INSTITUTIONAL CONFLICTS IN THE REGULATION OF LEGAL IDENTITY MANAGEMENT IN NIGERIA*

Abstract
The integration of various legal identity systems under Nigeria's National Identification Management System is important to strengthen cooperation between such identity systems and to ensure a streamlined, interoperable approach towards the management of official identities in the country. However, this integration of various institutional frameworks has resulted in the threat of conflicts and overlaps in institutional responsibilities and mandates. Such conflicts can result in resource wastages, duplicated efforts, disorder and more. An examination of specific instances of such overlaps is therefore imminent. Using a doctrinal method as its research design, and Neil MacCormick's Institutional Theory of Law as its theoretical lens, this paper examined the regulatory framework for legal identity management in Nigeria with an aim to highlight specific areas of conflict within that framework, in need of legislative and institutional reform. Findings revealed overlaps in statutory functions of key institutions including the National Identity Management Commission, the Nigeria Data Protection Commission, the National Population Commission among others.

Keywords: Institutions, legal identity, legal identity management, institutional conflict

1. Introduction

The United Nations (UN) defines 'Legal Identity Management' (LIM) as 'the issuance of a proof or legal identity to each individual by a government authorised entity and the maintenance of systems for managing information and documents associated with such identity.'.[1] The UN also provides an operational definition of legal identity as 'the basic characteristics of an individual's identity e.g., name, sex, place and date of birth conferred through registration and the issuance of a certificate by an authorised civil registration authority following the occurrence of birth. In the absence of birth registration, legal identity may be conferred by a legally recognised identification authority.'[2] Simply put, legal identity management refers to the processes and systems by which official identity information of persons are collected, managed, maintained, shared, protected, verified and authenticated by authorised legal institutions in a State, and the ways in which such established identities regulate activities of such persons within that state and beyond. In Nigeria, legal identity management is a critical, contemporary topic due to its centrality in Nigeria's efforts towards good governance, development and human capital resource management. The National Identity Management Commission (NIMC) which was established in 2007, has made significant progress in the integration and harmonisation of fractured silos[3] of functional and foundational legal identity systems under a unified National Identity Management System (NIMS) for the whole country. The National Identification Number (NIN), a compulsory, unique identifier in the country, is the foundation of the integration efforts of the NIMC.

Foundational identity systems of the country include the civil registration system administered by the National Population Commission (NPC) and the national identification system administered by the National Identity Management Commission (NIMC). These systems provide identification for a wide array of transactions and form the foundation of the country's ID ecosystem. Functional identity systems on the other hand, include, but are not limited to the immigration and passport management system administered by Nigeria Immigration Service, the voting system administered by the Independent National Electoral Commission (INEC) and the refugee, immigrant and displaced persons' management system administered by the National Commission for Refugee, Migrants and Internally Displaced Persons (NCFRMI). These systems are used to establish that a person is qualified to take part in a particular service. The 2018 Strategic Roadmap for Developing Digital Identification in Nigeria states that about 13 federal agencies offer identity services in the country. In addition to these identifying institutions, another key institution in Nigeria's legal identity management framework is the Nigeria Data Protection Commission (NDPC). The NDPC is established and given broad powers by the Nigeria Data Protection Act 2023, crucial for the performance of its role as the watchdog of data protection in Nigeria. It serves as an independent, impartial, regulatory authority to preside over privacy and data protection issues and oversee data processors and data controllers. Identifying information processed by the various functional and foundational identifying institutions is personal information and subject to data protection law. This makes the NDPC as Nigeria's data protection authority, a key player in the country's regulatory framework for LIM.

