



**NIGERIA'S 4th PERIODIC COUNTRY REPORT: - 2008-2010 ON
THE IMPLEMENTATION OF THE AFRICAN CHARTER ON
HUMAN AND PEOPLES' RIGHTS IN NIGERIA**

FEDERAL REPUBLIC OF NIGERIA

**PRODUCED BY
THE FEDERAL MINISTRY OF JUSTICE, ABUJA**

AUGUST 2011

PREFACE

The Federal Republic of Nigeria is committed to the progressive realization of the basic rights and freedoms of individuals and groups as well as their duties enshrined in the African Charter on Human and Peoples' Rights through legislative, policy, judicial, administrative and budgetary measures.

Efforts have been made within the period under review (2008-10) by Nigeria to improve on her obligation to promote and protect human and peoples' rights by enhancing the capacity and independence of the judiciary, relevant ministries and human rights institutions. This includes direct intervention programmes and projects that seek to impact on the standard of living, quality of life, security and welfare of the individuals and groups within her jurisdiction.

Admittedly, there are numerous challenges ahead in the effective promotion and protection of human and peoples' rights and in the realization of the time-bound Millennium Development Goals.

It is against this background that this 4th Periodic Country Report seeks to highlight the general and specific measures adopted in the implementation of the African Charter on Human and Peoples' Rights (ACHPR) since 2008. The Report also identifies the progress made and challenges being encountered in the effective promotion and protection of human and peoples' rights guaranteed under the Charter.

The preparation of this Report was coordinated by the Department of Comparative and international law of the Federal Ministry of Justice, Abuja.

It is my hope that the distinguished experts of the African Commission on Human and Peoples' Rights will appreciate the progress made so far, the efforts being made to overcome the identified challenges and support Nigeria's commitment to sustain this momentum in the overall interest of Nigerians.

Mr. Mohammed Bello Adoke SAN

The Honourable Attorney General of the Federation and Minister of Justice
Federal Republic of Nigeria, Abuja
August, 2011.

ACRONYMS

AIDS	-	Acquired Immuno Deficiency Syndrome
ART	-	Anti-Retroviral Therapy
ARV	-	Anti-Retroviral
BFI	-	Baby Friendly Initiative
BUDFOW	-	Business Development Fund For Women
CBOs	-	Community Based Organizations
CEDAW	-	Convention on the Elimination of All Forms of Discrimination Against Women
CFRN	-	Constitution of the Federal Republic of Nigeria
CRA	-	Child Rights Acts
CRC	-	Convention on the Rights of the Child
CSACEFA	-	Civil Society Action Committee on Education for All
CSC	-	Civil Service Commission
CSOs	-	Civil Society Organizations
CWIQ	-	Core Welfare Indicator Questionnaire
DS	-	Development Strategy
FBOs	-	Faith-Based Organizations
FCT	-	Federal Capital Territory
FEEDS	-	FCT Economic Empowerment and Development Strategy
FFLH	-	Female Functional Literacy for Health
FGM	-	Female Genital Mutilation
FGN	-	Federal Government of Nigeria
FIDA	-	International Federation of Women Lawyers
FMI	-	Federal Ministry of Interior
FMF	-	Federal Ministry of Finance
FMLP	-	Federal Ministry of Labour and Productivity
FMOE	-	Federal Ministry of Education
FMOH	-	Federal Ministry of Health
FMOI	-	Federal Ministry of Information and National Orientation
FMOJ	-	Federal Ministry of Justice
FMW	-	Federal Ministry of Works
FMWA & SD	-	Federal Ministry of Women Affairs and Social Development
FRSC	-	Federal Road Safety Commission
GBV	-	Gender-Based Violence
GDP	-	Gross Domestic Product
GHS	-	General Household Survey
HCT	-	HIV Counseling and Testing
HIV	-	Human Immuno-Deficiency Virus
HTPs	-	Harmful Traditional Practices
IBRD	-	International Bank for Reconstruction and Development
LACVAW	-	Legislative Advocacy Coalition on Violence Against
LEEDS	-	Local Government Economic Empowerment
LFN	-	Laws of the Federation of Nigeria
LGA	-	Local Government Area
LRC	-	Law Reform Commission

MDGs	-	Millennium Development Goals
MFA	-	Ministry of Foreign Affairs
MMR	-	Maternal Mortality Rate
MOA	-	Ministry of Agriculture
MOH	-	Ministry of Health
MTSS	-	Medium Term Sectoral Strategies
NACA	-	National Action Committee on AIDS
NAFDAC	-	National Agency for Food, Drug Administration and Control
NAPEP	-	National Poverty Eradication Programme
NAPTIP	-	National Agency for the Prohibition of Trafficking in Persons & Other Related Offenses
NBS	-	National Bureau of Statistics
NDDC	-	Nigeria Demographic Data Survey
NDE	-	National Directorate of Employment
NDHS	-	Nigeria Demographic and Health Survey
NDHS	-	Nigeria Demographic Health Survey
NEEDS	-	National Economic Empowerment and Development strategy
NHRC	-	National Human Rights Commission
NIS	-	Nigerian Immigration Service
NLC	-	Nigeria Labor Congress
NMEC	-	National Mass Education Commission
NNPC	-	Nigeria National Petroleum Corporation
NPC	-	National Planning Commission
NPHCDA	-	National Primary Health Care Development Agency
NPoC	-	National Population Commission
NSHDP	-	National Strategic Health Development Plan
OVC	-	Orphan and Vulnerable Children
PHC	-	Primary Health Centre
PHCN	-	Power Holding Company of Nigeria
PLWHA	-	People Living with HIV/AIDS
PMTCT	-	Prevention of Mother to Child Transmission
UBE	-	Universal Basic Education
UBEC	-	Universal Basic Education Commission
UBTE	-	Universal Board of Technical Education
UNAIDS	-	Joint United Nations Programme on HIV/AIDS
UNDP	-	United Nations Development Programme
UNESCO	-	United Nations Educational, Scientific and Cultural Organisation
UNFPA	-	United Nations Fund for Population Activities
UNHCR	-	United Nations High Commissioner for Refugees
UNICEF	-	United Nations Children Fund
UNIFEM	-	United Nations Development Fund for Women
UNODC	-	United Nations Office of Drugs and Crime
VAW	-	Violence Against Women
VCCT	-	Voluntary Confidential Counseling and Testing
VCT	-	Voluntary Counseling and Testing
VVF	-	Vesico Vaginal Fistula
WHO	-	World Health Organization

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PART ONE: GENERAL INTRODUCTION

1. Background and Period of Report Coverage.

Nigeria as a member of the African Union was among the first countries to sign (on 31 August 1982), ratify (on 22 June 1983) and domesticated the African Charter on Human and Peoples' Rights as Cap.10 LFN 1990 or Cap. A9 LFN 2004.

This is the fourth periodic report submitted by the Federal Republic of Nigeria to the African Commission on Human and Peoples' Rights in conformity with Article 62 of the African Charter on Human and Peoples' Rights. It compliments the earlier report submitted for the period of 2005 to 2008. It highlights developments that have occurred in Nigeria from 2008 – 2010 in the implementation of the country's obligation under the Charter.

