Independent Reporting Mechanism

Nigeria Co-Creation Brief 2025



Overview

This brief from the OGP's Independent Reporting Mechanism (IRM) supports the cocreation process and design of Nigeria's fourth action plan. It provides an overview of OGP processes in the country and presents recommendations based on collective and country specific IRM findings. The co-creation brief draws from prior IRM reports for Nigeria, the OGP National Handbook, OGP Participation and Co-Creation Standards, and IRM guidance on the minimum requirements. Section 1 offers guidance for OGP processes and cocreation and Section 2 for commitment design. Government and civil society can determine the extent to which this brief is used to shape the next action plan's trajectory and content.

Nigeria benefits from an increasingly organized open government community coordinated by an OGP Secretariat located in the Ministry of Finance, Budget, and National Planning. A National Steering Committee, comprising government and civil society members, oversees the development and implementation of action plans, supported by Technical Working Groups organized around reform areas.

Nigeria's co-creation process has strengthened with the development of each action plan. The co-creation process for the third national action plan responded to <u>previous</u> IRM recommendations. These included offering opportunities for the public to provide input and development of an OGP Nigeria <u>website</u> and <u>repository</u>. Nigerian reformers also <u>engaged</u> youth in the co-creation process, utilized social media, and expanded OGP initiatives across states.

Remaining challenges to Nigeria's OGP efforts include a lack of institutionalization and funding for the secretariat. Nigeria's OGP processes are also affected by elections, mostly recently by the change of government in 2023, which led to significant turnover in government leadership. Finally, civic space concerns continue to pose an obstacle to open government reforms, hindering meaningful change for Nigerian citizens.



Section I: Action Plan Co-Creation

The following recommendations present opportunities for national reformers to strengthen OGP institutions and processes in the country.

Recommendation 1. The Government of Nigeria can strategically consider the next ministerial leadership for OGP

Since joining, OGP in Nigeria has been led at the ministerial level by the Ministry of Justice, Ministry of Finance, Budget and National Planning, and the Ministry of Youth and Sports. Ministerial leadership for OGP is rotating again this action plan cycle. Therefore, the IRM recommends that reformers prioritise granting OGP leadership to a ministry who understands and values open government. Ideally, the ministerial home for OGP can set a high standard for undertaking ambitious reforms and advocate for their counterparts to follow suit. Previously, Nigeria has benefited when the ministerial leadership has authority to convene other government institutions as well as the bandwidth to allocate time and resources to open government efforts. Reformers can also consider which lead ministry could provide resources and stability for the OGP Nigeria Secretariat and broader processes.

Recommendation 2. The Government of Nigeria can institutionalize and fund the OGP Nigeria Secretariat

The OGP Nigeria Secretariat coordinates a large and vibrant open government community within the Ministry of Finance, Budget, and National Planning. However, it lacks legal institutionalization and dedicated government funding. Instead, the secretariat has relied on resources volunteered by government institutions and development partners. Prior to the change of government in 2023, the Ministry of Justice was conducting a final review of an executive order to institutionalize OGP in Nigeria. The IRM recommends that the government formalize and fund the secretariat to ensure that its work has sufficient resources and continuity. President Tinubu's signature on the executive order would be a significant step in supporting open government in Nigeria.

Recommendation 3. The OGP Nigeria Secretariat can lengthen public comment periods during co-creation

Nigeria <u>achieved</u> the highest level of collaboration yet during development of the third action plan. This included calls for public input through news and social media, as well as a survey that elicited around 1,000 responses. However, requests for public input often provided only a one-week window to respond.

The IRM recommends that all public comment periods remain open for at least 3 to 4 weeks to enable wider and more considered submissions. The secretariat could also consult civil society members of the National Steering Committee (NSC) to ensure that



CSOs, such as Open Alliance, have sufficient opportunities for meaningful participation. A response that summarizes the input received throughout co-creation and how it influenced the design of the action plan would be useful to close the feedback loop.

Recommendation 4. The National Steering Committee can plan for a fouryear plan

Nigeria's first four-year action plan offers an opportunity to undertake ambitious commitments over a four-year timeframe. At the two-year mark, implementers will have the chance to evaluate progress and refresh the action plan. They can then amend and add new commitments. OGP rules mandate that this refresh process be collaborative, and meet minimum requirements 3.1 and 4.1 of OGP Participation and Co-Creation Standards. This entails:

- Publishing the refresh timeline and opportunities for stakeholder participation online at least two weeks in advance.
- Documenting input gathered during the refresh process and providing a reasoned response on how the input influenced the refreshed action plan.

