

EUROPEAN COMMISSION (SCR F5)

**EXTERNAL EVALUATION OF COMMUNITY AID
CONCERNING
POSITIVE ACTIONS
IN THE FIELD OF HUMAN RIGHTS AND DEMOCRACY
IN THE ACP COUNTRIES, 1995-2000**

Mission Report: Nigeria

26 June 2000

The conclusions contained in this report are those of the authors, and do not necessarily reflect the views of the European Commission.

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PREFACE

In 1991 the European Commission included a very political form of aid in its external relations : support to human rights and democracy in African, Caribbean and Pacific countries (known as the ACP countries). Rather than making development aid conditional on minimum conditions being met in human rights and democracy, it launched activities to promote respect for these. This it has called « Positive Measures ».

In January 2000 the Commission requested an independent evaluation of these positive measures undertaken in the period 1995-2000. The evaluation was carried out in a three phase approach (headquarters, visits to countries, synthesis) over a six month period by a team of three consultants assisted by 12 experts at different stages of the evaluation. The consultants carried out a review of documentation, project observation and extensive interviews with partners and beneficiaries. The purpose was to assess the performance and future options for the Commission's work in this field.

The evaluation produced the following outputs:

- Phase 1: headquarters Desk Study Report
- Phase 2: Mission Reports for Ethiopia, Malawi, Nigeria, Rwanda, Senegal, Tanzania and the Democratic Republic of Congo, and a Case Study Report on Haiti.
- Phase 2 internal evaluation workshop of the Commission, with supporting documentation
- Phase 3: Synthesis Study

The present is the mission report on the human rights and democracy measures funded by the Commission under budget line B7-7020/B7-7022 in Nigeria. It was written by Ms Georgina Ashworth and Ms Marie-Françoise Blain, Mr Emery Brusset and Ms Florence Burban. It defines performance using five criteria: coherence of the programme *vis à vis* other aid programmes, relevance in relation to country needs, effectiveness (ability to match actual results with intended ones), efficiency (achieving maximum results with given means), and positive or negative impact (wider changes taking place as a result of the project). The assessment has focused on the Positive Measures as a Commission instrument, rather than on the individual projects.

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1. Executive Summary

The June 1998 death of the Nigerian head of state Sani Abacha unleashed unexpected and extraordinary opportunities for a transition to civilian rule and democracy. The European Commission thus found itself in a position to fund anew the organisations there, which the dictatorship had obliged them to support by more indirect means. As the momentum gathered for the elections of January 1999, it initiated **a 3 million Euro programme for the support of human rights and democracy**.

The Commission was at the same time going through a process of change in an effort to increase accountability and efficiency. This would in fact lead to a **doubling of the number of services dealing with individual contracts** in Brussels. It also further introduced new procedures to create a supposed level playing field for NGO projects by issuing **“Calls for Proposals”**. One was introduced earlier in Nigeria (in late 1998) under Budget line B-7100, and the other worldwide (in July 1999) for B-7020, and B-7022 for Nigeria. The Commission also appointed a **Technical Assistant** (under B-7020) to coordinate the implementation of the projects, while the Delegation became involved in **re-launching Lomé cooperation** programmes.

These **reduced the ability of the Commission, which already had considerable weaknesses in human rights projects support, to meet the new challenges**.

- It discovered through the process of Calls for Proposals that the correlation between the quality of a proposal and the capacity of an NGO to implement that project was very weak. As a result the performance of the projects selected has been rather erratic.
- By going through the Call for Proposal approach the Commission also handed to the NGOs the initiative in defining the areas of intervention. The general terms of the Budgetary Commentary presented to the European Parliament served as framework of reference, within which the Commission funded a wide range of actors.
- The increasing number of services deciding on payments and programme content in 1999 led to a loss of a sense of ownership for the projects by any one service. Monitoring lagged behind implementation, and the quality of the dialogue with the NGOs, which had been supposed to lead the initiative, deteriorated.
- Subsequently the 1999 Call for Proposals, by involving just a few individuals in the Service Commun Relex in Brussels (the SCR), increased the inability of the Delegation to plan ahead on its Nigeria activities. The Delegation itself became absorbed in the programming of the much larger European Development Fund activities. The Technical Assistant in country became more isolated.

As a result the Commission lost a considerable amount of efficiency, due to wasted resources (delayed or interrupted programmes, inability to monitor and address difficulties in implementation, preparation of projects which would not see the light of day, such as the EU-Nigeria Human Rights Foundation). The effectiveness of some of the projects was impaired.

Nevertheless the relevance and coherence of the projects has been good. If one accepts the wide ranging logic of selection of projects (as an effort to capitalise on the newly found space

for democratic change and reduce the risks of a military intervention in the process of political change), the balance of activities has been good (with the exception of its approach to women). The criticism that the projects concentrated too much on the south and south-west of the country has to be set against the fact that project performance there has been better, and that this concentration gave the Commission greater impact and a better ability to coordinate activities.

In fact the growing recognition of the complexity of the situation in country, and the need to monitor events from the ground, must be counted as an achievement of the Commission. By deploying a programme coordinator, and further seeking to establish a capacity to identify and support projects in country, it has addressed one of the greatest risks to project performance.

And yet these efforts to have a presence in the field have not been helped by the changes in Brussels, and the diminishing priority given to human rights and democracy in Nigeria. There is clearly a need to increase the human resources available to the Commission at all levels in this area, to increase the support given to the technical assistants (particularly in countries as difficult as Nigeria), and to become more future minded in the delivery of resources. But the physical distance from the Delegation, the difficult status of project personnel, and the inability to find adequate mechanisms to replace the Technical Assistance Offices, have meant that this need was not met. As a result the work of promoting human rights, democracy and conflict prevention in Nigeria must be considered as a value at risk.

There have hence been conflicting trends through increased expectations, a changing approach and a recovered role in country development. The impact of the activities undertaken in democracy and human rights has been affected by these contradictory demands. The relations with the NGOs has not been optimal (in some cases relations have broken down), the projects have not been adequately supported, and the visibility of the EU has suffered.

And yet overall results and impact have not been bad. The projects have contributed to strengthening civil society networks and consolidating the human rights discourse in country. They have also contributed to a prevention of the disruption of the electoral and post-electoral process. But they have not addressed some of the deeper problems in Nigeria, such as the reduction of the risks of conflict, or the improvement of the status of women, or the strengthening of the State structures in the administration of justice.

2. Introduction to the evaluation

The Consultants have relied for this study on a desk study carried out in phase 1 of the evaluation in Brussels, and on meetings with as broad a range of key informants during a 34 person day visit in the country. The indicators have been based on a verification of the results achieved, of the flow of information, and on an assessment of the consistency of assessments provided by the informants. Few project indicators were given in the project documentation, and there was also little on impact. To address this gap the team attempted to visit as many project sites as possible. For reasons of time the areas visited were in the Lagos, Abuja and Port Harcourt/Bori area.