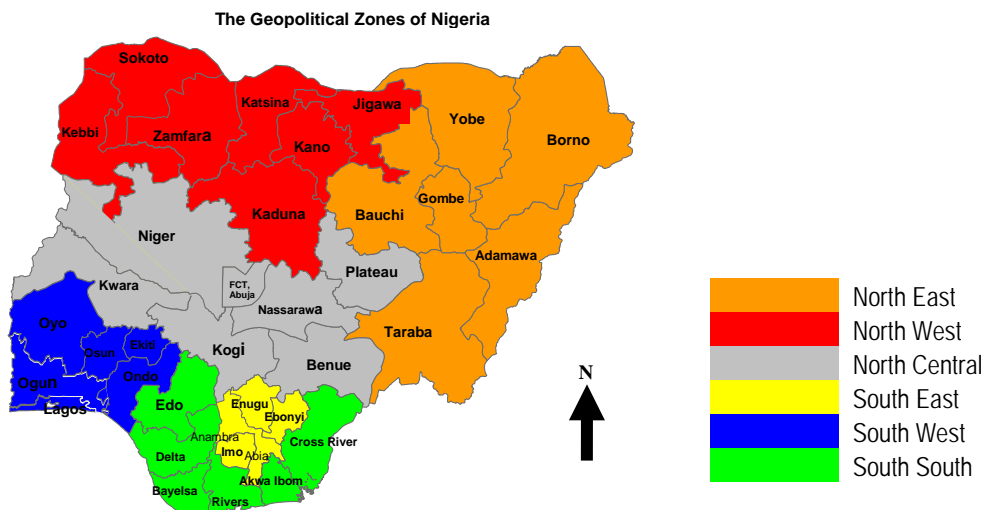
Hence the current report aims at providing progress report on the implementation of the ACHPR in line with the Commission's 2008 concluding observations, concerns, follow-up matters and recommendations.

2. Demographic Situation in Nigeria.

2.1 Geography and Administrative Structure

Nigeria lies between 4°16' and 13°53' north latitude and between 2°40' and 14°41' east longitude and has a land area of 924,000 sq. km, one of the largest in Africa. The geography varies greatly from tropical rainforest in the South to dry savannah in the North which is flat and sparsely vegetated. Nigeria is hilly and mountainous in the South East, along the border with Cameroon and also in the centre where the Jos Plateau rises to 5,000 feet above sea level. Nigeria is bordered to the West by the Republic of Benin, to the North by the Republic of Niger, to the North East by the Republic of Chad, to the East by the Republic of Cameroon, and to the South, by the Atlantic Ocean. The average rainfall ranges from about 500 mm/year in the North to over 2,000 mm/year in the South.

Figure 1—Federal Republic of Nigeria: States and Zones



2.2 COUNTRY FACTS SHEET

Table: 1 SOCIAL INDICATORS: - 2007-2009			
	2007	2008	2009
Population (million)	144.5m	149.1m	153.9m
Population Growth Rate (%)	3.2	3.2	3.2
Unemployment Rate (%)	10.9	12.8	12.9
Life Expectancy at Birth (yrs)	54.0	54.0	54.0
Adult Literacy Rate (%)	66.9	66.9	66.9
Youth Literacy Rate (%)	80.0	80.2	-
Primary School Enrolment (%)	-	88.8	-
Incidence of Poverty	54.0	54.0	54.0
Underweight Children (%)	-	23.1	-
Under-five Mortality Rate	-	157 deaths per 1000	-
Infant Mortality Rate	-	75 per 1000 live births	-
Maternal Mortality Rate	-	545 per 100,000 live births	-
Reduction in Polio Cases (%)	-	98.0	98.1
Decrease in Malaria Prevalence rate: - Protection of Children Scheme (%)	-	5.5	10.9
Reduction of HIV Prevalence rate among pregnant young women aged 15-24 (%)	-	4.2	-

Sources: - Central Bank of Nigeria Annual Report 2008-9; MDG Nigeria Report 2010 (Office of the SSA to the President on MDG, The Presidency, Abuja).

Selected Macroeconomic Indicators (2009-2010/2nd Q)

According to the Federal Ministry of Finance, Abuja on January 15, 2011, the total Government budgetary allocation to Federal, States and Local Governments in 2010 stood at N5.8 trillion naira equivalent to \$38 billion dollars.

On an aggregate basis, the economy when measured by the Real Gross Domestic Product (GDP), grew by 7.69 percent in the second quarter of 2010 as against 7.45 percent in the corresponding quarter of 2009 as shown in figure 2. The 0.24 percentage point increase in Real GDP growth observed in the first quarter of 2010 was accounted for by the increase in production in the oil sector and wholesale & retail trade activities in the economy. The nominal GDP for the second quarter of 2010 was estimated at 6,824,477.43 million naira as against the 5,872,694.58 million naira during the corresponding quarter of 2009 thus indicating an increase. The economy, which can be broken into two broad output groups, that is Oil and Non-oil sectors, had both sectors witnessing increased output in the second quarter of 2010. The

non-oil sector growth was driven by growth in activities recorded in the wholesale & retail sector, while the oil sector output increased as a result of the Federal Government's amnesty and post amnesty development programme for the Niger Delta which restored peace in the areas thereby ensuring re-entry/recommencement of operations and encouraging investments in the sector.

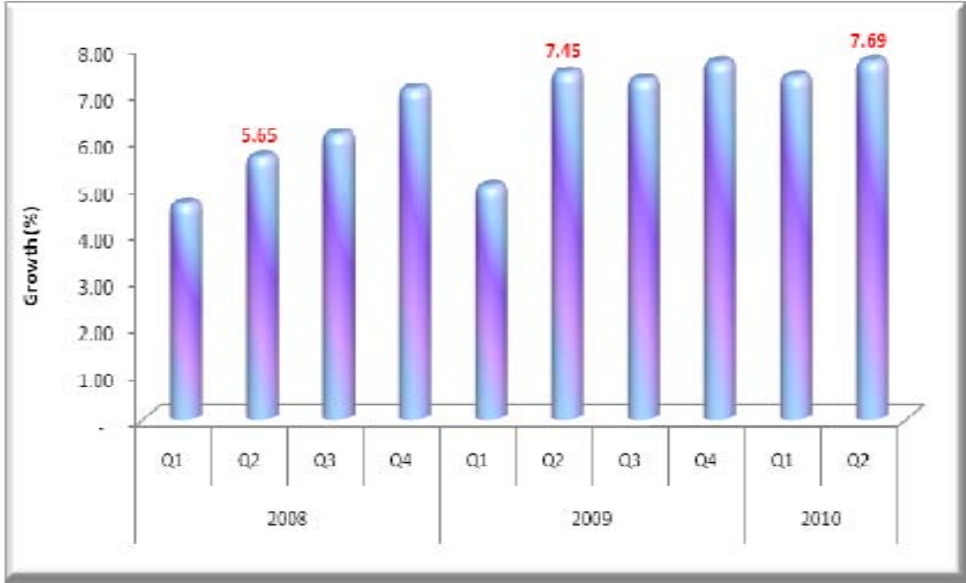


Fig 2: Real GDP Growth Rate (Q1-Q4, 2009 and Q1 and Q2, 2010)

In what follows, the results of the various computations that gave rise to the analyses of the National Accounts estimates for 2009, and the first two quarters of 2010 are as indicated in Table 2.

Table 2: 2009 and Q1 2010 Real Gross Domestic Product (Constant 1990): Sectoral Contribution & Growth Rate (Percentages).