The integration of various LIM systems under Nigeria's NIMS is important to strengthen cooperation between such systems and to ensure a streamlined, harmonized and interoperable approach towards the management of legal identities in the country. However, this integration of various institutional frameworks has resulted in the threat of fragmentation and overlaps in institutional responsibilities and mandates. Such overlaps can result in resource wastages, institutional conflicts, duplicated efforts, poor interoperability and more. An examination of specific instances of such overlaps is therefore imminent. Using a doctrinal method of research, this paper thus examines the regulatory framework of LIM in Nigeria through the lens of an

***By Rebekah Ijeoma OPARA**, **PhD, LLM, LLB,** Lecturer, Department of Business Management, College of Management and Social Sciences, Covenant University, Ota, Ogun State, Nigeria. Email: b89opara@yahoo.com rebekah.opara@covenantuniversity.edu.ng. This paper is an excerpt from the PhD thesis completed at the Faculty of Law, University of Ibadan in January 2025 - Rebekah Opara, *The Regulatory Framework for Legal Identity Management in Nigeria* (PhD Thesis, Faculty of Law, University of Ibadan 2025).

[1] United Nations Legal Identity Expert Group, 'Implementation of the United Nations Legal Identity Agenda: United Nations Country Team Operational Guidelines' (2020), available at <https://unstats.un.org/legal-identity-agenda/documents/UNCT-Guidelines.pdf> accessed 20 February 2023.

[2] UN Department of Economic and Social Affairs Statistics Division, 'UN Legal Identity Agenda' (2021), available at <https://unstats.un.org/legal-identity-agenda/> accessed 31 January 2021

[3] The concept of 'silos' is often used to characterise information technology systems that don't interoperate or work together.

institutional theory of law with an aim to highlight specific areas of overlap within the existing framework, in need of legislative and institutional reform.

Methodology

The doctrinal research design was adopted in this study. This is the traditional legal research methodology often referred to as black letter or library-based research method which focuses on a systematic analysis of the law including case law, statutes and other legal sources, and how the law applies in various situations. This method was useful for an in-depth examination of relevant laws governing institutions involved in LIM in Nigeria. Primary data used include the Constitution of the Federal Republic of Nigeria 1999 (CFRN), National Identity Management Commission Act 2007 (NIMC Act), National Population Commission (NPC) Act 1989, Nigeria Data Protection Act 2023 (NDPA), National Commission for Refugees Migrants and Internally Displaced Persons (NCFRMI) Act 2022. Other primary sources include the Mandatory Use of the National Identification Number Regulations, 2017, Mandatory Use of the National Identification Number Regulations, 2015. Secondary data includes journal articles, newspapers, legal texts and internet materials. Key informant interviews were also conducted with senior-level officers of relevant identifying institutions to gain deeper insights into the practical implementations of their legal frameworks and institutional mechanisms and integration initiatives that are not evident from doctrinal study alone**.** This study utilised the purposeful, non-probability sampling technique, to select units to be included in the sample for investigation.

Theoretical Framework

Sir Donald Neil MacCormick's (1941–2009) Institutional Theory of Law provides the theoretical lens for this study. MacCormick conceptualises law not merely as a set of abstract rules but as an institutional normative order. That is, the intricate network of formal and informal social norms controlling behaviour and interaction within society. Such normative order is created and maintained through formal and informal institutions and is enforced through various mechanisms. Legal identity systems form part of the institutional normative order by making individuals visible to the state and thereby enabling access to rights, services, opportunities and justice. The theory emphasises the central role of legal institutions such as legislatures, administrative bodies, and regulatory agencies in the creation, interpretation, and enforcement of laws regulating identity management. In the context of Nigeria, this includes institutions like the National Identity Management Commission (NIMC), National Population Commission (NPC), Nigeria Data Protection Commission, NCFRMI and several others responsible for the management of official identities in Nigeria. Such legal institutions are simply the 'rules that govern behaviour in a given society, the means by which those rules are made, and the means by which such rules are administered or enforced'.[4] Institutions are a foundational part of the development discourse in Nigeria as they influence development outcomes both positively and negatively[5] This was emphasised in former U.S. President, Barrack Obama's famous speech in Accra in Ghana on July 11, 2009 on the future of Africa, when he admonished that 'Africa doesn't need strongmen, it needs strong institutions' and that 'in the 21st century, capable, reliable and transparent institutions are the key to success'.[6] Utilising this theory enables a focus on the regulatory and functional arrangements within Nigeria's LIM system, highlighting the inefficiencies and tensions arising from fragmented and overlapping institutional mandates. The theory also aligns with broader normative concerns such as resource management, data justice, social inclusion, and the social contract, which are at risk of being undermined when institutional roles are unclear or duplicative. Hence, MacCormick's framework is instrumental in analysing how legal identity management, as a coordinated institutional arrangement, can be better streamlined for efficiency, justice, and development.

