AI decision-making must be understandable

- Clear communication about AI use
- Explainable decision logic
- Documentation of AI capabilities
- User-friendly explanations

Application: Healthcare diagnostics, financial advice, legal AI



Accountability & Human Oversight

Humans must remain in control of AI systems

- Human-in-the-loop for significant decisions
- Clear responsibility chains
- Right to contest AI decisions
- Audit trails and logging

Application: Criminal justice, immigration, employment termination



Privacy by Design

Embed data protection from AI system inception

- Data minimisation principles
- Pseudonymisation and anonymisation
- Privacy-preserving techniques
- Default privacy settings

Application: All AI systems processing personal data



Security & Safety

Protect AI systems from misuse and cyber threats

- Robust cybersecurity measures
- Adversarial attack protection
- Model integrity verification
- Continuous monitoring

Application: Critical infrastructure, financial systems, healthcare



Social Benefit

AI must serve national development goals

- Align with SDGs and national priorities
- Inclusive innovation for all Nigerians
- Economic growth and job creation
- Improved public services

Application: Agriculture, healthcare, education, governance

NDPC's Regulatory Mandate and Enforcement Powers

NDPC's Authority (Section 5)

- 📣 Promote awareness of data protection obligations
- 👁️ Supervise implementation of NDPA provisions
- 💡 Advise government on data protection policy
- 📅 Register Data Controllers/Processors of Major Importance
- 📄 Issue guidelines, directives, and codes of conduct
- 🔨 Impose sanctions for non-compliance

DCPMI Registration (Section 44)

Data Controllers and Processors of Major Importance must register with NDPC:

CRITERIA FOR DCPMI

- Process personal data of 200+ data subjects in 6 months
- Provide commercial ICT services with storage
- Operate in financial, telecom, health, e-commerce sectors

REGISTRATION DEADLINE

Registration ongoing. Late registration subject to additional fees.

Enforcement Mechanisms

🔍 Investigations (Section 46)

Commission may initiate investigations where violation is suspected

⚠️ Enforcement Orders

Orders to cease processing, delete data, implement measures

🏷️ Financial Penalties

DCPMIs:
₦10M or 2% of annual revenue

Others:
₦2M or 2% of annual revenue

⚖️ Criminal Liability

Up to 1 year imprisonment or both fine and imprisonment

📋 Recent Enforcement Actions

NDPC has demonstrated commitment through:

- ✓ Investigations of major technology companies
- ✓ Compliance audits across sectors
- ✓ Public enforcement notices
- ✓ Collaboration with international DPAs

NDP-SRAP 2023-2027: Building a Trusted Data Ecosystem

Nigeria Data Protection Strategic Roadmap and Action Plan

🎯 Vision & Targets

250,000

Jobs in data protection sector

₦125B+

Revenue generation target

69

Interlinked initiatives

Five Strategic Pillars

1 Governance & Regulation

Strengthen legal framework, enforcement, compliance monitoring

2 Technology & Innovation

Deploy technology solutions, support innovation in data protection

3 Capacity Development

Training, certification, awareness programmes

4 Collaboration & Partnerships

Multi-stakeholder engagement, international cooperation

5 Sustainability

Financial sustainability, institutional strengthening

SRAP Support for Responsible AI

🏗️ Capacity Building

DPO training and certification programmes for AI governance professionals

📋 Compliance Frameworks

Guidelines for AI data processing, DPIA templates, audit protocols

🌐 Ecosystem Development

Data Protection Compliance Organizations (DPCOs) to support AI compliance

🌍 International Alignment

Harmonization with global AI governance standards

🇳🇬 National Impact

Positioning Nigeria as a continental leader in data protection and responsible AI, fostering trust in digital economy, protecting citizens' rights, and enabling innovation.

Inter-Agency Collaboration: A Whole-of-Government Approach

Sister Agencies Framework

Collaborative governance under the **Federal Ministry of Communications, Innovation and Digital Economy** for harmonized AI regulation.