	2009					2010	
ACTIVITY SECTOR	Q1	Q2	Q3	Q4	Total	Q1	Q2
Contribution to GDP in (%)							
Agriculture	36.34	43.06	45.21	41.17	41.70	35.68	42.32
Solid Mineral	0.28	0.33	0.37	0.32	0.33	0.29	0.35
Crude Petroleum & Natural Gas	18.94	16.26	15.79	14.90	16.29	18.36	15.70
Manufacturing	1.15	3.94	3.48	7.14	4.17	1.14	3.93
Telecommunication & Post	3.81	3.86	3.47	3.57	3.66	4.70	4.79
Finance & Insurance	4.43	4.30	3.20	3.20	3.70	4.30	4.16
Wholesale and Retail Trade	21.84	15.65	16.94	18.57	18.14	22.28	16.19
Building and Construction	2.54	1.93	1.52	1.85	1.92	2.67	2.01
Hotel and Restaurants	0.60	0.49	0.46	0.42	0.48	0.63	0.51
Real Estate	1.89	1.85	1.57	1.55	1.69	1.93	1.89
Business and Other Services	1.03	1.01	0.81	0.78	0.89	1.04	1.04
Others	7.16	7.32	7.18	6.52	7.02	6.98	7.11
Sectoral Growth (%)							
Agriculture	5.46	5.94	5.91	6.06	5.88	5.43	5.58
Solid Mineral	10.59	11.84	12.45	12.82	12.08	11.60	11.85
Crude Petroleum & Natural Gas	-6.42	3.86	2.53	2.34	0.45	4.08	3.96
Manufacturing	6.84	8.13	8.13	7.73	7.85	6.42	7.31
Telecommunication & Post	31.74	33.62	34.69	36.08	34.18	32.54	33.74
Finance & Insurance	4.21	4.40	4.04	3.38	4.01	4.07	4.33
Wholesale and Retail Trade	10.52	11.18	11.89	12.15	11.48	9.54	11.40
Building and Construction	13.12	11.82	10.69	12.00	11.97	13.15	12.00
Hotel and Restaurants	12.08	11.21	12.29	11.90	11.89	12.02	12.10
Real Estate	9.47	10.46	11.77	11.90	10.94	9.49	10.48
Business and Other Services	8.49	10.80	8.59	9.63	9.39	8.45	10.65
Others	4.57	4.71	5.02	5.57	5.00	4.70	4.57
Real-Growth (Quarterly & Annual)	5.01	7.45	7.30	7.67	6.96	7.36	7.69
Non – Oil Growth	8.10	8.18	8.24	8.67	8.32	8.13	8.41

Source: - Federal Republic of Nigeria, National Bureau of Statistics, Abuja: GDP 2009-2010.

Only recently, at the Annual Microfinance Conference and Entrepreneurship Awards held in Abuja, the Central Bank Governor, stated that 70 percent (105 million) of Nigerians are now living below the poverty line, up from 54 percent a year or two ago. The Governor added that such high incidence of poverty threaten national economic growth and development. Included in this troubling reality is over 12 million youths, mostly educated and potentially productive, who are unemployed.

From a monetary perspective, the Central Bank Governor emphasized the need to develop a financial sector that is inclusive, geared to empower potential investors big and small so as to improve people's lives, lamenting that 46.3 percent of Nigerians are financially excluded due to low level bank penetration in the country, and that beside the 815 Micro-finance banks, the 24 'big banks' have only 5,789 branches, mostly concentrated in a few urban centres. (Source: Daily Trust, Abuja, Thursday, January 29, 2011 at p.29)

3. Preparatory Process for the 4th Report

The Federal Ministry of Justice being the coordinating Ministry responsible for ensuring compliance with the African Charter on Human and Peoples' Rights engaged stakeholders from the relevant ministries, agencies, human rights NGOs, legislators and the public in the participatory and transparent process of the report writing.

The core drafting team drawn from the Inter-ministerial Committee met with the Consultant appointed for the entire process for the following activities: -

- i. To develop a framework and a workplan for the report writing;
- ii. To place a call for input in Newspaper Adverts in two national dailies: - See annex 2;
- iii. To generate and analyzed the data contained in the report;
- iv. To produce the zero and first drafts for peer review.

A 2-day peer review workshop took place, at the Federal Ministry of Justice, Abuja where participants drawn from the ministries, agencies, NGOs and the legislature reviewed the first draft and produced the second draft which was validated at a one-day stakeholders' forum attended by the core drafting team, the peer reviewers, the media and the public (See Annex 1).

Inputs from the stakeholders' forum were incorporated in elaborating the final draft.

The Federal Executive Council, through the Attorney General of the Federation, was notified of this report.

PART TWO: PROGRESS REPORT ON THE IMPLEMENTATION OF THE ACHPR IN NIGERIA

2.1 STEPS TAKEN TO ADDRESS THE PRINCIPAL AREAS OF CONCERN AND THE RECOMMENDATIONS OUTLINED IN THE COMMISSION'S CONCLUDING OBSERVATIONS ON NIGERIA'S 3RD COUNTRY PERIODIC REPORT (2005-2008)

PRINCIPAL AREAS OF CONCERN AND RECOMMENDATION (3 rd Country Report)	RESPONSIVE MITIGATION EFFORT (4 th Country Report 2008-2010)
<p>While recognizing the efforts of the State Party to promote awareness of the principles and provisions of the Charter, the African Commission remains concerned that the public at large is not sufficiently aware of the Charter and the work of the African Commission.</p>	<p>Following a protracted period of military dictatorship which terminated about 11 years ago, various efforts have been made by both government and CSOs to popularize the ACHPR through the following: -</p> <ol style="list-style-type: none"> 1. The teaching and research at undergraduate level in all law faculties of Nigerian Universities (65 out of 104) African human rights regime/ACHPR being taught as part Human Rights law/compulsory law course/and in 2 elective courses of international human rights law and public international law. Law students (at both the undergraduate and Postgraduate levels in over 15 1st and 2nd generation law faculties across the federation have encouraged/still encouraging students research and project writing in ACHPR and its domestic implementation challenges in Nigeria). 2. The students graduated have largely served as legal practitioners/government legal advisers/legal officers and state Attorneys with this awareness/knowledge. 3. Intensified efforts can be instanced on the continuing legal and judicial education on human rights with particular reference to African Human Rights system: <ol style="list-style-type: none"> a) At the Nigerian Institute of Advanced Legal Studies, Lagos 2005-2010 annual Human Rights training workshop sessions. b) National Judicial Institute Abuja, human rights workshop sessions for Federal and state High Court/Sharia court judges and lower court judges nationwide (2002 to

	<p>date).</p> <ul style="list-style-type: none"> c) Nigerian Bar Association (NBA) Human Rights and Environment Committee annual continuing legal education training programmes for Legal practitioners at state/local branches nationwide are being pursued vigorously. d) National Human Rights Commission, Abuja (NHRC)/CSOs training workshop/seminar seminar series on Human Rights and publication of public lecture series on ACHPR (1998 to date). e) Nigerian Academicians have published widely on African Human Rights system/ACHPR in both local, national/international journal and books meant for different target groups (1997 to date). <p>NB: Efforts are underway to translate into 3 local languages (Hausa, Igbo and Yoruba) the abridged version of the ACHPR/Protocol on women and AU Charter on the Rights and welfare of the Child by the collaborative efforts of Federal Ministries of Justice and Women Affairs/NGOs.</p> <p>NB: - Efforts are underway to create more awareness of the ACHPR etc among civil servants/security and law enforcement agencies through workshop/seminar series by the NHRC/FMJ in the 2011-2013 National Action Plan on Human Rights.</p>
<p>The African Commission is concerned about the poor level of female representation in all levels of government, particularly in the executive and in the legislature of the appointees to the judiciary, the African Commission remains concerned that not enough has been done to harness through affirmative action, the potential of Nigerian women willing and available to contribute to the social, economic and political development of the Country.</p>	<p>Though nationwide statistical data for 2008-10 is not yet available, yet efforts have been, and are still being, made by all the three tiers of government consistent with the National Gender Policy Strategic Framework. The Federal Government is implementing the affirmative action principle contained in the above policy. See Chapter Eleven item 2 of this Report.</p>
<p>The African Commission is also concerned about the lack of concrete legislation at the national level</p>	<p>At the time of writing this report efforts are being made for accelerated hearing of the Pending Bills</p>