The list of persons met is as follows:

Monday 3rd April 2000

Ms Marianne Nolte, Technical Adviser, Civil Society Organisations
Preparation and Planning

Tuesday 4th April

Mr E Chinonye Obiagwu, Director, Legal Defense and Assistance Project (Law Society of England and Wales project partner)
Brigid O'Connell, Regional Information Co-ordinator, British Council
Aida Opoku-Mensah, Media Programme Officer, Ford Foundation

Wednesday 5th April

Gwanga Fasika, Independent Journalists Centre
CLEEN
Project Alert
Centre for Democracy and Development

Thursday 6th April

Babantunde Ahonsi, Health/Gender Programme Officer, Ford Foundation
Eze Onyekpere, Executive Director, Shelter Rights Initiative
Ray Onyegu, Legal Services and Special Projects
Juliet Ume-Ezeoko, Legal Officer

Friday 7th April

Ms Sharon Mangin-Nwanko, Democracy and Governance Program, Public Affairs Section, Embassy of the United States
Regina Oliyenko-Abayemi, Director, UNIFEM, UNDP
Dr Chi-Chi Anyalogu, Adviser, UNIFEM (and consultant to EC on CASSAD and DEC projects)
Mr Clement Nwanko, Executive Director, Constitutional Rights Project
Laure Piron, Department for International Development, British High Commission, Lagos
Media Rights Agenda

Sunday 9th April
Travel to Abuja

Monday 10th April
Mr Olikainen, Head of Delegation, Abuja
Mr Marc Hasselaar, 3rd Secretary, EU Delegation, Abuja
Mr Felice Zaccheo, Rural Development Adviser (includes conflict impact assessment). EC
Delegation, Abuja
Dr Mohammed Tubia, The National Commission for Human Rights, Abuja
Ms Kemi Williams, Social Development Adviser, DfID, British High Commission
1st Secretary, Governance, British High Commission

Tuesday 11th April
Actionaid

Wednesday 12th April
US Office of Transition Initiatives

Friday 14 April to Friday 21 April, Lagos and Port Harcourt

Judith Ashby, Regional Coordinator – Office of Transition Initiatives, Port Harcourt Office, USAID
Melissa Brown, Head, Democracy and Governance
Elizabeth Hart, PhD, Democracy and Governance Adviser
Sten Rylander, Ambassador, Embassy of Sweden
Ambassador, Embassy of France
Second Secretary, Embassy of the Netherlands
Akwasi Aidoo, Representative for West Africa- FORD FOUNDATION
Deirdre Lapin, Corporate Community Development Adviser- Shell Petroleum Development Company
Sam Harbor, Assistant Resident Representative- UNDP
John Patrick Ngoyi, President Justice, Development and Peace Commission
Ledum A. Mitee, president, MOSOP
Mr Ben Naamen, PhD, Former Secretary General, MOSOP
Mr Monday Ziimy, National Chairman Council of Ogoni Professionals Council
Chris Newsom, Adviser, MOSOP
S.K. Adooh, Council Engineer, Port Harcourt City Local Government
Gbenga Sonuga, adviser, AREF
Ambassador Chief Segun Olusola, mni, President, AREF
Samuel Kayode, Democracy in Peace, Project Manager, AREF
Sarah Jacobs, African Garments for African Refugees, AREF
Dr Uju Agomoh, executive director, PRAWA
Regional Commandant, Federal Prison Service

3. Strategies of the Commission's Intervention

Grant-making in the period 1995 to 2000 in Nigeria is marked by sudden twists in activity, resulting in three phases with distinct characteristics which can be called “modes of intervention”. These modes have dictated the way in which the general objectives have made quite a leap to being translated into project objectives. When drawing up a logical framework analysis of the country programme, the project objectives would be placed under results, making an empty box under “specific objective”. Hence the word “strategy” cannot be used.

At first, towards the end of 1995 all EDF disbursements to government were suspended because of the execution of the Ogoni leader, Ken Saro-Wiwa, and some of his colleagues by the military regime, which had also suspended the nomination of an elected President. There were a few bilateral contracts with NGOs already under way through Budget line B-7020 but most support was through more numerous multiregional projects, contracted with Europe-based NGOs, such as Article 19 (AFR/CO/64/96) or Interpress Service, with components in or relating to Nigeria. In some cases, these contacts were to have an influencing role in the selection of projects in the later phases. In 1996 the first of three successive projects supporting the Movement for the Support of the Ogoni people (MOSOP) was instigated on the initiative of the European Parliament.

In a second phase, also under the initiative of the European Parliament, it was decided to continue funding to civil society organisations working in Nigeria, instead of the government, and indeed to increase it through the creation of a special fund, Budget line B-7100. For this there was a special Nigeria-specific outreach effort and Call for Proposals, through national newspapers, and consultations with other member-state donors. The projects were selected to fit into the categories described in the Budget Commentary set with the European Parliament (including for example labour unions, gender, etc...).

In this second intervention projects began to come into effect in 1998. These are:

“Prison reform in Nigeria” with **Prison Reform International** (UNI/PS/65/98)

“Media for Democracy” contracted with the **International Federation of Journalists** in Brussels, along with **Article 19** in London and **Reporters Sans Frontières** in Paris. (UNI/CO/41/98)

“Human Rights Capacity Building in Nigeria” (UNI/PS/111/98) was contracted with one Europe-based NGO, the **Organisations Mondial Contre la Torture (OMCT)**.

The Centre for Democracy and Development (UNI/PS/140/98) was contracted, after a long and elaborate two-year preparatory process, to undertake **“Training, Research and Empowerment for Democratic Development”**.

“Enhancing local conflict capacity for preventative action, conflict resolution and peace-building in the final stage of the Nigerian political transition” through **African Refugees Foundation (AREF)** (UNI/PS/139/98)

The Movement for the Survival of the Ogoni People (MOSOP) have a generally titled “**Human Rights Programme**” actually contracted with **Trocaire** in Ireland. (UNI/VN/132/98)

“**Grassroots mobilisation for greater understanding and practice of the rule of law in South-West Nigeria**” with the **Centre for African Settlement Studies and Development (CASSAD)** UNI/PS/81/98;

“**Mobilising women in self-help groups for economic and political participation**” was contracted to the **Development Education Centre** in Enugu (UNI/VN/95/98)

An “**International Colloquium on institutionalising democracy: Nigeria in Perspective**” was held in Portugal under the aegis of the **Centro de Estudios Africanos** (UNI/PS/96/98)

These form the bulk of this period and of this evaluation. There are signs that some analysis of the situation was applied, for example in support for the media as the watchdogs of democracy, as well as other means of trying to promote and defend the human rights of the general population. The prison-work is related to the release of prisoners of all kinds. This was stimulated by the numbers of articulate political prisoners who were also lawyers. While some of these projects have completed their activities, all should be reaching closure this summer (2000).

Each one of these projects was severely affected by the financing delays within the Commission, and the restructuring and human resource deficits in SCR in 1999, which deprived them of the necessary support or supervision during that period. However some have turned out to be misguided choices in the first place and are described as failures. (See below under both Selection and Results). The Commission has correctly drawn the conclusion that the correlation between the quality of the project proposals and the quality of the work carried out is very weak, but should take responsibility for the negative impact of the financial delays. This considerably affects the capacity of the Call for Proposals as a procedure in ensuring good performance.

