

Building evidence on the impact of emergency COVID measures on civic space in Nigeria

As part of the [INSPIRES project](#), Flexible Response Funds (FRFs) are designed to provide USAID missions and partners with easily accessible and flexible support in the form of technical assistance and subgrants to local organizations that can help address urgent and emerging threats to civic space.

In **Nigeria**, ICNL collaborated with local partners Spaces for Change (S4C) and Nigeria Network of NGOs (NNGO) to track legislation and policies around COVID 19 that are detrimental to civic space and to provide legal advocacy support to local CSOs, targeting policymakers and parliamentarians. This was done through three key activities:

- Monitoring emerging policy, legislative, and administrative frameworks and providing technical and legal assistance to local partners;
- Tracking emergency COVID-19 laws and measures, to generate and share evidence around implications for fundamental rights and civic freedoms, and;
- Assisting local CSO networks to strengthen their outreach and advocacy.

Support was provided over the course of 15 months from January 2021 – April 2022.

In this summary brief, we share learnings and lessons from key informant interviews and document reviews for these activities.

Outputs and Outcomes

The FRF activities in Nigeria were designed to produce several key outputs, including a portal tracking emergency COVID measures in real-time; advocacy materials to share results with targeted

government officials and legislators; and subgrants to local CSO networks to conduct outreach, communications content and capacity-building of CSOs and media professionals.

Based on interviews with key informants who were involved in the program, the Nigeria team and partners achieved several key outputs, as highlighted in Figure 1.

Figure 1. FRF Outputs



Note: 341 was the highest number of visitors reported for one quarter. The actual number of total visitors may be higher.

Evidence from key informant interviews as well as documentation from partners suggest that the FRF activities contributed to several key outcomes:

Increased evidence generation. Partners developed several outputs – including the NNNGO online tracker which captures state and national level laws, a database of civic space violations, and analysis of frameworks being used to restrict civil society - that created a body of evidence to inform advocacy on issues related to COVID emergency measures and their impact on civic space. For instance, S4C utilized this evidence to inform recommendations which were shared with targeted government stakeholders to reduce the negative impacts of COVID measures on civic freedom. Interviewees reported the tracker was also being used by other CSOs to inform their work.

Building commitment and collaboration with government and health agencies, such as Nigeria Centre for Disease Control (NCDC). Partners reported that through the FRF activities they received a positive response from the state government and the NCDC, which were receptive of recommendations and appreciative of the expertise and value-add of the CSOs. Through this engagement, they were able to get a commitment from public health agencies to establish mechanisms to review frameworks and collaborate with CSOs, prior to implementation.

"I think one of the greatest effects was the fact that we were able to share this with the government and we got a response. Rather than them being antagonistic or coming to fight our report...they read and acknowledged the report and provided their own pushback...This was not the case before"

- Key informant interview, May 2022

Increased awareness and capacity via outreach and trainings for partner organizations and media professionals. Through the FRF activities, partners played a central role in facilitating dialogue via a national conference that brought together stakeholders from across Nigeria, including civil society, government actors, media, and academics. Interviewees noted that this conference better equipped participants to identify threats to civic space. Additionally, S4C held trainings on freedom of expression and assembly for media professionals, as well as compliance clinics focused on Financial

Action Task Force (FATF) standards. Through the FRF, they were able to expand the reach of these clinics to target CSOs in the north, which faced increased risk due to regional instability.

Contributing to stalling or removing harmful legislation. While difficult to directly attribute to the FRF activities, interviewees highlighted some key examples of how the activities helped partners to engage with state authorities and to successfully stall or block harmful legislation and restrictions that were being proposed.

The partners were able to engage with Parliament on problematic public health restrictions being proposed by the government, successfully building enough pressure to stall the bill. Through the FRF activities, they were also able to flag harmful regulations and penalties being proposed under COVID and provide comments on the national Twitter ban. By engaging with regional and international actors, the wider network of CSOs were able to push the government to lift the Twitter ban in January 2021.

The FRF activities also allowed ICNL to provide comments on the Companies and Allied Matters Act (CAMA) 2020, which included provisions that regulated non-profit organizations; while the Act was passed, several provisions that ICNL analyzed as harmful to civil society were removed from the final bill and further addressed in the accompanying CAMA regulations.

Finally, state authorities aimed to pass repressive policies related to Anti Money Laundering and Counter Terrorism Financing (AML/CTF), which would negatively impact non-profit organizations (NPOs). Through the FRF, S4C convened an AML/CTF-focused compliance clinic in the conflict-affected north-central region to equip NPOs operating there with knowledge to navigate the proposed legislation. The clinic enabled NPO leaders to interact directly with regulators and resolve challenges with the statutory requirements and processes (e.g. migration of regulatory services to digital platforms triggered by the pandemic). They were able to build constructive engagement between NPOs and the government. On 16th May 2022, the Nigerian government enacted the Money Laundering (Prevention and Prohibition) Act and the

Terrorism (Prevention and Prohibition) Act, that effectively removed cumbersome AML/CFT related reporting obligations for NPOs.

Helping and Challenging Factors. Key informants were asked about factors perceived to help or hinder this work. Understanding these factors can help support the implementation of future activities.

Helping factors include:

- **Reputation and reach of partners:** The wide reach and influence of both CSO partners, including positive relationships with government, boosted activities undertaken as part of this FRF.
- **ICNL's support and capacity:** Multiple interviewees cited the support they received from ICNL colleagues and their collaborative approach as a key enabler.
- **Government willingness to engage:** Political actors were aware of the partner organizations and respected their work - and thus were open to collaborating.
- **Access to regional and international expertise:** Through ICNL's network, the implementing organizations were able to receive technical guidance from the UN Special Rapporteur, which supported them to produce briefs of their learnings.

Hindering factors include:

- **Time constraints** – partners felt that a longer timeframe is needed to see long-term results.
- **Unsupportive authorities** – Partners reported dealing with delays due to certain actors – particularly oversight bodies - who did not support their advocacy efforts.
- **Slow bureaucratic and administrative processes** further contributed to delays.
- **Geographical constraints** – partners had to travel long distances due to federal agencies being concentrated in Abuja.

For more information about this FRF, please contact: info@inspiresconsortium.org.