The NSC can consider stakeholder input, contextual changes, lessons learned, and IRM recommendations in the Action Plan Review when refreshing commitments. A Midterm Review on the refreshed action plan will be conducted by the IRM to assess any new or significantly amended commitments, compliance with the refresh process, and provide an update on implementation status so far.

Recommendation 5. Technical Working Groups can adapt commitments continued from the previous action plan

Nigeria's third action plan <u>featured</u> ambitious commitments to advance open governance aims. Reformers can strategically amend commitments to be continued in the fourth action plan. The NSC and working groups can review obstacles and design commitments that incorporate lessons learned from past efforts. Drafters can consider where government leadership and funding provide opportunities for ambitious reforms.

The IRM recommends that drafters ensure the clarity and alignment between commitment objectives and milestones. A clear articulation can orient implementers around a common aim and will form the basis of IRM's future assessment of early results. Drafters can ensure commitments includes milestones that, if implemented, would advance its objective.

Once policy areas for the fourth action plan are identified, the secretariat can engage government institutions that are central to these reforms and have had a change in leadership or a lack of engagement. Involving these institutions in developing the plan can help to build their sense of ownership and align commitments with existing workplans, strategies, and budgets. To advance commitments that require legislative action, members of the secretariat and the NSC can identify open government champions in the National Assembly early on.



Section II: Action Plan Design

The following recommendations offer policy areas for national actors to consider in the next action plan. They may represent opportunities for new commitments to address issues of national importance or to advance existing reforms. All five areas proposed below are eligible for submission to the Open Gov Challenge.

Area 1. Digital Governance

Nigeria's fourth action plan is an opportunity to venture into digital governance, making Nigeria one of the early adopters within OGP. Reformers could undertake ambitious commitments that reinforce online civic space and protect fundamental freedoms:

- Protecting fundamental rights and freedoms online. Nigeria could commit to
 passing and operationalizing the Digital Rights and Freedom Bill. It would protect
 Nigerians' freedoms of expression, assembly, and association online, while
 clarifying privacy rights and data privacy.
- Protecting civic and human rights in the context of emerging technologies.
 Nigeria could strengthen transparency and public oversight of artificial intelligence (Al), automated decision-making, and data protection frameworks. Kenya, for example, has committed to promoting the responsible and safe use of Al.
- Respecting freedom of expression when addressing misinformation and disinformation. Ghana committed to collaborating with civil society to conduct a human rights assessment of existing legislation on misinformation and disinformation while protecting free speech. The working group will also implement fact-checking, media literacy, and public education initiatives.
- **Opening e-government**. Reformers can ensure Nigeria's digital government transformation is inclusive and reinforces public ability to participate, access information, and hold the government accountable. In Kenya, a current <u>commitment</u> aims to strengthen channels for online civic participation.

Drafters can find further guidance and examples in the Open Guides on <u>Digital</u>
<u>Governance and Automated Decision-Making</u> and <u>Disinformation and Information Integrity</u>,
as well as the Open Gov Challenge Factsheet: Digital Governance.

Area 2. Strengthening Freedoms of Association, Assembly, and Expression

Nigeria committed to reinforcing the freedoms of association, assembly, and expression in its last two action plans. Despite these efforts, civic space concerns remain. Nigeria scores 2 of 4 for freedom of association (Freedom House) and 4.4 of 10 for civil liberties (Economist Intelligence Unit's Democracy Index) while having a "repressed" civic space (CIVICUS). Reformers can carry forward pending activities from commitments, prioritizing reforms with windows of opportunity for progress.

Lacking sense of ownership among key government bodies limited implementation of past commitments. Therefore, the IRM recommends closely co-creating commitments with the



government entities whose mandate they fall under. The government can collaborate with civil society to continue reforms that:

- <u>Simplify and clarify</u> **CSOs registration**, taxation, engagement with the government, set clear timelines, and reduce undue fees and stamp duties,
- Strengthen laws, guidelines, and practices to ensure that **the police respect human rights** and the freedom of assembly for peaceful protests,
- Strengthen the <u>legal framework</u> for freedom of expression, media freedom, and protections for journalists online and offline, including to **tackle the use of strategic lawsuits to silence journalists and activists**, as <u>undertaken in the United Kingdom</u>.