The remarkable political transition of 1998 was triggered by the sudden death both of the imprisoned President-elect Abiola. and of President Abacha. Two additional targeted projects were funded under B-7020: the appointment of a technical assistant, to be a **Civil Society Support co-ordinator** (UNI/PS/141/98) based in Lagos, and support for the **Transition Monitoring Group**. This is a coalition of 60 local Human Rights NGOs formed to review electoral laws and processes in the interim period before new national, state, and presidential elections were held in 1999 (UNI/PS/180/98).

The aim of project “**Co-ordinator for Civil Society Support**” (UNI/PS/141/98) is to interact with the major democracy and human rights activities financed in increasing amounts by the Commission in Nigeria (under the general B-7020 and DG Dev Co-financing B7-6000, as well as B-7100 and, although it was not established at the time of appointment, B-7022, which are specific to Nigeria). At this time EDF funding was resumed and contributed to the 1999 state, general and presidential elections, bringing in new political conditions within the country.

The third phase was heralded with the decision to reform the selection and implementation of projects through the overall Call for Proposals in 1999. Funding for Nigeria was arranged through the specific Budget line B-7022. The projects identified were UNI/PS/512/99; UNI/PS/145/99; UNI/COM/117/99; UNI/ED/147/99; UNI/ED/388/99; UNI/ED/380F/99. Within Nigeria the period for the Call for Proposals and for advice-seeking was disproportionately short (June to August), compared to the time taken in Brussels to make final decisions (alongside the other projects under B-7020), and to execute the contracts. Contractors were advised in mid-January 2000, after a press announcement, of their acceptance. Those who were unsuccessful have never been notified at all, and the reasons for their failure have not been made public. This is detrimental to planning by these NGOs and thus to relations with the Commission. Contracts began to reach the selected contractors in April 2000, for plans that were made to start in January.

The strategy of intervention for the 1999 batch benefits European organisations working with partners in Nigeria. This gives the European organisations the role of financial and programme contractors vis à vis the local partner in country, rather than developing the capacity of local partners directly. This relationship requires very good, active, supportive and sensitive relations between the European NGO and its Nigerian partners, incorporated in a sub-agreement or contract on roles and responsibilities. The benefits in terms of increased monitoring accountability for the Commission must be weighed against the risks posed by the inability of the European NGO to give the local actor true subsidiarity.

The number of projects has been reduced in favour of larger grant quantities. This is justified by the incapacity of the Commission to administer small grants. However this proves to be a false economy when one defaults or fails in some way. Curiously, the projects identified in 1999 are all new - there has been no allowance for follow-up to or development from the 1998 projects¹. This has caused some frustration amongst good local partners.

The emphasis is on civil society instead of institutional reform but most of the organisations involved will have an impact on laws and institutions. Meanwhile the guarantees of human rights standards, and their protection and promotion, are of course made by states.

While there is an attempt to fund complementary activities relating to law, media, popular participation, government monitoring etc, there is no support for conflict prevention, and the large size of the grants do not really support explicit regional diversity: they favour the South, except for Actionaid, which will open up the north.

Finally, the strategy also implicitly presupposes that all the contractors have other core funds, or are in a position to make advances from loans, to start the projects in advance of the likely-to-be-delayed first tranches. This intrinsically favours European NGOs with a strong infrastructure or good relations with their banks.

¹ An example of activities which could have been followed up is the nascent Nigeria-International human rights and conflict prevention communications network which emerged from the OMCT training, based at CLEEN.

4. Selection of Actors and Projects

The choice of NGOs as the central actors of the programme was made early on. It reflected the bad relations between civil society and the State after 1996. After the election of a more democratic government, the Commission has sought to redress this bias towards civil society through a “Quickstart” approach in the European Development Fund (although its focus is essentially on water, it seeks to strengthen public capacity). This included some election support (Electoral Commission). There is however as yet no substantial programme in favour of the justice and legal system, other than through the B-7022 Call for Proposals.

This raises the issue of achieving the right balance between civil society and the institutional development of public administration. The small amount of the total allocated (3.4 Million Euro), in comparison with the scale of resources in Nigeria. However the fundamental issues of due process of law often lie in the incentives and ability of State structures to shoulder their responsibility.

For the first two phases (1996 and 1997/8) the selection of projects was made in DG VIII by the Human Rights and Democracy “Smida” committee supported by the geographic services. In the second phase this was made using a points system in consultation with the member-states’ Heads of Delegations committee. A ceiling had been fixed, and NGOs were invited to present proposals across a range of sectors. The 1999 selection (or second phase) was carried out by the SCR committee that handled the Call for Proposals. It involved some consultation of the geographic services. At all the stages the evaluation noted the interest of the European Parliament (through the Budget Committee, but also an interest through some NGOs). The Member States and other donors were not very involved in the selection process for the projects.

Overall, criticism has been made on many sides that the B-7100 (and B-7022) choices have been by-and-large Europe- or Lagos-based, exposing the Commission’s lack of contact with and ignorance of organisations in the centre and north of the country, and the issues which concern them. It also demonstrates that the preference for large amounts of disbursement, quickly using up the Budget on a few projects, does not facilitate decentralisation or support for innovative organisations. That being said, it is mostly the projects which are based outside Lagos which have proved most difficult to manage and been assessed by this evaluation as having performed less well.

Since two of these are categorised as “Vulnerable Groups” (of which one is women), the choice must have been a tokenistic attempt to “remember women”. This was done rather than questioning the other, “mainstream” human rights organisations on their policies on, or attitudes towards, women. The status of women within NGO human rights and democracy workplaces, or as victims of human rights violations, is still problematic in Nigeria. This means that “mainstream” human rights organisations could actually be discriminating against women themselves (and some are reputed to tolerate sexual harassment), and ignoring the endemic violations of women’s human rights within Nigerian society.

The high visibility of some women in Nigerian organisations and society should not be

mistaken for overall freedom from fear or want. In fact, the more progressive of the local NGOs attest to these violations, and collaborate with action-research organisations such as BAOBAB or have programmes addressing them, usually funded by other donors. The failure of the Commission to extend gender analysis as a prerequisite to human rights and democratisation measures, according to the Resolutions and Regulations of 1996 or 1998 (and unlike other donors), does mean that persistent and gross violations in Nigeria and elsewhere are being allowed to continue with impunity.

No detailed assessment of the selection on the pre-existing 1995/96 projects was made, except that they would have been made under the 1991 Resolution on Democracy and Human Rights. This included Article 19, a Europe-based organisation, and a national conference on Nigeria organised by CEAN in Bordeaux, France. These indicate that there was little will to relate to or support local organisations during this period. Any residual impact will have been swept away by political events since their inception.

Of the projects under B-7020 in the second phase, the **Transition Monitoring Group** was selected as the most rapid form of support to civil society organisations in opposition to the Abacha regime (UNI/PS180/98). It was formed out of sixty organisations from all six regional geo-political zones (which had more salience than the constituent states of Nigeria) and agreed to monitor and lobby on areas of concern to all its members. These included freedom of access to information, review of the electoral laws, practice and elections themselves, and civic education. There was a steering group of sixteen members, presided over by the President of the Civil Liberties Organisation, which is reputed to be the training ground of many other newer independent NGOs, and which was also a partner in other Commission-funded projects. It has completed its work and submitted its Final Report. Its activities have been impressive in difficult circumstances.