2. A Broad Overview of the Regulatory Framework for Legal Identity Management in Nigeria

Cognizance is taken of the fact that the regulatory framework for LIM in Nigeria cuts across federal, state and local government levels. Social institutions like churches, mosques and hospitals also play key roles in the identification of persons, particularly through birth and death registration. However, the focus of this study is on federal institutions playing key roles within Nigeria's NIMS. Several federal institutions were identified as playing key roles within the regulatory framework on LIM in Nigeria including the National Population Commission and the National Identity Management Commission which are the foundational identifying institutions in the country because they establish who a person is for a wide range of purposes. The Independent National Electoral Commission, Central Bank of Nigeria, Nigeria Immigration Service, National Health Insurance Authority, Federal Road Safety Commission, National Pension Commission, National Social-Safety Net Coordination Office, Federal Inland Revenue Service, National Commission for Refugees, Migrants and Internally Displaced Persons, Nigeria Correctional Service and the Nigeria Police Force which are the functional identifying institutions as they establish persons' status as qualified to take part in specific functions. The Nigeria Data Protection Commission, National Computer Emergency Response Team Coordination Centre, Office of the National Security Adviser and the National Information Technology Development

[4] Kevin Davis and Michael J. Trebilcock 'What role do legal institutions play in development?' (Draft prepared for the International Monetary Fund's Conference on Second Generation Reforms, November 8–9, 1999).

[5]Becky Carter, 'Inclusive institutions: topic guide' (2014) Birmingham, UK: GSDRC, University of Birmingham, available at <https://gsdrc.org/topic-guides/inclusive-institutions/> accessed 27 January 2025.

[6] Press Release, 'The White House Office of the Press Secretary, Remarks by the President to the Ghanaian Parliament' (11 July 2009), available at <https://obamawhitehouse.archives.gov/the-press-office/remarks-president-ghanaian-parliament> 1 November 2022.

Agency are also part of the regulatory framework due to their responsibilities related to data protection, digital transformation and cybersecurity in the country.

3. Institutional Overlaps Within the Regulatory Framework for Legal Identity Management in Nigeria

Within the regulatory framework on LIM in Nigeria, overlaps in the statutory functions of key institutions were identified. As noted by Ayamba and Ekanem[7], huge spending by various government agencies on duplicative registration processes was a key reason why the Nigerian government committed to developing the NIMS. However, institutional overlaps persist, despite the efforts to streamline government identification management projects through the establishment of the NIMS.

Overlaps in Functions of the National Population Commission (NPC), the National Identity Management Commission (NIMC) and the Local Government Councils

An overlap was observed in the statutory functions to register births and deaths vested in the NPC, local government councils and the NIMC. Section 24(b) Third Schedule Constitution of the Federal Republic of Nigeria 1999 (CFRN) states that the NPC shall, 'establish and maintain a machinery for continuous and universal registration of births and deaths throughout the Federation'. Section 6(1)(b) of the National Population Commission Act 1989 restates verbatim this constitutionally vested function of the NPC. However, Section 1(i) Fourth Schedule Constitution of the Federal Republic of Nigeria 1999 also lists 'registration of all births, deaths and marriages' as one of the main functions of a Local Government Council. Curiously, the NIMC Act 2007 in its Section 5(o) similarly enlists as one of the functions of the NIMC that it shall 'carry out the registration of births and deaths in Nigeria'. Additionally, other institutions like churches and hospitals also register births and deaths and issue birth and death certificates which are statutorily vested functions of the NPC and this leads to an overlap of functions.

