

# CONSULTATION REPORT

## Civil Society Self-Regulation in Nigeria.

12-13  
OCTOBER  
2021

12-13 October 2021 Expert  
Level Hybrid Consultation



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# Introduction

The Nigeria Network of NGOs together with Palladium and British Council, with the support of USAID SCALE and EU-ACT convened more than 30 leading civil society leaders, experts, thinkers, policy influencers and civil society networks to gather insights, findings and experiences on measures that should be taken by civil society organisation to self-regulate. The consultation workshop which was held from the 12th to 13th of October 2021 successfully secured support for a self-regulatory framework as participants had the opportunity to share their views around the rationale behind self-regulatory models aligned with the operational context for civil society organisations in Nigeria.

The consultation also explored which self-regulatory models have the potential for sustainable, transformative impact on the legitimacy, transparency, and accountability of Nigerian nonprofits. In addition to the strategic and practical consideration surrounding self-regulation, participants were encouraged to consider how best to inspire and sustain public trust in the activities of civil society organisations across communities. Participants from across states, regions and thematic focus expressed their views on the numerous levels of engagement and adoption of self-regulatory initiatives around the country and shared various approaches to models that already exist and have experienced. Participants predominantly believed that civil society self-regulation is an “idea whose time has come” and that it would enhance transparency and improve public trust in the sector's activities.

The discussion format was open and inclusive, designed to create a space where participants would feel comfortable sharing their thoughts and insights. The conversation was led by an expert panel session that provided thoughts in theory and practice around the issue of civil society self-regulation which set the foundation for the 2 days deliberations. This report is the accumulation of insights, findings and experiences from the stakeholders and allies we have consulted. After listening to all voices throughout the room, we collated these reflections and analyses which we hope have captured to a large extent what we heard and the scope of our learning.

While our formal consultation phase has come to a close, this report exists as material for use by different stakeholders interested in the debate and actual work on civil society self-regulation in Nigeria as the dialogue continues. Learning from this consultation will remain at the heart of our work so that we can truly empower the wider civil society community with valuable data and insights to engage and take action on the sector's self-regulation.

We would like to express our appreciation to all those- both near and far- who have been involved in the consultations. A special thank you to USAID SCALE and EU-ACT for funding and supporting this work as well as all stakeholders and participants who have been involved. We would also like to thank members of the National Technical Working Group on Self-Regulation for generously donating their time and resources to support key research and work in the lead up to the consultation.

This report supports **Indicator measuring Activity 2** of our work on “Improve the Policy and Regulatory Enabling Environment for Civil Society”.



# Consultation Participants

25 Participants joined the conversation from Abia, Abuja, Akwa Ibom, Anambra, Calabar, Delta, Ebonyi, Edo, Ekiti, Enugu, Imo, Lagos, and Oyo State. All participants in attendance identified themselves as having affiliation

(formal relationships or connections established with other independent organisations). 3 described themselves as young, with 22 as adults. 11 described themselves as male and 14 as female.



# Voices from the Consultation to Note

Perception management



Self-expectation management



An understanding of the actual amount of work involved



Buy in



Every membership in the world has people pay to register (membership dues) – this can be a sustainability plan for the coalition.



A problem with the structural running of this project; the two running organizations should instead provide sub-grants to an organization, step back, and allow that organization take ownership while managing the risks and demanding accountability.



The cultural issue of having meetings being funded must be managed, as a process like this **requires** regular meetings. How will that be managed?



Acknowledging unhealthy rivalry – donor funding – and putting it at the fore of the discourse on self-regulation.



Organically allowing the CSO self-regulation to develop



Self-regulate around life cycle of non-profits



Secretariat issues.



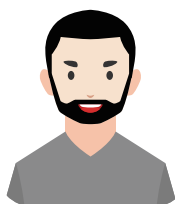
Learn about what disrupts self-regulation networks and manage it. Grants, for example, are a proven disruptor.



There is a need to create a work plan – write reports and share it with coalitions then submit report back to the NTC, properly educate NGOs in our networks on the conversations had, modalities created, and way forward.



What is the theory of change for non-profit self-regulation in Nigeria?



Transparency in reporting for the bigger NGOs so they contribute more money, like 10% of organizations' income – there should be financial commitment from organizations as a way of keeping the coalition running.

# Self-Regulation in Context: An Overview from the Consultations

As the third sector in Nigeria continues to grow in size and operations so have opportunities for civil society organisations across the country to adopt new practices that can aid their accountability and sustainability. Civil society organisations (CSOs) are shaping public policy and delivering hope to communities. As the sector grows in size and influence, stakeholders -government and public- have increasingly called out actors within the civil society community on their transparency and accountability.

