

Addressing The Shrinking Civic Space in South-East Nigeria

Summary Report



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This is a summary of the research conducted by Alliances for Africa in the five south-east states of Nigeria, to determine the status of civic space, and the implications for individuals and organisations seeking to defend and expand civil and political rights.

The full research report is available at www.alliancesforafrica.org

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Executive Summary

This report is based on research conducted in the five south-east states of Nigeria, to determine the status of civic space, and the implications for individuals and organisations seeking to defend and expand civil and political rights. An open civic space is a situation where citizens are free to form associations, demonstrate in public places, receive, and impart information without restrictions in law or practice.

It is a situation where the authorities are tolerant of criticism from civil society groups and provide space and platforms for open and robust dialogue with members of the public, where there is free media, online content is uncensored, and citizens can access government information easily. This dimension is key for sustainable development in democratic societies. Without freedoms in society to influence decisions and hold the government to account, governance is left to the discretion of unrestrained autocrats.

The aim of the research was to capture the key civic space challenges in south-east Nigeria, as documentation of the situation in the zone. It is expected to be the basis to initiate interventions to reclaim the shrinking civic space and form a baseline for monitoring changes in the future.

To inform the research process, the Oxfam civic space monitoring tool was adapted to suit the environment with other specific indicators on access to services, enabling environment for livelihood, and gender equality. The tool was developed using Kobotoolbox for ease of analysis. Between October and November 2021, Alliances for Africa conducted 5 FGDs, 270 surveys and 25 key informant interviews with a wide range of civil society members who are mostly human rights defenders.

The result indicates that civil society believes that civic space in south-east Nigeria is repressed in all dimensions, and obstructed in the regulatory framework, administration, and access to information. For civil society organisations, access to funding is the most repressed dimension. The situation is worse for NGO workers engaging in frontline advocacy for human rights, participation in decision making, access to justice, and journalists.

The situation became more precarious with the militarisation of the southeast zone, due to efforts of the state actors to silence the secessionist group. As a result, so much violence has been unleashed on the people of the region, who are seen as disrupting the peace and stability of the incumbent government.

Following the long period of unrest and fear of unknown gunmen, activities of IPOB, incessant arrest of young men across the region, arson on police stations across the southeast, and jailbreak across different locations in the region. Despite the repressed condition of the CSOs access to funding, the narrowed dimension to CSOs legitimacy and accountability gives the ray of hope that will strengthen and sustain the human rights efforts to protect and reclaim the civic space in all the other dimensions.

The Problem of Shrinking Civic Space in South-East Nigeria

South-east Nigeria is experiencing gross human rights violations with freedoms under attack by state governments that stifles alternative opinions[1]. Every dissenting opinion is termed a hate speech and has resulted in attempts to promulgate a law against hate speech in Nigeria[2]. Civil society face various kinds of human rights violations from the government in order not to express themselves or effectively participate in governance[3].

The governments are adopting new legal measures that restrict the ability of CSOs to operate freely. CSOs are negatively impacted by new repressive legislation that limits their access to foreign funding, prevents them from working on politically sensitive issues, and requires extensive reporting to government agencies.

CSOs have adjusted to these new restrictions by shifting from advocacy to service delivery, while some have disbanded operations altogether when restrictions are too onerous. Some CSOs that continue to engage in advocacy work, find space to do so by switching the language of their appeals, building alliances, and focusing on less politicised issue areas[4]. Against this background, CIVICUS monitor has declared Nigeria's civic space as repressed[5].

There is the need to reclaim the civic space to continue to achieve what it has always been intended, to enhance transparency and good governance, contributing to increased public debate on issues surrounding the formulation and implementation of government budgets as well as in supporting greater participation and inclusion.

This study is initiated to understand the specific human rights abuses, the actors, the threats to socio economic life of the civil society, impacts on the civic space and recommendations on how the civic space can remain open for all.

[1] Amnesty International, "What we do: Freedom of Expression", published online 2014. <https://www.amnesty.org/en/what-we-do/freedom-of-expression/>

[2] A Bill for an Act to Provide for the Prohibition of Hate Speeches and for other related matters. Published online 2019. doi:10.5694/j.1326-5377.1949.tb28334.x

[3] Amnesty International Report 2020/21 "The State of the World's Human Rights" April 7, 2021. <https://www.amnesty.org/en/documents/pol10/3202/2021/en/>

[4] Dupuy, K. Peace Research Institute Oslo, "How Does Political Repression Affect Civil Society Organizations? Examining CSOs in Bangladesh and Zambia" 2019; (September).

[5] CIVICUS Monitor (2021) <https://monitor.civicus.org/>

Summary of findings from the research

Citizens' Perception of civic space and socio-economic situation

From this study, it is obvious that citizens in the south-east have lost confidence in the democratic process, in the kind of governance they are experiencing, in the leadership and in participating in the civic space, and even when a choice is made to participate in the civic space, they engage the space with some level of fear. The Focus Group Discussion was telling, although it was anonymous several respondents did not believe we would not share their names and locations, and therefore kept their responses neutral as best they could. The study has demonstrated that the civic space is shrinking and having an adverse effect on society, and the human rights defenders who are often the first victims.