The project “**Co-ordinator for Civil Society Support**” (UNI/PS/141/98) was contracted with GTZ, which carried out the selection of the technical adviser, but provides no infrastructure or support for her. The Delegation has been renting her an office for the project. However, relations with the Delegation are tenuous, and the Coordinator reports mostly to the Desk Officer in the Commission. The post has allowed the Commission to remain much more in tune with development in the human rights field than it would have been otherwise.

Of the second phase B-7100 projects:

The choice of **Prison Reform International** (UNI/PS/65/98), an international NGO based in the UK, was largely because they had held a number of multilateral workshops in Africa, particularly on Alternatives to Custody, but also on better practice in prison management. This had included Nigerian-based events and Nigerian participants elsewhere. There is, probably, no other organisation with such a focus on prison conditions, management and prisoners' rights and welfare, and they had a track record with the country. The project was designed when Abacha was head of state, mainly to decongest the prisons, but with other ambitious components, with partners which had begun to be identified. (See details below under Means) The moderate size of the prison population in Nigeria (about 60,000 for a population of more than 90 million) is however swollen both by arbitrary imprisonments under Babangida as well as Abacha, and by inmates whose terms have expired but whose

case-files have been lost. There are large numbers of individuals on remand, whose court cases are delayed by slow judicial processes. Conditions are not good.

“Media for Democracy” (UNI/CO/41/98) is formed by two coalitions, the first of three Europe-based international non-governmental organisations, chiefly the International Federation of Journalists and the second a coalition of six local NGOs and associations based in Lagos and Abuja, led by Media Rights Agenda. There are some twenty prevailing laws and decrees which limit freedom of expression and information in Nigeria. Journalists for their part are generally not well trained (they have for instance limited ability in reporting impartially on ethnic conflicts and in resisting corruption, etc.) and face difficult conditions. Media companies lack material facilities and adequate means of communication. Independent media play a key role in the democratisation process: besides their information role they are also an education vector for the population as well as a watchdog of governmental responsibility for its own actions, while giving a forum for the opposition and denouncing corruption.

“Human Rights Capacity Building in Nigeria” (UNI/PS/111/98) was contracted with one Europe-based NGO, the **Organisation Mondiale Contre la Torture (OMCT)** with nine local NGOs, some of whom figure in other coalitions funded by the Commission. The project was drafted by an experienced and enthusiastic representative of OMCT in response to needs identified by the lead agency, the Centre for Law Enforcement Education (CLEEN), which went on to manage it in-country, utilising support from the representative when needed. The OMCT presented the project to the Commission, having the benefit of closer contact than the Nigerian NGO. The close collaboration in the design of this project is one of the causes of its success. However, CLEEN was disappointed not to be selected in its own right in 1999 with a Nigeria-International conflict prevention human rights network emerging from this 1998 project.

The **Movement for the Survival of the Ogoni People (MOSOP)** was first selected in 1996 as a defence fund, but then shifted to rehabilitation and socio-economic activities after the democratisation process began. The **“Human Rights Programme”** (UNI/VN/132/98) was selected because of the media and political attention to the execution of Ken Saro-Wiwa, a leader of the Ogoni tribe in the oil-rich Niger Delta region. The key factor in funding appear to have been the ability of the leaders of MOSOP to pass a clear message to the European Parliament, in the absence of competing proposals emerging from the Delta region. It was the third project in a succession, for each of which the actual contractor was the Irish development assistance organisation, Trocaire. The representativeness of MOSOP amongst the Ogonis, and between different groups in the Delta, can be questioned. It should however be credited for having placed the spotlight squarely on the neglect of this critical area for Nigeria.

The Centre for Democracy and Development (UNI/PS/140/98) was contracted, after a long and elaborate two-year preparatory process, to undertake **“Training, Research and Empowerment for Democratic Development”**. The Centre is West African-oriented but based (and registered) in the UK. It therefore fell into neither the full Europe-based International NGO category nor the local NGO category, which caused a great deal of hesitation on the part of the Commission, which had first identified it as a likely partner (having rejected a strong CDD project in the previous year). The Centre has described this as a **“mind-boggling**

process,” contrasting very unfavourably with the speed, knowledge and responsiveness of other donors. The delays meant that the much of the training was actually undertaken with resources from other donors rather than postponed in the face of uncertain timing.

“Enhancing local conflict capacity for preventative action, conflict resolution and peace-building in the final stage of the Nigerian political transition” was contracted through the **African Refugees Foundation (AREF)** (UNI/PS/139/98). With the growing interest in conflict prevention (to emerge in the 1999 Regulation) there was a desire to fund a local NGO to support the democratic electoral transition. There was little verification of the NGO’s ability to manage projects and to integrate this type of activity with its previous refugee relief experience. The delay in the first payment and the absence of technical support from the Commission also meant that only a third of the objectives were met to date.

“Grassroots mobilisation for greater understanding and practice of the rule of law in South-West Nigeria” was contracted through the **Centre for African Settlement Studies and Development (CASSAD)** UNI/PS/81/98. It is based at Ibadan, and thus attracted the Commission on two counts: because of grass-roots human rights education and of being out of Lagos. It had an ambitious outreach programme involving vehicles and radio. The Commission has since carried out an evaluation of the project which was negative.

“Mobilising women in self-help groups for economic and political participation” was contracted through the **Development Education Centre** in Enugu (UNI/VN/95/98). This project “for the promotion of women’s role in Nigeria” (a very dubious concept requiring much assessment) had several aims: to encourage women to use their freedom of expression, train them for responsibilities at community level, lessen customs that are against women’s rights. In the beginning it reached nine areas (in Enugu and Abia states) and each area involved 5 groups of 100 women each. The original framework was complicated and the project had two components: subsidies for these groups of women in order for them to develop income-generating activities, and an information and training programme to sensitise women on their rights and help them to defend themselves – this programme being applied through workshops, training sessions, rallies, and production of booklets, badges etc. There should have been caution even over the name of the sponsoring organisation that was very evidently geared to attract EC resources, and an investigation into how women’s human rights were to be supported. If anywhere, this project arguably belonged with the co-financing budget line.

An “International Colloquium on institutionalising democracy: Nigeria in Perspective” was held in Portugal under the aegis of the **Centro de Estudios Africanos** (UNI/PS/96/98). The selection of this was made at the time of the Portuguese Commissioner for Development, and no impact positive or negative could be discerned in Nigeria or in Brussels, as there was no final report.

The projects selected in 1999 under the Nigeria-specific B-7022 Call for Proposals were, rather more obviously selected on the basis of the organisation’s capacity:

Actionaid (UNI/PS/512/99) had no previous experience of working Nigeria but have a good reputation elsewhere in Africa, having decentralised their Africa programmes to Harare in Zimbabwe. They first put forward a major programme integrating reproductive rights with

HIV etc, but were informed during negotiations that reproductive rights were not human rights, and thus redirected their programme to educational work. They are establishing a Nigeria office, using local consultancy services, under this programme and have made contact already with the forty other NGOs in this programme. The value of the project is Euro 856,877.