Drafters can find further guidance and examples in the Open Gov Guides on Freedoms of <u>Assembly</u>, <u>Association</u>, and <u>Civic Space</u> as well as the OECD's Chapter on <u>Implementing Ten High-Level Recommendations on Protecting and Promoting Civic Space</u>.

Area 3. Open Climate and Environment

Nigeria intends to include a commitment on climate change and the environment for the first time in its next OGP action plan. The commitment aims to support the implementation of the four-year Nigeria Governance and Climate Change Programme in collaboration with the UK Foreign, Commonwealth, and Development Office (FCDO). Possible reforms eligible for submission to the Open Gov Challenge include:

- Developing or implementing a climate, environment, and/or energy transition roadmap, legislation, or strategy using open government principles. For example, Senegal, France, and Argentina designed commitments to strengthen public participation in climate change policymaking.
- Ensuring public oversight and transparency for climate finance and greening existing fiscal and planning processes. For instance, Kenya has-committed to creating multi-stakeholder community engagement processes to design climate solutions, such as making climate finance data more transparent.
- Implementing provisions in regional or global agreements or treaties on climate, environment, and/or energy transition using open government principles. Kenya and Sierra Leone both undertook commitments to publish climate data and information on the implementation of international climate pledges.

Drafters can find further guidance and examples in the Open Gov Guides on Energy Transition, Climate Finance, and Environmental Democracy.

Area 4. Youth Empowerment

Ministerial leadership for OGP from the Ministry of Youth and Sports presents an opportunity to use the OGP platform to empower youth to participate in government decision-making. Reformers can leverage existing networks such as the OGP Nigeria Youth Network and the National Youth Council of Nigeria. Recent cost-of living protests underscore the frustration among young people in Nigeria and around the world. Nigeria's fourth action plan can support dialogue and collaboration between youth and the



government. In addition to examples and guidance in the OGP Youth Toolkit, reformers can consider:

- Organizing a national youth dialogue. This would allow youth from across Nigeria
 to deliberate and make recommendations to the government on issues of
 importance to them. To ensure meaningful change, the government can commit to
 considering and responding to the raised recommendations. Such as space could
 shape future national youth strategies.
- Strengthening youth engagement in participation channels. Nigeria can review
 existing public participation avenues to strengthen youth involvement, as seen in
 Senegal and Jamaica. Nigeria could also enhance education materials and youth
 engagement with parliament, similar to Morocco. In Tunisia, youth contributed to
 the development and implementation of municipal youth action plans.
- Creating space for youth engagement in national and state OGP process. OGP
 members have taken <u>various approaches</u> to engage youth in open government
 reforms. Chile and Scotland held youth roundtables to design youth-oriented
 commitments. National and state OGP Steering Committees can also allocate seats
 for youth representatives.

Area 5. Open Contracting

Nigeria has pursued open contracting across action plans, including the launch of the Nigeria Open Contracting Portal (NOCOPO), although work remains to ensure that it is functional and comprehensive. Reformers can review lessons and obstacles learned from implementing Commitment 3 in the 2023–2025 action plan, as well as examples from across the partnership. This can inform the design of the next open contracting commitment to balance feasibility and ambition. Reformers can refer to the guide on drafting open contracting commitments and consider aiming to:

- Address technical challenges to ensure consistent accessibility, operability, and continued efforts to implement the Open Contracting Data Standards.
- **Ensure transparency, participation, and accountability** in Nigeria's e-procurement processes as they are rolled out.
- Operationalize the National Council on Public Procurement to further bring the private sector and civil society into the reform process.
- Use OGP as a platform for peer exchange among national and state open contracting reformers. Lessons can be learned from states <u>like Kaduna</u> who has pioneered open contracting reforms.
- Amend the 2007 Public Procurement Act to mandate <u>stronger oversight and</u> sanctions.

The brief was reviewed by IRM senior staff for consistency, accuracy, and with a view to maximize the context-relevance and actionability of the recommendations. Where appropriate, external reviewers, or members of the IRM International Experts Panel (IEP) review briefs.

