Advisory Document on Freedom of Association at the Sub-National Level
Introduction

This advisory document is designed to provide guidance to sub-national governments and regulators within Nigeria on the critical issue of freedom of association at the sub-national level. It outlines the importance of protecting this fundamental right and offers recommendations for promoting a conducive environment for associations, organizations, and groups to flourish.

Understanding Freedom of Association

Freedom of association is a fundamental human right that grants individuals and groups the freedom to establish and join associations, organizations, or groups of their choice without undue interference. There is no doubt that the Constitution as the supreme law of the Nigeria has guaranteed to all persons in Nigeria certain fundamental human rights, of which the right to association forms a critical part.

Section 40 of the 1999 Constitution provides that every person shall be entitled to assemble freely and associate with other persons, and he may in particular form or join any political party, trade union or any other association for the protection of his interest.

Importance

Freedom of association is vital for a flourishing civil society, diverse voices, and accountable governance.

It also plays a significant role in service delivery, economic growth, and promoting transparency and good governance.

The advisory document focuses on sub-national governments’ roles in safeguarding freedom of association, ensuring compliance with national laws, and fostering collaboration with civil society. It also provides a set of recommendations aimed at promoting and protecting this fundamental right.
The Role of Sub-National Governments

To Ensure Compliance with National Laws
Sub-national governments must ensure that their laws, regulations, and policies conform to national legal standards related to freedom of association. This involves refraining from imposing arbitrary or unjustified restrictions on associations and their activities.

Promote a Supportive Environment
Sub-national governments should create a supportive environment for civil society organizations to operate effectively. This includes eliminating barriers, streamlining registration processes, and providing incentives for associations to contribute to community development.

Collaborate with Civil Society Organisations
Collaboration between sub-national governments and civil society organisations is crucial. Sub-national governments can partner with these organizations to address community needs, enhance service delivery, and promote transparency and accountability.

Recommendations for Sub-National Governments

Legal and Regulatory Framework

Review Existing Laws:
Sub-national governments should review their laws and regulations to ensure compliance with national legal standards regarding freedom of association.

Streamline Registration:
Simplify and streamline the registration process for associations to reduce bureaucratic obstacles.
Public Awareness Campaigns:
Launch public awareness campaigns to educate citizens about their right to freedom of association and the vital role of civil society organisations in the community.

Capacity Building

Training and Support:
Provide training and support to civil society organisations in areas where needed to enhance their capacity in delivering services and implementing projects effectively.

Transparency and Accountability

Transparency in Funding:
Ensure transparency in government dealings with civil society organizations, especially concerning funding, grants, and partnership agreements.

Conflict Resolution Mechanisms

Establish Mechanisms:
Develop mechanisms for the peaceful resolution of conflicts between government and civil society organizations to ensure that disputes do not hinder civil society activities.

Conclusion

In conclusion, safeguarding and promoting freedom of association at the sub-national level is paramount for the progress, stability, and democratic health of a state. Sub-national governments play a pivotal role in ensuring that this fundamental right is protected and supported.

By following the recommendations outlined in this advisory document, sub-national governments can create an environment where civil society organizations can thrive, leading to a more vibrant and prosperous community.
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