The Friedrich Ebert Foundation (UNI/PS/145/99) has an office in Lagos where it is well respected as a donor. The project with the Nigeria Labour Congress is original, for donors tend not to work with trade unions. The nature of this project has two positive elements which put together social and economic rights.

- Strengthening organised labour as a powerful alliance of the civil society can be viewed as a vital component of the consolidation of new democracy
- Strengthening organised labour can reinforce the economic and social responsibility of companies.

A trade unionist as research co-ordinator is already recruited. Day to day management will be a unit consisting of a financial administrator and a project manager to be recruited in next months, forestalling the effect of the delay in first tranche funding from the EC. Instead of having an annual plan, they will have a monthly operational plan and reporting system. This project will cost Euro 854,917.

The BBC World Service Training Trust (UNI/COM/117/99) is a freestanding cost-recovery unit (that is, does not draw on core BBC funds derived from British licence-payers) with considerable experience of training independent radio and TV broadcasters as integral components of democratic development. They will work with the Federal and State radio and TV broadcasting systems, as well as with the handful of independent channels. They will delegate the print media programme to the International Federation of Journalists, based in Brussels, which has had extensive experience in Nigeria - and has very direct access to the Commission. (DAAR Communications, which is sometimes cited as a partner is in receivership and will not play a major role.) WST have identified their Project manager who will establish a project office in Lagos, and will not impose on their local correspondents, although these may be involved in specific training sessions (eg for political desk training; economic affairs reporting). The project is to the value of Euro 622,478.78.

The Justice, Development and Peace Commission (UNI/ED/147/99) is the only Nigerian organisation to be awarded a contract under this Call for Proposals, but is presumed to have the backing (and networks) of the Catholic Church; it is also the only one not based in Lagos or Abuja. A member of the Transition Monitoring Group, this could be said to be a project presenting some continuity from that work. It will train 6500 Democracy Monitors to observe the proceedings of the State Assemblies and Local Government, and will work with two other local organisations. This NGO has previous experience of this work, gained a reputation for independent action during the 1999 elections, and they disseminate "lessons learned" minutes to their members. JDPC has no international umbrella, but they are also not exclusively dependant on EC funds. Furthermore the geographical spread very strategic. The aim of this NGO is to encourage accountability, responsibility and transparency in Nigeria from the empowered grassroots over the elected politicians. The main activities will be Training of trainers outwards from at local, state and federal levels. JDPC has already drafted a manual of democracy watch. This contract is worth Euro 426,150.

The Law Society of England and Wales (UNI/ED/388/99) has an international human rights section which will conduct this programme, to increase the knowledge of lower court judges of international and regional (the African Charter on Human and Peoples' Rights) human rights instruments and standards, with local management by the **Legal Defence and Assistance Project** (LEDAP). The Commission's contribution to the project is Euro 351,093 but there is also support from the UK Department for International Development.

The Danish Human Rights Centre (UNI/ED/380F/99) has a particular outreach programme in Africa (it trains and supports staff members in the African Commission for Human Rights based in Banjul, the Gambia). It will work with the **Civil Liberties Organisation**, the most prominent human rights organisation which has links throughout the country having been a party to the Transition Monitoring Group, and will reach 75% of lower court judges in all size zones of the country. (Euro 67,815)

5. Means and Results

Throughout this evaluation the strength of the Human Rights, Democracy and Conflict Prevention measures have been closely related to the knowledge, interest and energy of the Commission: Desk Officers, Members of the Delegation, and others, in their roles as Technical Assistants within or outside the Delegations. On some occasions other consultants have lent advice and know-how. When this interest is thwarted by the involvement of other services the results have been negative. There is insufficient experience in the Commission to carry out projects in this field in this country on “automatic pilot”. The results have hence been sensitive to events inside the Commission.

Because these Budget Lines are intended to be independent of the Delegations and National Authorising Officer, they establish direct links between the Commission and the Contractor. The persistent delays in making first tranche payments draw the Delegations in, and raises the issue of the reputation of the Commission. Considerable time is expended in identifying the appropriate Desk in the Commission for an aggrieved NGO, in trying to trace and track the files through the SCR, advising on whether to stand staff down pending payments or whether interest will be paid on overdrafts incurred, and handling adverse media criticism. This can be extremely time-consuming for the Delegation in country, somewhat defeating the objective of the independence and flexibility of the Budget line.

Delegations are, indeed, usually small, even when compared to embassies of small countries, possibly too small to manage the problems arising from these projects without additional staff or technical assistants (with 2.9 persons handling every 10 million US\$ of development co-operation, the Commission has half the human resources available to the average member state aid administration). The absence of a common diplomatic culture as well as the lack of specialisation in human rights, electoral procedures, or conflict prevention, lead to overwork, and to sacrificing projects not inherent to the EDF programme.

In Nigeria, where the newly re-formed Delegation is large (35 including Head of Delegation, officials, experts and local staff) compared to others, the human resources are twofold: a Third Secretary and the Civil Society Support Co-ordinator.

The Third Secretary has specific Human Rights experience of NGO/UN interactions at the UN Commission for Human Rights in Geneva and in New York, and during a *stage* at the UN Human Rights Centre, and has been delegated to relate to the projects. He assisted with the Nigerian Call for Proposals and liaises with the Technical Assistant, based in Lagos, who is the Co-ordinator for Civil Society Support (UNI/PS/141/98). He is normally engaged in governance work (in the broader sense) relating to the state assemblies, and steering a Euro 6.6 million project proposal through the tendering and NAO approval phase; there will be a Programme Management Unit (PMU) to implement this. He contributed to the EDF election support programme. Thus he is able to interact with other officials, including the Rural Development Adviser whose programme in the Delta region integrates conflict prevention preconditions. However, the Third Secretary is a “Young Expert” (albeit with diplomatic status) and his contract expires in October 2000, so his expertise and his knowledge of

Nigerian civil society, derived through contact with the TA, will be lost to the Delegation and the Commission. The human rights measures will be very much the weaker for this.

There is also the Technical Assistant, the Co-ordinator for Civil Society Support (UNI/PS/141/98), who has a twenty month contract which commenced early in 1999, and which will expire in October 2000. As already observed, this posting constitutes a B-7020 project agreed in 1998, and is actually administered financially in Nigeria by GTZ. The post is based in Lagos, does not have diplomatic status, and in the view of the Delegation, is not entitled to use any of the Delegation facilities in Lagos even when they are usually unused (indeed the Technical Assistant pays both office and domestic rent to the Delegation, rents her own telephone lines, hires her own assistant and driver, runs an unmarked car) or to claim any representative status for the Commission. Thus she has no infrastructure or colleagues with whom to interact. She reports both to the Delegation in Abuja and the Desk Officer in Brussels by way of monthly narratives concerning her activities which including forming a network of contacts with national and foreign NGOs in Nigeria (for which she travels to other regions of Nigeria), “continuously assessing their capacity” and that of potential new projects, monitoring the implementation and evaluating (if necessary engaging other evaluators) the results of the existing human rights and democracy projects, and “assisting in the co-ordination with EU Member States” (Full Terms of Reference attached). Lacking diplomatic status, her relations with member states’ embassies and other donors is on an ad hoc and personal basis.