This issue of institutional overlaps was expressed by some of the participants during key informant interviews who said that:

> Informants go to the wrong place like the local government or the church. If I am being very honest with you, the constitution empowers both the National Population Commission and local governments to register these births and deaths so people go to local government and church and don't come to the NPC (Participant 1/KII/NPC/HOD/32 Years/ Exp/Location 2).

Another participant similarly stated that: 'If you look at the Constitution, you find out that the Local Governments have every right to issue birth and death certificate but amending that provision is not easy (Participant 5/KII/NPC/Ass. Director/22 Years Exp/Location 1). Another participant expressed that several Nigerians do not register vital events with the NPC until they specifically require NPC-issued certificates. The participant stated further that the functions of the NPC and hospitals overlap as they perform the same statutorily vested functions of the NPC, to issue birth and death certificates, and this serves as a critical challenge thus:

> I believe that some doctors inform patients to go and register after they give birth or something happens. UCH has their own birth certificate that they issue. It is only when they are specifically asked for the NPC certificate that they come. Even UCH has their own death certificate. They pay 1000 Naira for it and you cannot leave the hospital with the body without it. You will write CMAC but they don't emphasise the NPC certificate. If they can ask patients to bring the NPC death certificate before carrying the corpse out the way they ask for their certificate that will make a difference (Participant 2/KII/NPC/Controller/32 Years Exp/Location 2).

This function overlap is problematic as low incidences of birth and death registration in the nation by the NPC may be partly attributed to duplication of responsibilities between the NPC and LGCs. An individual who registers the birth of a child or a death at their local government would likely believe that such a responsibility has been fulfilled and therefore, lacks the incentive to approach the NPC to carry out the same registration. Registration at both institutions also amounts to a duplication of efforts and responsibilities. The introduction of registration of births and deaths as a function of the NIMC in Section 5(o) NIMC Act 2007 furthers the confusion and a lack of coordination within the regulatory framework on LIM in the country. This provision is however unconstitutional due to the principle of constitutional supremacy enshrined in Section 1 CFRN 1999, as the Constitution already designates such functions to other institutions. It is noteworthy that the power to legislate on birth and death registration is reserved for the National Assembly by virtue of item 8 of the Exclusive Legislative list in Part I of the Second Schedule CFRN which vests the power to legislate on '…the establishment and maintenance of machinery for continuous and universal registration of births and deaths throughout Nigeria' in the Federal government.

Overlap in Functions of the National Identity Management Commission (NIMC) and the Nigeria Data Protection Commission (NDPC)

Institutional overlap also exists within the statutorily vested functions of the NIMC and the NDPC in their enforcement and compliance responsibilities. Under Regulation 4 of the Mandatory Use of the National Identification Number (MUNIN) Regulations 2017, NIMC is mandated to receive monthly compliance reports from statutory identifying institutions - all of whom are data controllers - on individual identifications either added to or removed from their identity databases, and information on compliance and non-compliance with the Biometric Standards Regulations 2007 and the MUNIN Regulations of 2015 and 2017. The NIMC however has not been carrying out these compliance and enforcement duties and it has not fulfilled the responsibility in Regulation 4(2)(d) MUNIN Regulations 2017, to publish quarterly details of its enforcement and

[7] Itojong Anthony Ayamba and Okonette Ekanem, 'National Identity Management in Nigeria: Policy Dimensions and Implementation'. *International Journal of Humanities & Social Science Studies* (2016) (3)(1) 279-287.