The untold economic hardship has created an alarming level of poverty which has created secondary effects on families and communities fuelling an increase in such vices as teenage prostitution, transactional sexual relations, drug taking, selling and growing of narcotics, and an increase in sexual and gender-based violence. Families are struggling to hold it together.

The south-east however is essentially not different from what is being experienced in other parts of Nigeria, issues of incompetent governance and leadership, and a complete disregard for human rights and the rule of law. The peculiarity of governance in the south-east and the way several governors came to power has demonstrated that they are uncomfortable with dissent and do not allow alternative opinions or opposition in any form. As a result of this, the governments in the south-east have chosen to respond with brute force to any divergent viewpoint instead of dialogue. The south-east is clearly a conquered and occupied region with the military leaving the barracks and manning all checkpoints on all major roads in and out of the south-east. The role of protecting the citizens has been lifted from the police.

Separatists' Agitation

Discussions around the separatists' agitation was tinged with fear because whilst respondents did not support what the various separatists groups were agitating for, it was felt and perceived that the northern groups got more sympathy and tolerance from the federal government whilst engaging in a draconian manner with IPOB and the military wing ESN. Before now, IPOB was not violent but because of government attacks, the group became very violent, heightening insecurity across the south-east. Often, citizens are agitated when they feel that instead of democratically elected leaders, they have imposed leaders as in the case of Imo State, this destabilised the peace, security and calm in the environment, with the attendant negative implications as we have seen from the study.

South-east Nigeria needs effective leadership, that is capable of giving hope to the citizens; the zone survived the ethnically charged Biafran war over 50 years ago, and is still struggling to recover from how much that war plundered the region; this is why the region cannot afford to experience another war. The groups that are forcefully enforcing the ongoing sit-at-home orders in the south-east, which often results into killing of citizens who are going about their legitimate businesses are clearly practicing criminality. They should be held accountable and brought to justice.

It is obvious from the mode of operation of current IPOB members that they are mostly disillusioned, and angry young people without recourse to history. The south-east states having failed to offer young people hope for the future has seen them resort to a more aggressive engagement instead of strategic engagements that can proffer results and peaceful resolutions that will be beneficial to every citizen. It is clear that the insecurity in the south-east is the war between the government, the separatist group known as IPOB with the security arm known as ESN, unnamed gunmen and criminals taking advantage of the situation to cause even more mayhem.

With the allegation that the unnamed gunmen are agents of the sitting governors. The offensive refusal and reactions from all state and non-state actors and groups has jeopardized the human rights of citizens and there seems to be no end in sight. In addition to the violations, is the alarming level of poverty, weakening the already fragile and struggling-to-survive structures of the south-east.

Gender Based Violence/ Gender Equality

Gender based violence is rife in the south-east due to heavy militarisation, increased levels of poverty and low awareness on issues of gender based violence and gender equality. Attaining gender equality is important and strategic for any form of sustainable development to take place in the South-East zone. The level of sexual and gender-based violations against women and girls is alarming and unprecedented with girls under 18 years. There's increased domestic abuse and experience of intimidation and violence due heavy militarisation. Issues of violence against women requires immediate redress.

Reported cases of gender based violence are perpetrated by both state and non-state actors and are usually not adequately addressed. This is mostly due to deep rooted patriarchy, poor investigation and protracted judicial processes. It is critical to continue to promote access to formal education in order to reduce the level of illiteracy and build the confidence that citizens require to make demands from those in authority, resist bad leadership and demand the human rights of all citizens.

Citizens' Action

It is evident that citizens feel intimidated and fearful about engaging in any form of dissent. Their voice is stifled and many have abandoned the civic space to focus on securing their source of livelihood. The civic space is essential for citizens to be able to raise their voices and influence decisions that affect them. It is important that citizens speak up about important issues and pressure governments and the private sector to better serve them. For instance, promoting electronic voting, utilising the social media for mobilising, dissemination of information in a manner that addresses and creates awareness at all levels.

The civil society must recognise its strategic role as a rallying point for action, hone its advocacy capacity and discourage individualistic politics. It is important that it takes the opportunity of this strategic role to bring critical players together, build strategic connections, and strengthen the connective tissue between civil society, government, and the private sector to increase civic engagement in all areas of governance and socio-economic life of the south-east.

Most importantly, they must assume some level of responsibility towards achieving the common goal of peace, security and prosperity for the region, ensuring that all stakeholders are made to participate effectively, being held accountable, recognising and lending voices as necessary. That is the indication of a thriving civic space that brings good to all. It is the space that adheres to the universally accepted rules, allowing people to organise, participate and communicate with each other freely and without hindrance.