Overall, the Delegation is determined at all costs to keep good relations with the Nigerian government, and sees some of these partners/projects, for example the **Centre for Democracy and Development** (UNI/PS/140/98) as unnecessarily confrontational and has preferred the Transition Monitoring Group as more official than the others. (However, CDD does have access to the President, and have directly influenced legislation through this access.) This cautious approach suggests some misunderstanding of the role of local NGOs as innovators, watchdogs and at the same time partners in democracy. It also suggests an overall distancing from the realities of daily life in Nigeria, where human rights should be lived, but are violated. The primary interest is in starting up the recently formulated twin-track National Indicative Programme with a potential Euro 75 million. The press officer has been newly appointed, is based in Lagos, and has not been involved in communicating to NGOs or publicising the human rights and democracy support. The Head of Delegation is a trade rather than development expert.

Since the proposal was made in Brussels to look into the possibility of a local Europe-Nigeria Human Rights Foundation, based on the South African model, a considerable amount of the Lagos-based Technical Assistant’s efforts have gone into identifying potential office-bearers and making the arrangements through the Nigerian system, on the basis of the feasibility report by Professor Zwamborn (whose contract was paid from the project). An application under Budget Line B-7022 has been made to finance this Foundation.

A more local project identification, decision-making, fund-disbursement system and support, such as the proposed Foundation, or a dedicated Programme Management Unit with an imprest account, certainly has its attractions - if it can be established with safeguards sufficient to the conditions of Nigeria, where fraud at all levels is endemic. Certainly the existing Commission human resources in Nigeria cannot hope to effect the scrutiny necessary

and desirable about the kinds of organisations, and their activities, which other donors undertake at every stage of the project cycle, or the contextual political analysis.

The value added of localising these processes of identification, decision-making, fund management and capacity building could be:

- application of local knowledge both of organisational capacity and of the political context
- speed of processing (other donors respond within a week, and disburse within two months),
- ability to fund smaller projects,
- ability to identify and support new actors and their capacities to act,
- ability to identify new themes (such as the different forms of violation of women's human rights),
- interaction with other donors, their priorities and systems to co-ordinate better and avoid duplication of effort, receipt of double applications, etc

These are all attributes of the other main donors, both Foundations and Embassies, which operate in Nigeria. Although donor co-ordination by UNDP is poor (irregular meetings, diffused agendas, unstructured discussion, no minutes) there is a multiplicity of donors including member states, private foundations and a variety of US sources and channels. Because of the diversity of planning procedures involved, however, donor consultations have only taken place on individual projects already identified, and not on best practice.

Of the first, the UK is the most substantial donor, for post-colonial reasons, and has just reached the conclusion of a three year programme and, on the basis of a new country analysis is embarking on a new governance and poverty strategy, consonant with the Department for International Development's (DfID) overall objectives. This is concentrated in certain regions of the country. Small human rights grants are made through a Second Secretary in the British High Commission (embassy) from the Foreign and Commonwealth Office Human Rights Policy Department, and very small democracy grants to civil society at the decision of the Westminster Foundation for Democracy in London using a dedicated special fund, which can also be channelled through political parties. The British Council, using DfID funding and other sources, acts as a managing agent for community development, and funds activities in many different regions (and indeed has sub-offices in the North), and is trying to create an email template for project proposals. Both it and DfID are working more closely with government now to increase capacity.

The Norwegian embassy makes small grants of \$3000-25,000 for human rights projects. Other embassies have their own methods of priorities, decision-making and disbursement systems, and together they coordinate in Lagos through informal but confidential private meetings. They all issue guidelines on proposal writing, and on financial and narrative reporting to potential grantees, often with sample reports.

The Ford Foundation is the largest private Foundation, and although its remit is West Africa, much of its focus is in Nigeria where it has been active since 1959. It adapts the global strategy of the Foundation to the political and social context, emphasising three broad

programme areas: Asset-building and community development (which includes social development and environment, and reproductive health); Education, media, arts and culture (which includes religions); Peace and social justice, which includes human rights, governance and international co-operation. Grants may be large and includes amount of up to \$50,000 for planning a pilot project, which has replicable potential, of which 50% goes on “demonstration” of the value of the larger programme, 20% on pure policy formulation, and 30% on research-type activities for advocacy on the issues. While they have worked with stand alone oppositional civil rights organisations, they are now encouraging those bodies to undertake advocacy on economic rights, since these affect the wider masses of the population and with state institutions to ensure the enforcement of all human rights conventions. They are funding a campaign against forced evictions in a World Bank/UNDP dam development project, and a child rights project with the Nigerian Institute of Advanced Legal Studies.

The US has a number of different ways of channelling the growing quantities of grant-aid it makes to Nigeria. (One commentator remarked on the “attractions of maintaining friendly oil supplies”.) USAID has nine implementing partners, which includes such diverse bodies as Johns Hopkins University in the US for public health, and the Solidarity Centre for trades unions, as well as the national Association of Women Journalists. The US Public Affairs Unit, formerly USIS, has a grant-making system which is perhaps the most sensitive and capacity building of all; it makes grants of no more than \$25,000, using a capacity-building process of preparation but avoiding core costs, so that the full amount goes into the activity. They have a two-month turn-around process, and most projects have the same length duration. They also visit frequently and attend many of the events their grantees organise, and have the best records and assessments of NGO capacities. All these bodies make use of external resource persons or consultants who are Nigerian. The Office of Transitional Initiatives funds media activities, but also has a very rapid response system for its funding, which includes conflict prevention, to be able to meet crises and address or resolve issues: under this an event can be planned and executed in a week. In Abuja, the National Democratic Initiative is working on improving parliamentary committee systems, and the International Republican Institution works with political parties.

The European financial amounts dedicated to Nigerian Human Rights and Democracy measures under these Budgets line have grown over the period 1995-1999, from an expenditure of only 234,000 in 1995/96, Euro 3,000,000 in 1998-1999. This growing priority shows signs of being integrated into the National Indicative Programme. However the delays in making first tranche and subsequent payments have grown, and during 1999 there was no clarity at all on which officials were assigned responsibility for the projects under these budget lines

Contracted NGOs, seeking information about the status of their project, report being passed around between numerous desks, not one of whom would accept any responsibility, or being refused any contact names or telephone numbers when they needed to consult on issues such as rescheduling the time-frame or change of use of certain funds. Projects in Nigeria have all suffered delays, leading to postponed start-up, the necessity to dismiss contracted staff, loss of media attention, and in some cases, to a change of results (such as the first AREF workshop, which was held only a few days before the elections). The complexity of the selection process also meant that both the Delegation and the technical assistant in Lagos have not been able to plan ahead. This has resulted in inefficiencies, for example the

considerable resources used to design the EU-Nigeria Human Rights Foundation in Nigeria that may not, in the end, be accepted by the relevant services.