compliance responsibilities on its official website. Additionally, the NIMC is the data controller in charge of the National Identity Database (NIDB), a major database mandatorily processing the data of citizens and residents in Nigeria, yet, the NIMC itself is not subject to oversight in its identification responsibilities nor is it required to show compliance with biometric standards and the provisions of its own Regulations on mandatory use of the NIN. This, to a large extent, contributes to a lack of accountability and an extremely broad range of powers of the NIMC. Institutional overlap arises with respect to this responsibility of the NIMC to receive monthly compliance reports as compliance reports are also required to be given to the NDPC by data controllers and data processors, in the form of annual data protection audit reports pursuant to Regulation 4.1(5), (6) & (7) Nigeria Data Protection Regulation 2019 (NDPR) and Regulation 6 of the NDPR Implementation Framework 2020. According to these provisions, audit reports are to be filed annually by agencies that process the data of more than 1000 subjects in a six-month period and more than 2000 annually. This duty to file compliance audit reports still subsists under Section 6(d) Nigeria Data Protection Act 2023 (NDPA) and was elaborated on in the Guidance Notice on the Filing of Data Protection Compliance Audit Returns (CAR) for 2022, issued by the NDPC in 2023.

According to Regulation 4.1(5) of the NDPR, such annual audit reports to be submitted by data controllers are to include information related to personally identifiable information collected, access given to such information, policies in place in organisations for the use and protection of such personal information etc. Unlike the NIMC, the NDPC has been receiving such audit reports and records lists of compliant entities on its official website. Additionally, Section 5(h) of the NDPA requires the NDPC to collaborate with relevant ministries, departments and agencies and other entities for the attainment of the objectives of the NDPA. Some key objectives as listed in Section 1(1)(b),(c),(d)&(f) NDPA are to 'provide for the regulation of processing of personal data; promote data processing practices that safeguard the security of personal data and privacy of data subjects; ensure that personal data is processed in a fair, lawful and accountable manner; and ensure that data controllers and data processors fulfil their obligations to data subjects.' Issues related to the mandatory use of the National Identification Number and biometric standards compliance are directly related to the processing of personal data which is required to be regulated by the NDPC. Such data processing-related issues can be addressed in annual audit report filings to the NDPC to avoid creating legal obligations for two sets of compliance reports to be filed by identifying institutions that are data controllers or data processors. Additionally, the NDPC is situated as an independent oversight body that is required to ensure that all processing activities (including those carried out by the NIMC) safeguard the privacy and personal data of data subjects. Thus, the NDPC, having come into operation several years after the NIMC, is better served to handle issues related to the protection of personal data processing, including issues related to data protection compliance and biometric standards compliance.

Overlap in Functions of the Nigeria Immigration Service (NIS), the National Population Commission (NPC) and the National Commission for Refugees, Migrants and Internally Displaced Persons (NCFRMI)

Within the regulatory framework for LIM, various aspects of migration management are distributed across three different institutions, namely, NIS, NCFRMI and NPC. Migration management in this context refers to the governance, administration and coordination of safe and orderly migration by the State. The NIS appears to be the primary government institution saddled with the responsibility of migration management in Nigeria. To fulfil this mandate, the NIS has a Migration Directorate that is divided into two divisions: regular migration and irregular migration.[8] The NIS, working with the International Organisation for Migration (IOM), has also instituted the Migration Information Data Analysis System (MIDAS) in the FCT and at several border control posts, as part of its efforts towards establishing a robust migration management infrastructure in the country. MIDAS is used for the collection, maintenance and analyses of data at border passages towards efficient, effective migration management.[9] It thus is useful for providing a 'sound statistical basis for migration policy-related planning'.[10] The Immigration Act 2015 also covers a wide number of issues related to the control of migration in Nigeria by the NIS. Such salient issues include examination of persons who are coming into or leaving Nigeria and the refusal of entry where necessary by an immigration officer.[11] Persons departing from or entering into Nigeria are required by Section 17 Immigration Act 2015, to produce requisite embarkation and landing cards and travel documents to immigration officers. Immigration officers are also empowered by Section 19(6) to refuse entry of persons into Nigeria in specific circumstances such as where such person does not have a valid visa or is a prohibited migrant or due to health reasons. Furthermore, Part IV of the Immigration Regulations 2017 covers the control of immigration by the NIS. Specifically. Regulation 22 provides for the maintenance of a 'Registry of Immigrants' by the NIS. Immigration Officers are also empowered to demand from hotels, boarding houses or similar establishments, a list of immigrants who have lodged in such establishments for any time frame.[12] Interestingly, Section 6(1)(d) National Population Commission Act 1989 lists as one of the functions of the NPC, to '(d) collect, collate and publish data on migration statistics'. This responsibility is ancillary to a number of other functions of the NPC which require data on migrants including the functions to monitor and research Nigeria's 'national population policy' establish the 'national population information data bank', to provide relevant data and information towards the facilitation of economic development and national planning and to advise Nigeria's President on matters related to the population.[13] This means that the NPC is to work with the