Public trust is the currency for which civil society organisations all over the world transact their business. The responsibility to inspire and sustain this public trust in ways that

demonstrate transparency and accountability is an immense one, exercised through the establishment and enforcement of rules either statutory or self-regulation.

While statutory regulations remain in place and in force with self-regulation receiving more acceptance within the civil society community, questions of how to appropriately self-regulate the sector are increasingly pertinent. Several self-regulation modalities existing across the world (see box 1) were surfaced through the consultations to provide layers of additional transparency and fairness to the current regulatory system in the country. The question of how it should be designed and what it should govern sits within the focus of the consultation.



# Box 1: Self-Regulation Modalities and their Definitions.

**Working groups** refer to a collective of CSOs which organise themselves to discuss their own transparency and accountability, share best practices and direct new initiatives.

**Information services** are initiatives which require the participating organisations to publish a specific set of required data that is relevant to accountability and transparency. It may also serve as a directory of CSOs.

**Awards**, which are given in recognition of achievement in transparency and accountability practices through a competitive process. They often aim at rewarding excellence, innovation or good practice.

**Codes of conduct or ethics** are a set of standards which is defined and agreed on by a group of CSOs as a guide to their behaviour and practices. A code usually attempts to regulate various aspects of CSOs' operations including governance, accountability, fundraising, etc.

**Certification or accreditation schemes**, which will evaluate an organisation's governance, programmes, and practices against a set of standards and norms defined and established by a group of organisations. After proving adherence to these standards, the organisation receives a seal of certification or accreditation.

---- Adapted from Accountability for Civil Society by Civil Society: A Guide to Self-Regulation Initiatives by CIVICUS

For the surfaced modalities, consultation participants want to see a model built around the principles of "leaving no one behind" and within the context and or perspectives of organisational size based on operational budget, nonprofit life cycle, regional dynamics, proper classification, and categorisation.

Participants increasingly leaned into the language of legitimacy, transparency, accountability, and sustaining public trust calling for a "new order" in how CSOs operate and engage with stakeholders in their activities. Participants want a self-regulatory framework that is voluntary however incentivised in ways that guarantee compliance.



# Emerging Insights and Issues for Self-Regulatory Considerations and Existing Models

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Following a presentation from carefully selected Panellists<sup>[1]</sup> who are sector leaders with vast years of experience and thought leaders in their own rights, the issue of accountability and transparency underpinned the discussion around key civil society activities as it is currently practiced. Some key issues that were consistent throughout their presentation and consultation included the need to focus self-regulation in the following areas:

- >> Accountability
- >> Transparency including proactive disclosure.
- >> Financial management including grants management, exchange rate fluctuations and earnings
- >> Competition
- >> Partnership
- >> Consultations
- >> Sector integrity
- >> Advocacy and campaigns
- >> Political engagement
- >> Staffing including executive compensation
- >> Governance including Founders role, Board engagement and effectiveness
- >> Funding

- >> Gender including safeguarding around sexual harassment
- >> Inclusion
- >> Diversity
- >> Power relations
- >> Solidarity
- >> Donor-civil society relationship
- >> International NGO/Local NGO relationship
- >> Data protection
- >> Fundraising
- >> Compliance with statutory regulations

Participants were clear that given the complexities of civil society, it will take time for any self-regulatory initiative to grow into its role. The need for discussions to be civil society driven and led with external input from critical stakeholders was emphasised. The challenge now, in creating an effective self-regulatory framework, is how to shore up the support and leadership of large nonprofits as drivers while recognising the tremendous responsibility to fairly establish structures that will evolve with the times.

CSO representatives shared the following self-regulatory initiatives they see around the country:

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*1- Hajia Saudatu Mahdi, Executive Director, WRAPA, Prof. Joy Ezeilo Founding Executive Director WACOL and Dr Hussaini Abdu, Country Director, Care International Nigeria.*

## **Delta CSO Forum**

About 150 civil society organisations in Delta State have come together to develop a code of conduct to guide their operations and handle ethical dilemmas. The Forum has also gone ahead to profile its members and their activities, voluntarily submitting this to security agencies in the State to ensure that they are known to the security apparatus.

## **Nigeria Network of NGOs**

The Network has a code of conduct that its over 3,300 members voluntarily subscribed to at the point of registration helping to lay down strong cultural practices among its membership. A peer-review initiative among its members exists which sees member organisations in the same area visiting each other on an on-the-spot assessment using a nonprofit assessment checklist developed by the Network. Findings from the exercise are communicated to the Network secretariat where identified gaps are addressed through one-on-one mentoring and coaching with the members involved.

## **Civic Collective**

A group of nonprofit Executive Directors (Medium and Large sized) meet virtually on a weekly basis (Tuesdays) to share lessons, challenges, tools, and experience including peer-reviewing each other on issues of governance, staff management, transparency, and accountability. After their 4 weekly meetings in a month, the following month is kept free of meetings in order for each member to address the identified gaps and challenges.