Recommendations

The effects of COVID-19, continues to linger in the country, the south-eastern states, local community and at personal levels. The impact of the pandemic exacerbate the poor conditions of families, provision of services including, overcrowded hospitals and poorly equipped health workers, insecurity, high cost of food, and basic needs, and the increased rate of sexual and gender-based violence across the south-east.

Civil society organisations have been in the forefront in the provision of frontline critical support and services, and despite the clampdown on their institutions by governments have remained in place to pick up where the state has failed. Shrinking civic space is the albatross around the necks of human rights defenders and part of a wider pattern of democratic recession and authoritarian resurgence.

The challenge for all stakeholders in tackling the shrinking civic spaces in the south-east is its intentionality and collaborative strategic objective. Freedom of association, freedom of assembly and freedom of expression cannot be compromised to the whims and caprices of an authoritarian democracy. It is time for all hands-on deck as we all have a role to play in ensuring the protection and safety of human rights defenders, as well as in halting the shrinking civic space trend.

Based on the findings of the study from key informant interviews, focus group discussions, and their responses to the kobotoolbox survey questionnaire, the following recommendations are put forward to these different actors to reclaim the shrinking civic space in the south-east:

Federal and State Governments

- Demilitarization of the south-east – the soldiers need to return to the barracks. The large number of checkpoints manned by military personnel has made it difficult to conduct legitimate business and heightened the fear communities are experiencing. The role of the military is to defend the nation against external threats and not against the people.
- Equipping the Nigerian Police Force with support to address the insecurity in the south-east states and engaging in effective community policing as a strategy for engaging with the community whilst allaying their fears; and, addressing criminal elements. .

- Regulate the role of the police and increase their accountability during the conduct of citizen demonstrations by introducing oversight mechanisms and introducing laws that limit the excessive use of force.
- Addressing the infiltration of the Nigerian Police Force of rogue policemen who are unaccountable, untraceable and thereby evade justice.
- Strengthen privacy laws to prevent unwanted digital surveillance of journalists, activists, and human rights defenders. Surveillance mechanisms even within the context of a health emergency such as COVID19 (or any future crisis) must be lawful, necessary, and proportionate. Citizens must be able to discuss and share their ideas free of surveillance or fear of retaliation by the state or non-state actors.
- f.The processes and procedures for active citizen participation should be utilised effectively to allow CSOs to engage officials in advocacy activities to understand the challenges that citizens encounter which governments can address. How best can communities be served through active citizens engagement.

Global Partners and Friends of Nigeria

- An intentional support and preparedness financial plan for human rights defenders who often have to leave their location quickly and, in a hurry, needs to be prioritised, and be available.
- It is important to broker and strengthen relationships with a broad coalition of civil society partners, working across different issue areas in the south-east. Diversity and inclusivity are key to developing strategic commitments that respond to the needs of the community and advance civic space priorities. For example, human rights defenders across the sector, the PWD, Albino, LGBTQ and women's rights communities are vulnerable.
- Women's rights issues and the protection of women's human rights defenders who are likely to suffer human rights violations specific to their gender should be prioritised and plans made to recognise this factor.
- Provide professional mental health support pathway and access for human rights defenders, to address the intense pressure and adverse consequences of shrinking civic space, intimidation and harassment that they are facing.
- Identify policy entry points for civic space across issue areas, from justice to digital governance, taxation to civic participation, that are contextual to the south east states. Intersectionality across individual state action plan commitments can complement one another to build a stronger, enabling environment for civic space to thrive in the region.

- Building the capacity of human rights defenders to be aware of their personal security, how they store information, how they document and protect themselves against government surveillance.
- Research is the way forward in providing additional critical analysis on what is happening to minority groups in the south-east and in designing adequate strategic and intersectional interventions with partners on the ground.

Civil Society

- Civil society to demand for the establishment as stipulated by the Commission of Inquiry Laws by governors of the south-east a Judicial Commission of Inquiry to investigate, fact find, hold responsible, accountable and prosecute those state and non-state actors involved in actions of impunity and gross human rights violations.
- Protection of human rights defenders: in ensuring that violations against human rights defenders committed by state and non-state actors are promptly and impartially investigated and that those responsible are held accountable and prosecuted.
- Establishing a Community of Practice as a coalition to ensure database management of atrocities and human rights violations.
- Campaign for and understand the needs for professional mental health pathway and check-in for human rights defenders to avoid mental health crisis as we have experienced recently.
- A coalition of civil society actors to work on ensuring the domestication of the Disability Act across the south-east states to bring a level of protection and access to resources for PWD citizens and their defenders.
- Civil society to campaign and advocate for the domestication of the Violence Against Persons Prohibition bill in the south-east states that have not got such a law. Which will encourage an enabling environment, to address, make accountable and provide access to justice for victims of sexual and gender-based violence.
- Engage extensively with traditional and community groups to rebuild the faith of the citizens towards political participation and engagement which is key as a positive solution to addressing the security issues in the south-east.

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