[8] Nigeria Immigration Service, 'NIS History' available at <https://immigration.gov.ng/home-2/nis-history/> accessed 20 June 2024; 'NIS Structure' available at <https://immigration.gov.ng/home-2/nis-structure/#:~:text=Migration%20Directorate,Irregular%20Migration> accessed 20 June 2024.

[9] NIS 'Nigeria Immigration Service National Border Management Strategy: 2019-2023'.

[10] International Organisation for Migration, 'MIDAS' available at <https://www.iom.int/midas> accessed 22 June 2024.

[11] Immigration Act 2015 s 15

[12] Immigration Regulation 2017 reg 32

[13] National Population Commission Act 1989 ss 6(1)(e), (g)&(h)

NIS and other relevant MDAs including the National Bureau of Statistics and the NCFRMI, to obtain, collate and publish such migration statistics.

Curiously, within the regulatory framework being examined, the NCFRMI Act 2022 also bestows on the National Commission for Refugees Migrants and Internally Displaced Persons (NCFRMI), a leadership role in the area of migration management in Nigeria. Despite the broad statutory functions of the NIS related to migration management including to maintain a registry of immigrants, to control border posts and to monitor and manage migrants and the presence of a Migration Directorate in the NIS that is divided into regular migration division and irregular migration division, the NCFRMI is also empowered by its enabling Act to, through the NCFRMI Consultative Committee, 'provide a platform for the uniform administration of migration as a lead agency of stakeholders in the field of migration'.[14] The NCFRMI is situated by its enabling Act as the foremost agency for forming, reviewing and implementing Nigeria's national policy on migration, working together with the Ministry of humanitarian affairs.[15] Admittedly, the formation and implementation of the national policy on migration requires input from different government agencies including information from the CBN on remittances from migration, information on refugees and asylum seekers from NCFRMI, information on persons crossing borders and immigrants in Nigeria from the NIS, information from the Nigeria Bureau of Statistics among others.

However, the NCFRMI is also empowered to take steps towards the eradication of irregular migration and fostering safe, orderly, regular migration.[16] This appears to be a function already served by the NIS which is empowered to examine persons travelling into and out of Nigeria[17], inspect landing and embarkation cards and travel documents[18], refuse entry of persons where necessary, in specific circumstances[19] and to maintain a Registry of Migrants.[20] These are all measures necessary to foster orderly, regular, safe migration The NCFRMI Consultative Committee is established under Section 27(1) NCFRMI Act 2022 as the lead agency of the National Consultative Committee on Migration. Key roles of the Consultative Committee include reviewing and making recommendations where necessary for the national policy on migration,[21] and facilitating the implementation of bilateral treaties with respect to migration[22]. It is noteworthy that the NCFRMI has a very broad scope of functions related to various persons of concern including refugees, IDPs, returnees and deportees, asylum seekers and stateless persons. However, the NCFRMI is also placed as a lead agency of stakeholders in the field of migration in Nigeria. To foster some cooperation within stakeholders, a representative from the NIS and NPC are placed on the NCFRMI Consultative Committee. This results in significant overlap between functions of the NCFRMI and the NIS.