<p>on gender based violence, Female Genital Mutilation (FGM), and discrimination against women despite ratification by the FRN of both regional and international human rights treaties on the rights of women.</p>	<p>on GBV. A draft Bill on FGM sponsored by the Federal Ministry of Health is currently being considered by the Senate</p>
<p>While noting the efforts of the State party to implement legislation, policies and programmes to prevent and combat infant and maternal mortality, the African Commission remains concerned at the high incidence of infant and maternal mortality, especially in the Northern parts of the Country.</p>	<p>According to the Nigeria MDG Report 2010, under-five mortality has fallen by over a fifth in five years, from 201 deaths per 1,000 live births in 2003, to 157 deaths per 1,000 live births in 2008. In the same period, the infant mortality rate fell even faster, from 100 to 75 deaths per 1,000 live births. Recent interventions – including Integrated Management of Childhood Illnesses – that reflect the underlying causes of child deaths, have contributed to these successes. Recent progress towards this Goal is promising and, if the latest improvements can be sustained at the same rate, Nigeria will reach the target by 2015. Maternal mortality fell by 32 per cent, from 800 deaths per 100,000 live births in 2003 to 545 deaths per 100,000 live births in 2008. However, the proportion of births attended to by a skilled health worker has remained low and threatens to hold back further progress. Government commitment is not in doubt. An innovative Midwives Services Scheme is expected to contribute substantially to ongoing shortfalls but its impact has yet to be reflected in the data. If the scheme is expanded in proportion to the national gap in the number of midwives, this will further accelerate progress.</p>
<p>While also recognizing recent attempts by the Government to address the crisis in the Niger Delta Region, the African Commission is concerned that despite decisions by regional and domestic institutions on the activities of trans-national corporations operating in the Niger Delta, there appears to be no change in their operations in terms of the respect for the right to food, shelter and the environment of the people in that region, therefore pointing to a lack of effective monitoring mechanism by the FRN.</p>	<p>Through series of consultation and dialogue between multinational oil companies and the Federal Government of Nigeria through the Ministries of Petroleum and Niger Delta Affairs between 2008 to date, the need to aggressively promote corporate social responsibility in the Niger Delta was noted. Accordingly, remarkable improvements have been recorded in terms of provision of infrastructural facilities and other basic social welfare projects and programmes worth billions of Naira committed by the multinational oil companies. These on-going intervention projects are being complemented by both the Niger Delta Development Commission and the Ministry of Niger Delta Affairs responsible for monitoring provision of</p>

	socio-economic, environmental and developmental projects to the citizens of the Niger Delta.
<p>Though recognising the duty of the Government to protect citizens from the dangers occasioned by construction of buildings without the necessary precautions and Government approvals, the African Commission is concerned about the evictions and demolition of houses and buildings in various parts of the Country. The African Commission is particularly concerned about the failure of the Government to provide details of the measures it has taken to ensure that these evictions complied with international human rights standards and specifically that adequate compensation was paid to the victims of such eviction.</p>	<p>44(1) No moveable property or any interest in an immovable property shall be taken possession of compulsorily and no right over or interest in any such property shall be acquired compulsorily in any part of Nigeria except in the manner and for the purposes prescribed by a law that, among other things –</p> <ul style="list-style-type: none"> a) requires the prompt payment of compensation therefore; and b) gives to any person claiming such compensation a right of access for the determination of his interest in the property and the amount of compensation to a court of law or tribunal or body having jurisdiction in that part of Nigeria. <p>The Nigerian Constitution recognizes the right of every person to hold property. However, this must be in accordance with the applicable planning laws. In the overwhelming majority of the cases referred to, the victims built without planning approvals and in several cases, on dangerous land, such as under high-tension electric cables, drainage paths, on top of sewers, or in areas earmarked for other uses. However, notice was given by the authorities in each case and where it was discovered that the contravening buildings were constructed after approval by the authorities, alternative plots have been offered and compensation based on the value of the buildings paid.</p> <p>However, in view of complaints which trailed the exercise, especially in Abuja, the Senate Committee on the Federal Capital Territory between 2008 and 2009 conducted a Public Hearing on the matter. Its Report has been submitted to the full Senate and a consideration of Final Report is awaited.</p>
<p>The African Commission is also concerned about the recent closure of an independent television station for a broadcast about the imminent resignation of the President of the Federal Republic of Nigeria, which according to the delegation had</p>	<p>The Nigerian delegation wishes to clarify to the ACHPR that the problem between Channels Television and the Nigerian authorities began when the television station maliciously and or negligently broadcast that the President of the Federal Republic</p>

<p>the potential to undermine State security.</p>	<p>of Nigeria had decided to resign from office.</p> <p>Given the prevailing political atmosphere in the country at the time, this news, false as it was, had the potential to undermine national security.</p> <p>Pursuant to the said broadcast, operatives of the State Security Service (SSS) immediately went to the Station in the course of their routine investigations, to invite some of the staff for questioning, particularly with a view to ascertaining if the story was sponsored and to arrest any ugly social consequences by further broadcast of the falsehood. The SSS did not close down the Station.</p> <p>It is important to state that the action was not on the orders of the President, as alleged. Due process was followed in pursuing the investigation. Significantly, the television station apologized to the Government for its action and resumed operations in less than 48 hours.</p>
<p>While recognizing the existence of an effective mechanism to address post election complaints in the form of the Election Petition Tribunals, The African Commission is concerned that the national electoral body- the Independent National Electoral Commission, with respect to issues such as its composition and the appointment and termination of office of its Commissioners, does not sufficiently guarantee its independence.</p>	<p>The 1999 Constitution (as amended) has provided that the commission shall be funded directly from the Consolidated Revenue fund. This has offered a level of independence in accessing funds for its operation.</p> <p>As at April, 2011 INEC's operational independence was guaranteed by the 2010-11 amended INEC Act and the demonstrated political will of the President which resulted into an internationally acclaimed credible election of April 2011.</p>
<p>The African Commission is concerned about the existing barriers to access to justice identified in the Report of the FRN such as the high cost of litigation, inaccessibility of courts due to their location in mostly urban areas and exacerbated by the poor transportation system as well as the complex nature of the judicial process.</p>	<p>These barriers are being vigorously addressed through the on-going justice sector reform programmes in collaboration with UNODC/DFID/British Council and European Union 2001 – date with results/impact published.</p> <p>The Federal Government is deeply committed to taken the Legal Aid Council's services to the grassroots including through provision of funding by opening Legal Aid Centers (as against State capital office) in local government areas of the Federation. Thus in addition to the Councils state offices in all the State Capitals of the Federation and six zonal offices in the six geopolitical zones, the Council has now opened satellite offices called Legal Aid Centres in seven(7) States specifically in Otu (Oyo State). Auchu (Edo State), Bwari (FCT), Karu (Nasarawa State,) Abonema (Rivers State), Katsina-Ala (Benue State), Shendam (Plateau</p>