If there were a much simplified but secure system of counter-signature, a computerised file tracking system was introduced, clear responsibilities marked, and communications to contractors were improved, there would be a lesser work load, and more clarity of decisions. This could then be supported through an intermediary level of analysis contracted by the Commission in country, which would provide the field monitoring to inform the decisions made in Brussels. Both these resources have existed only in a tentative form in the case of Nigeria.

Individual project results are listed below:

OMCT (UNI/PS/111/98) completed the distribution of computers (with maintenance contracts which required special negotiations by the OMCT representative), secured the telephone lines and conducted its training, having disbursed its own funds to set the project going and support it. They attribute their success to the lead being taken by the main partner, CLEEN, and their capacity to manage the programme and create a coalition. A trusting relationship was forged between the two organisations, too, which sustained it in the face of the unexpected (especially difficult computer suppliers). They paid for the trainer who was popular and worthwhile, from their own core resources since he cost more than the estimate. They went further than the objectives of the project by starting the Nigeria-International coalition for human rights and conflict prevention.

The activities of the **Centre for Democracy and Development** (UNI/PS/140/98) have been perceived by different parties as strategic, capable and sustainable, and thus they have been asked to manage the secretariat for the “Oputa Commission”, the Nigerian equivalent of the South African Truth and Reconciliation Commission, having held a seminar on the subject drawing in speakers from South Africa and Argentina. However, they did suffer a great deal from the time taken to make the selection, which impacted considerably on their efficiency and effectiveness. With other funding they have also been able to mobilise and take part in the Citizens Forum for Constitutional Reform, to address the need to correct the bias and omissions of the current Constitution, forged under the Abacha government and still retained.

The **Transition Monitoring Group** was selected as the most rapid form of support to civil society organisations which had been in opposition to the Abacha regime (UNI/PS180/98). 10,000 local observers for the elections were trained under this project, and there was regular publication of different government actions during the transition phase of Abubaker, which continues today. Although periodic reporting was deemed weak, the final report details the changing political context and their activities within it.

Prison Reform International (UNI/PS/65/98) While the project was designed under the Abacha regime, mainly to decongest the prisons, it has had other ambitious components, with partners which were not always able to deliver their components in the changing conditions. So, although some 10,000 prisoners are estimated to have been released (under the short-term presidency of President Abubaker as well as during this programme), there have been some measures of which have been amended with the agreement of the Commission through use of the allowance for contingencies. PRI appointed a specific consultant to manage the project,

who forged a good relationship with the local partners, PRAWA and the National Human Rights Commission, which proved appropriate and successful choices. The latter, which receives no funding from the state, has been able to build and re-use its capacity, and been asked by the federal government to investigate the Kaduna riots. It has also been able to develop human rights promotion programmes for TV and radio and to mobilise other resources (for example from the Australian government). A Prison media-watch network has emerged from the project. The success of PRAWA can be explained in three ways:

- Progressive Methodology: PRAWA has successfully initiated a participative methodology with needs assessments, training and consciousness raising amongst prisoners and officers in prisons.
- Follow-up: PRAWA has successfully established structures to reinstate prisoners (psychological, medical assistance, economical activities) and they publish their conclusions and research activities.
- Enforcement systems at local, state and national levels. These activities include educating all levels of prison authorities about prisoners rights, advocacy for legal reform and restructuring, capacity- building of the judiciary.
- Capacity building: PRAWA identifies the need of institution building and capacity building, including training of staff, support networking

Media for Democracy” (UNI/CO/41/98) Tangible results in this project over one year of activity included the creation of an International Press Centre in Lagos, awareness building in European countries about the democratic process in Nigeria through a media campaign, organisation of a journalists’ network throughout Nigeria to monitor journalists freedom, and publication of weekly reports on this issue, and finally some contribution to the media reform (support for the bill on freedom of information which is at second reading stage in the federal assembly). A workshop held in March 1999 (with journalists, politicians and academics), followed up by information dissemination and lobbying have undoubtedly contributed to the Assembly's second review of a bill of law on the right of access to information. There has also been some assistance to journalists who are victims of repression, dialogue with governmental representatives over issues of freedom of expression. However, results and impact have probably been limited because the design of the project was over-ambitious, and the selection of organizations. This project is led by a European NGO, the IFJ, which established two sub-contracts with two other European NGOs, Article XIX and Reporters Sans Frontières, each of which worked with one or two local partners. The consequence is that two different sub-projects were not always well coordinated on the ground (overlaps in journalists training for example). The original delays in funding disbursement delayed the start of the Media for Democracy project and had knock-on effects. There was some lack of flexibility in the overall budgetary arrangements and confusion of the responsibilities. Reporters sans Frontières made a direct request to the Commission for changes in the contract without consulting the IFJ.

Nevertheless, beyond the good will towards media, the Commission does not have a clearly defined strategy. The follow up is uncertain. The new project led by the BBC is mostly dedicated to training and may not focus on the legal aspects. The Commission should, as much as possible, consider this double component of projects: institutional consolidation and strengthening of civil society.

Centre for African Settlement Studies and Development (CASSAD) UNI/PS/81/98 project for “Grassroots Mobilization for Greater Understanding and Practice of the Rule of Law in South-West Nigeria” was to promote the understanding of individual rights through community based organizations, religious societies, and social and professional clubs, etc. CASSA is an NGO with academic links. This project showed a deficit at the end of the first phase, and a reallocation of use that had not been agreed. An evaluation was commissioned by the Technical Adviser which revealed serious weaknesses in the organization and content (inadequate material produced, without practical information, and giving subservient images of women, etc.). The second tranche was thus not paid, and the project was recently visit by SCR A/5. However, this project should have been analysed more before selection, and/or these problems should have picked up much earlier, and might have done if the restructuring had not placed a wall of silence between the projects and the Commission for some months, during which the unauthorized change of activities took place.

The Development Education Centre in Enugu (UNI/VN/95/98), “Mobilising Women in Self Help Groups for Economic and Political Participation”. An evaluation in August 1999 showed fraudulent use of funds. In fact the five groups (500 women) obtained only 200,000 Naira in lieu of 250,000; the remainder (50 000 Naira) being in deposit at the Nnebuife Community Bank, affiliated to DEC. Moreover, funds conceived as grants became loans to be repaid without grace period that is at the end of the each month, and with interest. It appears that this project was a means for the Nnebuife Community Bank of increasing its number of clients. As this project had no rights content it should not have been selected or funded by the Commission in the first place.

Centro de Estudios Africanos (UNI/PS/96/98) There is no Report from this conference, which was held in Portual and attended by only few Africans and even fewer Nigerians, among the many European and American participants. There is no evidence that it made any impact negative or positive on civil society or democracy in the country.

Although the new projects (UNI/PS/512/99; UNI/PS/145/99; UNI/COM/117/99; UNI/ED/147/99; UNI/ED/388/99; UNI/ED/380F/99) have not yet started work, the time spent in their selection and notification has already had an impact on their capacity to appoint project managers, plan workshops, secure the best trainers, etc.

Actionaid, which planned to start in January 2000, has advanced core funding from other sources to be able to convene forty local NGOs in a workshop to prepare for the Dakar Global Education conference held in April 2000, which would otherwise been missed. This has enabled them to form a dialogue with the Federal Ministry of Education and be invited to make an impact on policy. The use of their core funding has also enabled them to prevent further delays to the recruitment of staff.