## **Group Work to Surface Self-Regulatory Framework**

Discussions at the consultation considered the concept of self-regulation from many dimensions through group work on day 1 and 2. From the group exercises, participants shared the following key messages in their review of the self-regulation modalities:

### **Working Group**

Participants observed that working groups have the ability to develop standards that cater to different demographics of CSOs including wider engagement for consultation. It also deepens transparency and accountability. They however see politicization, unhealthy competition, and rivalry as some of the weaknesses of the working group model. For them, administrative/operational costs, travels and communications are some of the resource implications to be considered.

## **Self-Assessment tools**

Ease of deployment, ability to encourage learning and performance, self-evaluation, and opportunity to develop sound judgement are some of the merits participants attributed to the self-assessment tool model. Time constraint, over-estimation of organisational skills, internet affordability and accessibility including connectivity tools are some of the challenges identified. Resource implications include those associated with the internet, use of digital technology platforms and gadgets.

## **Code of Conduct**

Participants emphasised the role of a code of conduct in promoting accountability and in reinforcing good practices. Its voluntary and weak enforcement nature are seen as a challenge. Human resources and time are resource implications for this model.

## **Certification (Self, peer, and 3rd party certification)**

For consultation participants, certification entails evaluations through assessments that improve transparency and accountability practices. Necessitates compliance systems that encourage legitimacy and promotes commitment to standards. The level of financial resources required to implement the model remains one of its demerits. Resource implications include human, financial and time.

Overall, participants believe that a “hybrid system” that is contextualised within civil society realities “and can cover a wider range of CSOs” should be considered. They suggested that the working group can be a hybrid of the Global Reporting Initiative and Open Forum for CSO Development Effectiveness.





# Sustainability of the National Technical Committee.

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On the sustainability of the National Technical Committee (NTC), participants have this to say:



“Challenges differ particularly if you understand the complexity and diversity of the sector... we must seek buy in and there are two dimensions to buy in “people who may not be interested and will not antagonise you, the other is this is a good idea I will join. Managing the complexities means this will not be easy except if you want to be marginal. Appreciate that it will be tough and work hard to drive the process”.



“Discipline and self-awareness are key. “No matter how good some will not accept. Stay disciplined and focused”.



“Avoid this initiative being donor driven. Institutionalise processes that can guarantee sustainability through membership subscriptions. CSOs must take ownership of the process”



“Allow the initiative to grow organically. The credibility that needs to go with the NTC is massive. It is important that donor’s step back with CSOs investing their own resources to organically grow”.



“Avoid becoming another NGO that will be competing with its members”



“Avoid becoming another NGO that will be competing with its members”



“Platforms of this nature require constant meetings; how do we deal with the culture of support before attending meetings”.

# Where do we go from here?

While the appetite for self-regulation is rapidly growing as can be seen from the consultations, there remains a greater challenge as to how to regulate without leaving anyone behind. More awareness of the nature of self-regulation, a deepening of the evidence base of what has worked locally and elsewhere including new forms of civil society driven self-regulatory frameworks is an imperative.

Both EU-ACT and USAID SCALE presented a bold goal to support civil society groups to convene a national movement of CSOs interested in self-regulating themselves building on the efforts of state networks and participants present. The goal will be to set in motion a national self-regulatory initiative, accelerate unity of efforts across different initiatives, expand resource mobilisation and deliver measurable results that can enhance public trust in the operations of nonprofits across the country. This will require a portfolio of approaches defined across achievable units of time and investments on the part of all stakeholders.

**In the immediate term**, between now and the end of 2021, we need to consolidate the conversations on self-regulation and set out concrete strategies for testing or piloting a model. This starts with assembling and mobilising medium and large nonprofits to join the conversations and stay committed to objectives of the initiative. Central to this is the convening of a meeting between the NTC and these organisations.

**In the medium term**, from 2022 to 2023, we need to be in a position to provide evidence and disseminate the most informed ideas about the most appropriate self-regulation model for nonprofits operating in the country and support national and sub-national networks to deliver self-regulatory solutions to their members. We expect to see the NTC and members bringing in additional partners and evolving innovative finance strategies.

**In the long term**, we expect to see real impact and report back on results from 2025 with huge focus on highest need and quick wins i.e., areas of impact where modest interventions and self-regulatory solutions can drive greater public trust, transparency, and accountability. The NTC may host a review conference in 2025 to assess results.



## Disclaimer

This document was developed as part of activities for the **USAID SCALE** project, "**Stakeholder Meeting on Self-Regulation Initiative**". The contents are the sole responsibility of the Nigeria Network of NGOs (NNGO) and can under no circumstances be regarded as reflecting the position of **USAID SCALE**

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