	State) and Sagbama (Bayelsa State). The Council proposes to open more Legal Aid Centres in Ida and Okenne in Kogi State and in Ikorodu (Lagos State) very soon. The intention is to open such Legal Centres in all the 774 Local Government areas of the country. This scheme would bring access to justice closer to the greater percentage of indigent Nigerians.
CONCLUSION	
The African Commission recommends that greater effort be made by the State Party to ensure that the provisions of the African Charter as well as the work of the African Commission is publicized in both rural and urban areas in the Country. In this regard, it encourages the State Party to take steps to translate and make available the African Charter in as many local languages as possible.	Nigeria noted this recommendation. See Response to item 21 above.
The African Commission recommends that the State Party makes the declaration under Article 34 (6) of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of the African Court on Human and Peoples' Rights, allowing individuals to have standing and bring cases before the Court.	An inter-ministerial committee is working on this recommendation under the auspices of the federal Ministry of Justice, Abuja.
The African Commission recommends that the State Party take positive steps to create an effective affirmative action mechanism to guarantee female participation in all spheres of government, and also enact at the Federal level, legislation prohibiting FGM, violence and discriminatory practices against women.	See response to item 22 above.
The African Commission recommends that the State Party introduce appropriate policies to address the high incidence of infant and maternal mortality, especially in the Northern part of the Country.	See under Part three item ii the National Health Strategic Development Plan 2010 (2010-2015) and item vi on efforts being made
The African Commission recommends that the State Party ensures that its electoral laws conform to the relevant principles in the Declaration of Principles of Freedom of Expression in its entirety and also it ratifies the African Charter on Democracy Elections and Good Governance.	The Electoral Act 2010 (Amendment) took into consideration the international standards. Ratification of the Charter under consideration. INEC is to be funded from the Consolidated Revenue Fund to guarantee its financial independence under the Constitution.
The African Commission also recommends that the FRN establish an effective monitoring mechanism for the implementation of decisions of regional and domestic bodies on violations of the rights in the Niger Delta, especially those against trans-national	The Federal Ministries of Justice and Foreign Affairs are collaborating in this regards.

corporations.	
The African Commission recommends that the FRN takes the necessary steps to amend its Constitution provisions sanctioning the death penalty and instead provide for its abolition.	Despite the Supreme Court's position on the constitutionality of death penalty multi-stakeholder consultations are still on-going with the federating units in a constitutional democracy to avoid imposition.
The African Commission recommends that the FRN ensure the enactment into law of the various draft Bills before it National Assembly, including: the Legal Aid Act (Amendment) Bill 2007, Nigeria Police Act (Amendment) Bill, 2007, Prisons Reform Bill; such as the Elimination of Violence in Society Bill, the Anti-Discriminatory Laws and Practices in Nigeria Bill.	Inter-Ministerial committee is currently reviewing these outstanding bills for the legislature. The NHRC (Amendment) Act 2011 came in force in March 2011 with the President's Assent. The Legal Aid (Amendment) Bill 2007 has been passed by the National Assembly and was assented by the President in July 2011.
The African Commission recommends that the FRN takes steps to ease the difficulties of access to justice occasioned by the high cost of litigation and the complex court processes, by measures such as the provision of mobile courts, introduction of para-legal officers in the judicial system and the use of interpreters and local languages in Courts.	Noted. See response to item 29 above.
Finally the African Commissions requests that the State Party report to it in the next periodic report, all the steps it has taken to address the areas of concern outlined as well as implement the recommendations in this Concluding Observations.	See parts 1-6 of this Report.
MATTERS FOR FOLLOW-UP FROM THE REPORT	
The African Commission welcomes the undertaking made by the delegation of the State Party to furnish it with additional information and updated statistics on issues the African Commission sought further clarification. These include:	
a) A detailed inventory of NGOs and CSOs operating within the FRN, the nature of their relationship and extent of the cooperation between these organisations and the Government.	See Annex 3 of the Report
b) The status of the various draft Bills currently before the National Assembly such as the National Human Rights Commission (Amendment) Bill, Prison Reform bill, Elimination of Violence in Society Bill, the Anti-Discriminatory Laws and Practices in Nigeria Bill.	The Inter-Ministerial Committee headed by the Federal Ministry of Justice is working closely with the legislature on accelerated hearing and passage.

c) The status of the Female Genital Mutilation (FGM) legislation which according to the State Party have been adopted by various States of the Federation.	See Part 4 item 1.4 of this Report
d) Statistical data on the level of women participation in all spheres of Government.	Gender Data Bank being developed by the Government under NCWD Abuja for this purpose.
e) Statistical data on the prevalence of FGM in all States of the Federation.	See Part 4 item 1.4 of this Report.
f) Detailed information on prisons and conditions of detention in the country.	See Part 4 Chapter 4 item 2.
g) A copy of the decisions of the Court of Appeal and the Supreme Court in the General Sani Abacha v. Chief Gani Fawehimi case.	See Attached Copies
The African Commission also requires information on the extent to which the content of the Freedom of Information Bill currently before the Senate, complies with the relevant principles in the Declaration of Principles on Freedom of Expression in Africa.	The FOI Act which was passed into law in May 2011 is consistent with International best practice from its rationale, objectives, principles, scope and expected impact on democratic governance.
The African Commission will also appreciate Information on Government actions to provide assistance for the resettlement of persons displaced by the bomb blast which occurred on January 2002 in Lagos State.	See Part 5 Chapter 16 item 11
As promised by the delegation, the African Commission expects to receive a detailed evaluation of the impact and effectiveness of the two national anti-corruption agencies: The Economic and Financial crimes Commission (EFCC) and the Independent and Corrupt Practices Commission (ICPC).	<p>The EFCC and the ICPC have both made significant inroads in combating corruption and other forms of economic and financial crimes in the last five years through successful persecutions and convictions of corrupt officials in both the private and public sectors of the economy. Both have continued to promote aggressiveness on the need for whistle blowing and raising the moral tome of the society by all stakeholders in the prevention and control of economic and financial crimes with corruption as the catalyst.</p> <p>As at November 2010 the EFCC has secured over 100 convictions and has about 1,500 cases it has filed pending in various courts all over the country. Out of these figure, just about sixty of them fall under the category of Politically Exposed Persons (PEPs) or high profile cases involving top politicians at all levels of governance.</p> <p>About 6.5 billion US Dollars have been recovered 2005 to date. Landed property in business concerns worth over 2trillion naira have been seized from 46 politicians and influential</p>

	<p>Nigerians in the last seven years by the Economic and Financial Crimes Commission (EFCC) following corruption charges preferred against them.</p> <p>The forfeited properties totaling 203 and scattered across the country and overseas were recovered on the orders of the courts.</p> <p>Apart from former Ekiti State Governor, the former managing Director of Oceanic Bank International Plc, Mrs. Cecilia Ibru, also forfeited N191bn assets comprising 49 properties in Nigeria, United States and Dubai, United Arab Emirates, to the FG, after a federal high court sentenced her to 18 months imprisonment in October 2010. The judiciary has continued to rekindle the hope of the nation with intermittent delivery of landmark judgement in some of the high profile cases (Sources: EFCC Abuja Magazine Vol. 5. No. 2 2010; EFCC Magazine Vol. 1 No. 1 May 2010 and the Sunday Punch Newspaper, Lagos, November 14, 2010, Vol. 17)</p>
<p>Finally, the African Commission desires information on whether the current National HIV/AIDS Policy provides the necessary medical care to prevent mother to child transmission of HIV/AIDS.</p>	<p>Yes. See Part 5 Chapter 14, Article 16 item 2 of this Report. The National HIV-AIDS Prevention Plan 2007-9 revised in 2010 contains a thematic area of focus on PMTCT.</p>

PART THREE: - GENERAL MEASURES OF IMPLEMENTATION: - ARTICLES 1, 25, 26 AND 62.