Key Regulatory Bodies

NITDA National Information Technology Development Agency

- National AI Strategy development
- NCAIR management
- Technical standards for AI
- Digital innovation oversight

Nigerian Communications Commission

- Telecom sector AI governance
- Consumer protection
- Network optimization AI
- Data management regulations

Central Bank of Nigeria

- Financial sector AI governance
- Credit scoring regulations
- AML automation oversight
- Fintech AI validation

Additional Regulatory Partners

FCCPC

Consumer protection in AI services, market competition oversight

NAFDAC + Ministry of Health

AI diagnostics, clinical software regulation, medical device safety

NOTAP

Technology transfer regulation, foreign AI system registration

Security Agencies

AI threat detection, critical infrastructure protection, lawful surveillance oversight

Joint Initiatives

- **National AI Strategy:** Multi-agency development and implementation
- **Digital Economy Research Clusters:** University–industry–government collaboration
- **3MTT Programme:** Technical talent development across agencies
- **Coordinated Enforcement:** Joint investigations and compliance actions

Practical Demonstration: AI Risk Assessment Framework

AI Risk Classification Matrix

■ LOW RISK	Basic chatbots, spam filters
■ MEDIUM RISK	Recommendation systems
■ HIGH RISK	Credit scoring, recruitment
■ UNACCEPTABLE	Social scoring, manipulation

Sector-Specific Risk Examples

FINANCIAL SERVICES - HIGH RISK

- Credit scoring AI
- Fraud detection systems
- Algorithmic trading

HEALTHCARE - HIGH RISK

- Diagnostic AI systems
- Patient data processing
- Treatment recommendations

RECRUITMENT - MEDIUM-HIGH RISK

- Automated hiring systems
- CV screening AI
- Performance monitoring

CUSTOMER SERVICE - LOW-MEDIUM RISK

- Chatbots and virtual assistants
- Query routing systems

Pre-Deployment Compliance Checklist

1 Conduct DPIA

Mandatory for high-risk AI processing personal data. Document in CAR.

2 Perform AISIA

Assess broader societal, ethical, and economic impacts beyond privacy.

3 Implement Privacy by Design

Embed data protection from system inception. Data minimisation, pseudonymisation.

4 Establish Human Oversight

Human-in-the-loop mechanisms for significant decisions. Right to contest.

5 Ensure Transparency

Clear notice to users about AI use. Explainable decision logic.

6 Test for Bias

Fairness testing across demographic groups. Monitor for disparate outcomes.

7 Document Compliance

Maintain records of assessments, decisions, and mitigation measures.

Recommendations for Stakeholders



For Policymakers

1. Enact comprehensive AI legislation
2. Establish dedicated AI governance body
3. Fund AI research and development
4. Promote international cooperation
5. Support capacity building initiatives



For Industry Leaders

1. Adopt ethical AI principles
2. Implement DPIA and AISIA frameworks
3. Invest in compliance infrastructure
4. Ensure transparency with customers
5. Establish AI ethics committees



For Researchers

1. Focus on indigenous AI solutions
2. Study local context and challenges
3. Collaborate with government
4. Publish in reputable journals
5. Develop ethical AI frameworks



For Investors

1. Fund responsible AI startups
2. Demand ethical compliance
3. Support local innovation
4. Prioritize long-term sustainability
5. Consider social impact



For Security Agencies

1. Develop AI threat detection capabilities
2. Ensure lawful use of AI surveillance
3. Protect critical infrastructure
4. Collaborate on cyber defense
5. Respect citizens' privacy rights
6. Train personnel on AI ethics

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Together, we can build an AI ecosystem that drives economic growth while protecting citizens' rights and upholding ethical standards


THANKS FOR AUDIENCE


ABUBAKAR MAHMUD, MACM, CDPO, MNCS, Certified ISO 42001 Practitioner


Representative of the National Commissioner/CEO

Nigeria Data Protection Commission (NDPC)

 **Website**
www.ndpc.gov.ng

 **Email**
info@ndpc.gov.ng

 **Address**
No. 12, Dr Clement Isong
Street, Off Udo Udoma Street,
Asokoro, Abuja – Nigeria.

 **Phone**
+234 916 061 5551

"Protecting Personal Data, Building Trust, Enabling Innovation"