4. Conclusion and Recommendations

There exists a broad, intricate network of laws, policies, guidelines and institutions in Nigeria that are involved with regulating the registration and documentation of official identities of persons, the management of identity information and the control of access to resources and services based on established IDs, cumulatively referred to as legal identity management (LIM). An examination of this regulatory framework raises a number of conflicts between various key institutions in the performance of various functions related to LIM including registration of births, ensuring compliance with data protection principles, identification of migrants and migration management among others. Nigeria's various identifying institutions form part of the institutional normative order highlighted by Neil MacCormick in his conceptualization of the institutional theory of law. Such legal institutions contribute to the control of human behaviour and interaction within society for the provision of order. However, conflicts within such institutions disrupt that order and can potentially disrupt society in various ways. Due to the centrality of LIM in ensuring order, development and rights realization in society, it becomes imperative to ensure streamlined functions of relevant institutions ensuring a more cohesive framework managing legal identities in the country. In light of the foregoing, this study makes the following recommendations. An amendment of the NIMC Act 2007 removing Section 5(o) which lists **'**carrying out the registration of births and deaths in Nigeria' as one of the functions of the NIMC. The responsibility of the NIMC should be restricted to collaboration with the NPC in order to ensure that the NIN of the child is granted at birth and printed on the digital birth certificate, and that ID records are updated at death, ensuring life cycle identification.

The powers of the NIMC to handle issues related to NIN and biometric standards compliance should be shifted to the NDPC as the data protection authority of the federation. These functions are currently enshrined in the MUNIN Regulations 2017 and they include the functions of the NIMC to receive monthly compliance reports from statutory identifying institutions on identifications added to or removed from their databases, information on compliance with the Biometric Standards Regulations 2007 and the MUNIN Regulations 2015 and 2017, and information on areas of non-compliance. Identifying information and biometric information are personal data. Additionally, the mandatory processing of the NIN for access to services is a data protection concern. The requirement for monthly compliance reports to be sent to the NIMC can be incorporated into the annual audit reports sent to the NDPC, specifically for relevant identifying institutions. The Nigeria Data Protection Act 2023 requires the NDPC to collaborate with MDAs toward attainment of stated objectives including the promotion of data processing

[14] National Commission for Refugees Migrants and Internally Displaced Persons (NCFRMI) Act 2022 s 7(1)(d)
[15] NCFRMI Act 2022 s 7(1)(e)
[16] NCFRMI Act 2022 s 7(1)(f)
[17] Immigration Act 2015 s 15
[18] Immigration Act 2015 s17
[19] Immigration Act 2015 s 19(6)
[20] Immigration Regulations 2017 reg 22
[21] NCFRMI Act 2022 s 27(3)(a)
[22] NCFRMI Act 2022 s 27(3)(b)

exercises that safeguard privacy of data subjects and the security of personal information. Thus, the NDPC should collaborate with identifying institutions in that regard.

There should be an amendment of Section 1(i) Fourth Schedule the Constitution of the Federal Republic of Nigeria 1999 clarifying that the local governments are to carry out birth and death registration as part of the machinery of the National Population Commission (NPC) and are to give weekly updates of registered births and deaths to the NPC. The local government councils however have to first be digitally empowered to carry out such birth and death registrations and to transmit such records instantly to the National Population Commission or else, such collaboration would form another clog in the country's civil registration system.

The responsibilities of the NCFRMI should be limited to the protection of refugees, internally displaced persons, returnees and deportees, asylum seekers and stateless persons. This translates to a significantly broad range of responsibilities and powers for the commission. The responsibility of the NCFRMI to 'provide a platform for the uniform administration of migration as a lead agency of stakeholders in the field of migration'[23] should rather be vested in the Nigeria Immigration Service. This will allow for a clear delineation of duties related to migration management in the country.

[23] NCFRMI Act 2022 s 7(1)(d)