Having signed on 31st August 1982, ratified on 22 June 1983 and domesticated the African Charter on Human and Peoples' Rights as Cap.10 Laws of the Federation of Nigeria 1990 or Cap.A9 Laws of the Federation of Nigeria 2004, Nigeria has progressively been implementing the Charter through the following general measures: -

i. Legislative Measures:

- Incorporation as part of Nigerian Law of the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act Cap.A9 Laws of the Federation of Nigeria 2004.
- Guarantee of enforceable fundamental human rights in their civil and political contexts under Chapter 4 of the 1999 Nigerian Constitution.
- Constitutional obligations under Chapter 2 on all levels and organs of government exercising any executive, legislative and judicial functions and powers to ensure the progressive realization of the fundamental social, economic, political, educational, environmental, cultural and foreign policy objectives in Nigeria.
- The National Human Rights Commission (Amendment) Act, 2011
- The National Minimum Wage (Amendment) Act, 2011
- Employees/Workmen's Compensation Act 2011
- National Almajiri Child Education Policy 2010
- The Constitution of the Federal Republic of Nigeria (1999)
- Niger Delta Development Commission Act 2000
- National Environmental Standards, Regulations and Enforcement Agency (Est.) Act 2007.
- National Agency for the Control of HIV-AIDS (Establishment) Act 2007.
- Electoral Act 2010
- Child's Rights Act No. 26 2003
- Trafficking in Persons (Prohibition) Law Enforcement and Administration Acts, 2003 and as amended in 2005
- National Commission for Refugees Act (Cap N21, Laws of the Federation of Nigeria 2004)
- Universal Basic Education (UBE) Act 2003 (Amended in 2005)
- National Agency for Food & Drug Administration and Control Act Cap. N1 LFN 2004
- Criminal Codes (Federal and States) Act Cap. C.38 LFN 2004
- The on-going legislative and justice sector reform exercise aims at amending the following existing laws in order to ensure effective promotion and protection of human rights, access to justice, safety and security in Nigeria: a) Legal Aid Act (Amendment) Bill 2007; b) Legal practitioners Act (Amendment) Bill 2007; c) Parole System in Nigeria Bill 2008; d) Nigeria Police Act (Amendment) Bill, 2007; f) Prisons reform Bill, 2007.
- The 2009 Fundamental Rights (Enforcement Procedure) Rules which abolishes the locus standing and statutes of limitations in fundamental rights enforcement in Nigeria.

ii. Policy Measures

- The National Human Rights Commission Action Plan for the Promotion and Protection of Human Rights in Nigeria 2009-2013.
- National Peace Policy 2009
- National Policy on Internally Displaced Persons (IDPs) 2008-9.

- National Policy on Migration **2008-9**.
- National HIV-AIDS Prevention Plan **2007 (2007-9)**.
- National Health Policy **2004**
- National Strategic Health Development Plan **2010 (2010-15)**
- National Implementation Plan of Nigeria's Vision 20:20-20 (**2010-13**) **2010**.
- National Gender Policy on Education, **2008**
- National Teacher's Policy on Education, **2008**
- National Policy on HIV AIDS Education, **2008**
- National Gender Policy, **2007**
- National Child Policy of 2007 and its Strategic plan of Action/implementation framework **2007/2008**
- National Plan of Action on OVC and its Guidelines and Standard of Practice, **2007**.
- National Policy on Environment, **1999**.
- National Policy on Malaria Control (**2005**)
- National Guidelines on Micronutrients Deficiencies control in Nigeria (**2005**)
- National Guidelines and Strategies for Malaria Prevention Control During Pregnancy (**2005**)
- National Policy on Education **2004**
- Integrated Rural Development Policy **2001**
- National Policy on Poverty Eradication **2001**
- National Housing Policy for Nigeria.
- National Policy on the Elimination of Female Genital Mutilation (FGM) **2002**.
- National Environmental Sanitation Policy **2005**.
- National Strategic Framework and Plan for VVF Eradication in Nigeria (**2005-2010**)
- National Reproductive Health and Strategic Framework and Plan (**2002- 2006**)
- National Policy on HIV-AIDS (**2003**)
- National HIV/AIDS and Reproductive Health Survey (**2003**)
- National Policy on Food and Nutrition in Nigeria (**2001**)
- National Water Supply and Sanitation Policy (**2000**)

iii. Judicial Intervention/Measures;

In 1996, the Court of Appeal went a step further in *Fawehimni v Abacha* to hold that the African Charter, by virtue of its domestication, is in a class of its own from other national laws and supersedes other municipal laws (including, the Constitution and the military decrees). Justice Mustapha, speaking for the court said:

It seems to me that the learned trial judge erroneously acted when he held that the African Charter contained in cap 10 Laws of the Federation of Nigeria 1990 is inferior to the Decree of the Federal Military Government. It is common place that no government will be allowed to contract out by local legislation its international obligation. It is my view that, notwithstanding, the fact that Cap.10 was promulgated by the national Assembly in 1983, it is a legislation with international flavour and the ouster clause contained in Decrees No. 107 of 1993 or No.12 of 1994 cannot affect its operation in Nigeria.

Many other cases endorsed *Fawehinwi v Abacha* on the point of international flavour of the domesticated African Charter. These include: *Chima Ubani v. Director of State Security Service*,

Comptroller General of Prison v Adekanye and other. In the latter case, Justice Galadima of the Court of Appeal, Lagos said that:

The High Court should not shirk its responsibility to consider issues bordering on infraction of fundamental human rights as protected under Cap.10 Laws of the Federation of Nigeria under the thin disguise that there is ouster provision. I subscribed entirely to the observation of Mustapher JCA in Chief Gani Fawehimni v General Sani Abacha[] that the African Charter on Human and peoples Rights (Ratification and Enforcement) Act Cap.10 is superior to our municipal laws on question of human rights.

As mentioned above, the Supreme Court, in overruling the Court of Appeal in Fawehimni v Abacha (supra), held that the African Charter could not be superior to the Constitution, which is good reasoning, as the Charter could not supersede the very legal basis on which it was incorporated. But the Supreme Court did not say that the Charter is not superior to other statutes of the national Assembly, nor did their lordships overrule the statements of the justices of the Court of Appeal on the international flavour of the Charter, which gives it precedent over municipal laws, it is our submission that though the African Charter is on the same broad hierarchy with other laws of the National Assembly in terms of the decision referred to above, the Charter, as any other domesticated treaty, stands above the ordinary law of the national Assembly that is on concurrent hierarchy with it by reason of the judgements discussed above.

iv. **Institutional Measures for the Promotion and Protection of Human and Peoples' Rights:-**

- **The National Human Rights Commission** established by the NHRC Act Cap.N46 Vol.11 Laws of the Federation of Nigeria 2004 is mandated to promote and protect human rights and to ensure discharge of Nigeria's human rights obligations.