The **BBC World Service Training Trust** has received its contract, which goes to an internal approval committee. It has selected its Project Manager and identified Nigerian trainers as well as others, and hopes to start in July. Past experience with European Commission funding under various budget lines has given them strong negative opinions on all phases of Commission selection implementation and “signing off”, but taught them the techniques of surviving the relationship.

The **Law Society of England and Wales** only received its contract at the end of May 2000, although it aspired to begin work with LEDAP in June. The programme will probably be set back.

6. Impact

At the project level there has been little monitoring of impact on the Nigerian political environment carried out by the Commission, which the evaluation team cannot replace. However some conclusions can be drawn. They relate to the fulfilment of general objectives: strengthening civil society, ensuring a peaceful democratic process of change, and ensuring the visibility of the European Union in support of this process. The analysis has identified four assumptions which have been implicitly made in the pursuit of these objectives, and which have not been fulfilled. This means that on the whole the projects are too ambitious to contribute significantly to the general objectives.

Of these four assumptions, one is by far the most significant. It relates to the very limited institutional and human resources at hand, and to the complexity of the local political situation. The country is plagued by a dysfunctional form of governance: a permanent unease between federal and state structures, civilian or military rule, set against a lively civil society, conflictual identities, widespread lawlessness and deep-seated corruption at all levels. This means that individual projects require much more monitoring and assistance than that provided.

There is a very real need for preliminary capacity assessments, close planning and technical support, because of the limited resources and weakness of the institutions involved. In most cases reviewed here the results the projects have been more limited than foreseen, and the general objectives only touched upon. In the case of AREF for example, the workshop was late, and there is little perspective of the later workshops and field mediators coming about. In the case of MOSOP, Commission support given exclusively to one political group with a reputation for activism, and with challenges to its legitimacy within the ethnic group it claims to represent, have limited the impact in terms of EU visibility and protection afforded to the other populations.

The Commission has addressed some of these constraints by appointing a Technical Assistant, the Civil Society Support Coordinator. It also shows signs of seeking to establish a larger programme support mechanism through a local Foundation. These are steps in the right direction.

The projects have clearly contributed in one way or the other to the overall development of a human rights discourse, expanding a little from civil rights protection but not yet to economic rights promotion. This has reinforced similar donor programmes and the already well organised indigenous organisations. However the evaluation was not able to assess the geographic and sociological spread of this discourse. It is reported that it is in fact to be found mostly among a certain social class, and predominantly among lawyers, mostly located in the south-west of the country (although other integrated approaches are reported to be used in other parts of the country). It is possible that this de facto limitation in the geographical spread of the projects has allowed for a more in depth impact in some important areas of this

vast country. However human rights and democratisation, as a discourse, must imperatively be heard in all parts of the country, and within all social groups.

Three other assumptions have been made in the design of the EC's intervention which, because they are not entirely correct, have further limited the ability of the projects to contribute to the general objectives:

- There has been an assumption that the government's commitment to human rights should be strengthened through the creation of a vibrant civil society. The NGO community is very varied. Some organisations are honest, hard-working and policy-oriented. Some, however, contain former government officials or are close to business enterprise (to the extent of being seen to a considerable alternative economy). There is a clear inability of the public administration to implement and render coherent the legal framework for civil society. There could be greater focus on EC assistance to public sector management, including anti-fraud programmes, and legal technical assistance.
- It is also assumed that EC funding to civil and political rights movements will enhance the image of the EU. In fact, the negative impact of the interventions has damaged the reputation of the Union: the slow financial disbursement, the lack of support for the execution of the projects, and the clear inability to establish clear country-wide priorities. The EC will need to become much more dynamic and positive in its funding of local projects to see its place as one of the lead donors acknowledged.
- The introduction of more conflict prevention programmes in Nigeria would be particularly relevant, especially to contribute to the peaceful transition to democratic stability. However conflict prevention planning needs to be supported by a careful distinction of the levels of intervention. This has not taken place, and requires some elaboration¹. Only interventions that took place during the pre-election period, when international scrutiny and civic education had maximum impact, can be assessed. The resources available to trouble makers are far greater than those available to the EC! It would consequently be more effective for the Commission to support political initiatives. This has not been the case in Nigeria since the elections.

Conflict prevention should be an important element of EC policy in Nigeria, and as such deserves some additional analysis. The country's political space is structured on a three tier system, dominated by the three dominant ethnic groups (Hausa-Fulanis in the north, Yorubas in the south-west, and Ibos in the south-east). In addition to this nexus of some 25 million persons can be found another 70 million from more than 250 ethnic groups. This diverse group is particularly represented in the south-east, which also happens to produce the bulk of Nigeria's GDP in the form of oil (oil income is estimated at 80 billion Euro per year). It is the distribution of the revenue coming from this oil industry that causes some of the conflicts in the country. The stability of the country rests on a complex balancing of power between the south-east and elsewhere, and on the constitutional and security processes at the federal level.

¹ A Conflict Prevention Network paper commissioned by DGVIII in 1997 recommended support given to the promotion of political dialogue at all levels, but did not prioritise, and did not analyse financial implications.

The EC funding for human rights NGOs has fed into this fragile balance, for reasons often disconnected from the political implications. Finding easier access into civil society in the Christian south, it has centred its funding on partners selected by European NGOs, or on high profile local partners (e.g. AREF and MOSOP), or on those which combine both elements, like CDD.

Instead of a selection process based on assessments of project presentation, conflict prevention should be approached much more in context. This would not necessarily require the rapid funding that often characterises conflict prevention activities. It could instead seek to reinforce the “small virtues” of Nigeria: contractual links that transcend ethnic and religious cleavages; the inter-related identities, distribution of income from the oil industry.

It is probable that the EC’s conflict prevention activities would not be allowed to touch on the central tier of the political structures of Nigeria (tensions between the Big Three). However it would seem natural for the EC to focus on the communal tensions in the south-east. These are about unequal development, and no large donor has tackled them in a satisfactory way. Support to a group of Ogoni leaders would not seem to be the most efficient way of going about it. A complementary approach using the EDF Micro-Projects and Commission budget lines might be more promising.

The impact of human rights activities is always difficult to assess, particularly where they are promotional. While the numbers of prisoners released can be quantified, change of mind, including self-awareness and empowerment by rights are always difficult to measure - but they are the foundation for a more stable, rights-based polity, where kleptocrats or arbitrary rule are unacceptable. However, the human rights within organisations have also to become part of project selection criteria – policy statements both on the unacceptability of sexual harassment and bullying within the organisation, and how it will “mainstream” the issues of women’s human rights. Workshops do need qualitative indicators (such as changes in behaviour or language, as well as subjects addressed), and not just quantities. Election registration and monitoring and other conventional elements of democracy-building can be quantified, as can their abuse, provided there the monitoring machineries are in place, including independent media.

The greatest effect of the projects is on the immediate individuals who take part in their implementation. At that level, one of the positive impacts of the projects is certainly the fostering of a willingness within the human rights networks to negotiate with the State.