



SUPPORTING
AN ENABLING ENVIRONMENT
FOR CIVIL SOCIETY

Enabling Environment Snapshot

Nigeria

29 January 2025

Context

Fostering an enabling environment conducive to the independent and effective functioning of civil society is becoming increasingly elusive in Nigeria as evidenced by restrictions on fundamental freedoms such as freedom of expression, association and peaceful assembly, unpredictable and burdensome regulatory requirements at the sub-national level including targeted attacks against civil society, and orchestrated disinformation campaigns. While it is important to reaffirm the value of civil society and uphold principles, norms and practices recommended in international human right laws in ways that guarantee civil society's ability to flourish, the following provides a snapshot of the current situation in Nigeria.

1. Respect and protection of fundamental freedoms

Though the Nigerian constitution guarantees fundamental freedoms associated with expression, association and peaceful assembly (See Sections 40, 41, and 39 of the 1999 Constitution) there has been a continuous rise in both physical attacks against and judicial [harassment of journalists](#), forceful [disruption of peaceful protest](#) and attacks on civil society. In August 2024, dozens of protesters were killed during hunger protests organised nationwide from 1 to 10 August. Months, later, in November 2024, the police unlawfully arrested, detained for three months and arraigned [76 protesters which includes 30 minors](#) who took part in the same protests. In some parts of the country, laws criminalising libel and defamation have been used by [private citizens](#) and [private sector](#) organisations to charge human rights defenders and bloggers, bring them to court and have them arrested. Particularly, the 2015 Cybercrimes Law, despite having been amended in February 2024, has been used to [detain and prosecute journalists and bloggers](#). Diversity of opinion regarding government policies has led to divisions within civil society, with some government-aligned civil society actors supporting government harassment and intimidation of other civil society groups. Lastly, the use of [faceless groups](#) to discredit and drive negative narratives around civil society is becoming a trend. As a consequence of these restrictions, the civic space in Nigeria has been [rated](#) as repressed on the CIVICUS monitor.

2. Supportive legal framework for the work of civil society actors

From 2020, Part F of the [Companies and Allied Matters Act](#) has governed the formation and registration of civil society organisations in Nigeria though there has been push back from civil society organisations "[as giving wide and unrestricted powers to the Corporate Affairs Commission and raises the concern of possible abuse and interference with the operations of NGOs](#)". Judicial litigation and advocacy in the courts led to the [striking off of some sections of the law](#) by a Federal High Court, which has since been appealed by the Government. Ongoing legislative engagement with the National Assembly on the reform of the contentious sections of the law and a [public hearing](#) in 2022 by the Senate Committees on Trade & Investment and Diaspora & NGOs during the 9th National Assembly have created momentum and opportunity for further engagements with the 10th National Assembly which was inaugurated on 13 June

2023 and will run its course until 13 June 2027. At the sub-national level, restrictive laws, policies and practices exist that affect the operational environment for nonprofits according to the [civic space scan report published by the Nigeria Network of NGOs](#). The draft [Nigerian Not-for-Profit Governance Code](#), co-developed by civil society and government actors and currently at the consultation phase, supports the sector's standards of governance, which had previously been identified as a challenge.

3. Accessible and sustainable resources

Different international donor organisations, philanthropists, corporate organisations, and private and corporate foundations provide funding to civil society actors across the country. Funding is largely accessible with no major government restrictions. Administrative requirements for accessing such support are manageable and organisations can often access funding that suits their established thematic focus area. At the sub-national level, we have seen governments supporting civil society organisations through public funding in the field of service-delivery as well as partnerships between government and civil society in the field of governance. However, these government actors also require the submission of work plans before they can operate, which hinders civil society actors' freedom of association according to a [report](#) by the Nigeria Network of NGOs. The localisation agenda or locally led development, which puts those actors who are impacted by funding decisions in a position to inform funding agendas, will drive how civil society receives or attracts the right set of resources for their operations. The [90 days pause](#) in United States foreign development assistance for assessment of programmatic efficiencies and consistency with United States foreign policy, declared by the US government in January 2025, will have implications for civil society funding and USAID programming around civil society in Nigeria. It is important to monitor how both the localisation agenda and Trump's policies support or disable the operation of civil society organisations.

4. State openness and responsiveness

The [Open Government Partnership](#) continues to provide an opportunity for civil society organisations and government to co-create open government reforms through the development and joint implementation of an [action plan](#). Civil society-government relationship is also driven by legal provisions such as the inclusion of civil society on the Board of government parastatals and committees, for example the [Nigeria Extractive Industries Transparency Initiative](#). The creation of offices of Special Adviser on civil society or NGOs or [community engagement](#) by political office holders at both the Federal, State and Local government level also provides an opportunity for engagement. Civil society consultations during public hearings at the National Assembly also support interactions between government and the sector, however the space for public hearing is shrinking as we advance into the life of the 10th Assembly. Thematic consultation with civil society by relevant government agencies such as the Ministries of Women and Health on the [review of the National Child Policy](#) is an example. The creation of [disability commissions](#) at the national and state level ensures the inclusion of persons with disabilities in national development. While these platforms exist, there are barriers to participation which includes in some instances funding for travels, restricted or selective participation, tokenism, weak capacity on government engagement, civil society contestation and unhealthy rivalry.

5. Political Culture and Public Discourses on Civil Society

In Nigeria, the civil society sector is increasingly being framed as [aiding terrorism](#) or having [low impact](#). The withdrawn 2024 [counter subversion bill](#) sponsored by the [Speaker of the National Assembly](#) proposed a 5 million naira fine (approximately 3,100 EUR) or a 10-year imprisonment for anyone who refused to sing the national anthem; the mandatory registration of volunteers; criminalisation of receiving foreign funding from an actor that is [“not compatible with the interest, development, security, and progress of Nigeria”](#); and a five year sentence for erecting an illegal roadblock. In December 2024, the Attorney General of the Federation and Minister of Justice was quoted by [Tribune Newspapers](#) saying that: *“We are also concerned about the activities of apologists for terrorist groups, masquerading as civil society organisations, who are continuously making unsubstantiated allegations in order to undermine the legitimate efforts of the Nigerian Armed Forces”*. Such negative narratives about civil society led to citizens trusting civil society actors less and has diminished individual donations and willingness to volunteer. The narrative that civil society actors are supporting terrorism has also led to stricter policies aimed at preventing the financing of terrorism, which have been used to target humanitarian actors.

Challenges and Opportunities

Over the next four months ongoing discussions on the proposed reform of the country’s [tax framework](#) and possible enactment of the bill into law by March 2025 would mean a different tax regime for nonprofit organisations. Opportunities exist for engaging with the tax authorities on nonprofit tax reforms. The approval of the draft code of conduct by the Minister of Industry, Trade and Investment and subsequent issuance by the [Financial Reporting Council \(FRC\)](#) is anticipated for this period and will have compliance implications for the sector, though the code operates on an apply or explain principle. Increased attacks and judicial harassment of the media, including through the amended 2015 Cybercrimes Law, and use [of lawsuits against civil society actors](#) is a trend to look out for.

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