The National Human Rights Commission in partnership with stakeholders proposed amendment to the NHRC Act to strengthen her powers for effective promotion and protection of human rights in the country. This effort was supported by the government in line with the pledges and commitment she made to the United Nations in 2006 by presenting an executive bill proposing amendments to the NHRC Act. The bill was passed in early 2010 by both chambers of the National Assembly and was assented to by the President in March 2011.

The amendment Act among other things strengthens the powers of investigation of the Commission, makes her decision enforceable and with the same status as an order of a High Court in Nigeria. The Act also gives the NHRC financial and administrative autonomy, thus enabling it to discharge her mandate without control from government.

Nigeria is the second African country to have deposited National Action Plan on the Promotion and Protection of Human Rights 2009-2013 with the U.N. Secretary General. The NHRC played critical role in the development and publication of the NAP document. The NAP is an integrated and systematic national strategy aimed at realizing the enjoyment of human rights in Nigeria. It is also a commitment to concrete measures that can be adopted to entrench a culture of human rights in the country. The document was submitted by Nigerian Government at the Office of the High Commissioner for Human Rights in Geneva on 24th July, 2009. All Ministries, Departments and Agencies (MDAs) of government were sensitized on the need to mainstream the document into their developmental plans towards the end of 2009.

Establishment of Public Interest Litigation Unit: The Commission observed that majority of victims of human rights violations could not access the court for appropriate

redress either because of ignorance of the process or lack of financial resources. In order to assist victims seek appropriate redress and remedy and to ensure that perpetrators of human rights violations are brought to justice, the Commission established a Public Interest Litigation Unit. Through the activities of the Unit, many perpetrators were brought to justice including trans-national corporations and organized private sector. This has further brought justice to victims and sent signal to perpetrators that they could no longer violate citizens' rights with impunity.

National Working Group on Human Rights Treaty Reporting: Based on the advice given to the government by the commission, the Hon. Attorney General of the Federation and Minister of Justice constituted and inaugurated the National Working Group on Human Rights Treaty Reporting.

The National Working Group was to among other things, assist government to take proactive steps towards fulfilling her national and international human rights obligations, including those from UN Charter-based bodies such as Human Rights Council, ensure coordination and regular consultations among MDA stakeholders, ensure follow up actions on concluding observations and recommendations of UN and AU Treaty Bodies.

- **Legal Aid Council of Nigeria**

1. The Legal Aid Council of Nigeria established by Legal Aid Act No 56 of 1976 (as variously amended now Legal Aid Act Cap L9 LFN 2004) is a Parastatal under the supervision of the Federal Ministry of Justice. The Council is responsible for the provision of free Legal Aid Services to needy Nigerians who cannot afford the services of private Legal practitioners. The Council coordinates the activities of lawyers who provide pro bono services and its staff visit prisons to caseload Awaiting trial inmates, do jail delivery and monitor the conditions of detainees. Besides its jurisdiction over such cases as murder manslaughter, rape, stealing, common assault occasioning actual bodily harm affray. Malicious or willful wounding and conspiracy, aiding and abetting in the aforementioned criminal offences it undertakes civil claims in respect of (a) accidents and (b) breaches of fundamental rights in addition to the above the Council provides mediation services in all her state offices as her contribution to promoting Alternative Dispute Resolution.

Human Rights Activities of the Council

- a. The Council has secured funding to lead a World Bank Project in Kaduna State on Civil access to Justice. This programme is about to take off and would involve setting up Legal Aid Centres in 20 localities in Kaduna State. These are in the three Senatorial districts and 16 other local government areas plus the Ahmadu Bello University over a period of three years. The object is to bring civil access to justice to the grassroots in Kaduna state with specific focus on Alternative Dispute Resolution and a decongestion of the courts.
- b. The Council has also entered into a Memorandum of Understanding with Nigerian Universities Legal Aid Institutions (NULAI) to engage the hands of Law students in secondary access to justice-sensitization and awareness, case-loading and referrals to the Council. This would witness law students being used as foot soldiers of the Council in service delivery.
- c. On Stop Claim Shop For Motor Accident Victims (OSCAR): the Council is in collaboration with stakeholders (Police, Insurance Commission and Federal and State

Ministries of Health) are taking motor accident claims services to Kogi, Kaduna, Nasarawa and Niger States following a successful pilot scheme of SERVICOM in Abuja. The Council won the bid to roll the scheme out in those four States after inheriting the scheme in FCT. This scheme has seen uninsured vehicles reduced from 90% to about 20% in Abuja. In the period between September 2009 and August 2010 the scheme completed on the claims of 36 persons involving a total claim of N6,376,000.00. The unit continues to discourage invalid motor vehicle insurance by verifying the validity of motor insurance certificates and directing motorists to where they can obtain valid insurance.

- d. The service delivery records of the Council, up to the year ending 2009 are as tabulated below:

Applications Received	Applications Granted	Applications Rejected	Completed Cases	Cases Pending
83,626	72,410	11,216	49,420	22,990

Source: Legal Aid Council, Nigeria: March, 2011.

- **The Legislature**

In Nigeria, the Senate and House of Representatives (the two houses of the National Assembly) have committees on human rights, judiciary and legal matters with oversight function on national human rights institutions and other government agencies to ensure the effective promotion and protection of human rights. The National Assembly also has a specific responsibility for the domestication of all international instruments. Some of the legislations passed, or are in the process of being passed by the Assembly include: (a) National Action Plan on Human Rights; (b) Domestication of the International Convention on the Rights of the Child into the Child Rights Act; (c) The Freedom of Information Bill; (d) Anti-discrimination Bill; (e) Prison Reform Bill; (f) Administration of Justice Reform Bill; and (g) Debate on the Death Penalty.

The relevant Committees of the National Assembly are also engaged in the promotion and protection of human rights through their collaboration with the National Refugees Commission, National Human Rights Commission, as well as meetings with human rights CSOs and NGOs. Future activities of the Committees include: public hearing on the status of the refugees and internally displaced persons in Nigeria; public hearing on Nigeria's ratification of international human rights instruments; Consultations with National/State Houses of Assembly on legislation for the promotion and protection of the rights of women and children. The Committee also intends to publish a quarterly report of its activities.

- **Law Enforcement Agencies and Human Rights**

The obligation to respect human rights by all law enforcement agencies, including the police, prisons, security institutions, etc. is contained in Chapter 4 of the Constitution, the Police Act and other legislations or enabling national laws. In addition, all law enforcement agents have the obligation to respect the provisions of the various human rights and humanitarian laws to which Nigeria is a signatory. In pursuance of this, all law enforcement outfits have established human rights desks for the purpose of human rights

training taught in the law enforcement agencies institutions as well as monitoring activities of the law enforcement agents to ensure that they comply with acceptable human rights standards.

v. Challenges

One important challenge is the low level of literacy and high percentage of poverty among Nigerians.

Further, paucity of funds have affected the ability of main line ministries and agencies responsible for the promotion of security, socio-economic welfare and poverty eradication programmes and projects to effectively implement most of the provisions of the economic, social, cultural, environmental and developmental rights guaranteed under the Charter.

Below however are some of the efforts made within the reporting cycle to address the above challenges and to improve on the quality of implementation of the provisions of the Charter in Nigeria.

vi. Efforts by Nigeria to implement the MDGs as an emerging Human Rights framework: social, economic, environmental and developmental contexts (2006-2010)

Following the Millennium Declaration in 2000, Nigeria began the systematic implementation of several policies and programmes in order to attain the different targets set for the various MDGs by 2015. Over the years, a few targets have been modified and refocused to make them reflect local peculiarities as well as target more specific and measurable problems.

The debt-relief secured in 2005 provided an opportunity to commit additional resources to the MDGs in Nigeria. Since 2006, one billion (\$1 billion) dollars, about (N150 billion) one hundred and fifty billion naira, had been gathered from the Paris Club debt relief, out of which \$750 million dollars (N113 billion naira) accrued to the Federal Government, and \$250 million dollars (N375 billion naira) to state governments.

The Debt-Relief Gains (DRG) are appropriated every year in the Federal Budget by the National Legislative Assembly, which has an oversight function.

The creation of the Presidential Committee (drawn from the relevant ministries and agencies responsible for MDGs 1-8; private sector, State Governors' Forum representatives, relevant Senate and House of Representatives committees, four CSO representatives and international development partners on the MDGs that guides the nation towards their achievement, and the appointment of the Senior Special Assistant to the President on MDGs (SSAP-MDGs) to assist in coordinating efforts to achieve the MDGs, demonstrates Nigeria's commitment to the MDGs. The Office of the SSAP-MDGs (OSSAP-MDGs) functions as secretariat to the Presidential Committee, and is responsible for overseeing the DRG for MDG related expenditure through the operations of a virtual Poverty Fund (VPF) called Overview of Public Expenditure in Needs (OPEN).

Following the experience of the year 2006 DRG where many Ministries, Departments and Agencies (MDAs) were unable to effectively implement their appropriations, Conditional Grants Scheme (CGS) was appropriated since 2007 under Capital Supplementation as grants, to

MDAs States or Local governments, with conditions that allow greater oversight on expenditure than ordinary budget line items. For state grants, Guidelines and an Implementation Manual have been developed to guide the CGS. Accordingly, in 2007, out of the N20 billion naira appropriated for the office of the SSAP-MDGs, N18.4 billion naira was allocated to State governments under the CGS, and that N300 million was returned to the treasury as unspent fund.

Sectoral allocation of CGS Project Funds, 2007-2009, reveal the following: In 2007, out of the N18.4 billion allocated to States with sectoral focus on primary health care, water and sanitation, Electric Power and Public-Private Partnerships, 40% went to health, 46% to water and sanitation and 14% went to economic projects. Counterpart project funding was voluntary from states. States have completed their projects with over 98% implementation and have submitted detailed completion reports and audited statements of accounts.

In 2008, the sectoral focus was on water and sanitation, emergency obstetric care, roll back malaria and youth empowerment. Federal grants of N24.4 billion naira made for a total value of N48.8 bn, out of which health got 49%, water 42% and economic projects 9%. Implementation of the above critically focused MDGs by States stood at over 95% nationwide (as at August 2010) and States have submitted their completion reports.

In 2009, the sectoral focus was on primary healthcare, water and sanitation, agriculture, conditional cash transfers, and skills/literacy/economic empowerment. Federal grants of N27.0 bn made for a total project value of N53.6bn, out of which 48% went to water, 43% to health and 9% to economic projects. Mandatory counterpart funding of 50% was required from States for the CGS grants. As at July 2010, implementation stood at 12%, and 16 out of 27 States reporting have awarded contracts.

In 2010, out of the N35.02 billion naira appropriated, DRG funded Conditional Grants to States and 113 Local Government Areas with sectoral focus on the following initiatives (with diverse ongoing and new activities): - Rollback malaria programme; MDGs sickle cell anaemia management programme; HIV-AIDS; water supply; GIS mapping of DRG interventions 2006-9 nationwide; Harmonization of development statistics; and provision of Maths and English textbooks to primary 6 nationwide.

The conditional grants to the 113 LGAs sectorally focused on health and education in order to improve community involvement, sustainability and accelerate achievement of the MDGs. The selection criteria of the Local Governments endorsed by the National Executive Council were based on need (MDGs indicator), capacity to account for funds, quality of governance and commitment to service delivery.

It is evident from the above that, the CGS has been used to channel DRG funds to more effective investments in achieving the MDGs. All the 36 States of the Federation have benefited under the CGS to states. Implementation performance under the CGS has been impressive, but needs to be sustained. States have submitted extensive documentation for 2007 and substantially for 2008 and demonstrated transparency in the use of funds. This open partnership needs to be deepened and developed further.

a) Critical Role and Contributions of CSOs towards the Implementation of the MDGs in Nigeria

The Civil Society in Nigeria is a huge reservoir of human resources, talents, skills, experiences, energies, enterprise and the entrepreneurial spirit. Given the appropriate conditions these resources that are found in civil society are easily accessible and can be

productively utilized. What is therefore needed is the creation of the enabling environment within which these domestic resources and talents could be released or consolidated and foreign ones attracted and retained.

The success recorded so far in the implementation of the MDGs in Nigeria can partly be attributed to the realization that civil society and government relations is a unique initiative that recognizes and underlines the fact that the great potential for service to the people lies in effective cooperation and collaboration between Civil Society Organization (CSOs) and government at all levels.

In Nigeria, the civil society banner encapsulates several coalitions of NGOs, FBOs, CBOs, other professional bodies, labour unions and the media. CSOs are now an integral part of the landscape and have entrenched themselves in the economic and social fabric of the country. They play a prominent role in the country's drive to achieve the MDGs for sustainable human development. The CSOs approach to the implementation of the MDGs is rooted in the desire to make Nigeria a better, stable and prosperous place for all those who live in it. CSOs therefore address issues ranging from health, food security, poverty eradication, education, women and youth empowerment and gender equality, agriculture, environmental protection etc. They build the capacity of people in various skills areas: like budget tracking, monitoring and evaluation, farming and gardening, water and sanitation, small-scale enterprise development, micro-finance etc.

Advocacy is also a key component of CSOs agenda in Nigeria. Hence issues like child protection, girl child education, pro-poor policies and gender mainstreaming feature prominently in their portfolio of activities.

The scale of CSO activities and their target groups also varies. The bigger coalitions like GCAP, CDD, CISLAC, CISHAN, NCWS, BTAN, FOMWAN, NNNGO, NINFBO, CISCOPE, Action Aid etc have a nationwide or zonal outreach while others are highly localized due to financial and logistical constraints,. Some national NGOs have an outreach and financial resource capacity that enable them to better cover the states and local governments as well as rural communities in the country. The bigger CSO Coalitions have a diversified portfolio of activities and their MDGs are cross-cutting. This made it extremely difficult to tie them to any particular MDG. Such CSOs have been categorized under cross-cutting issues of Table 3 below.

Table 3: CROSS CUTTING: CSOs with a Diverse Portfolio on MDGs in Nigeria

No.	WHO? (NAME OF CSO)	WHAT THEY ARE DOING
1.	Global Call to Action Against Poverty (GCAP) Nigeria	Advocacy and campaigning for the poor (MDGs 1, 2, 7 and 8), capacity building of CSOs, building partnerships
2.	Centre for Democracy and Development (CDD)	Monitoring and evaluating the Debt Relief Gains and MDGs programmes and Budgets in all the States of the Federation (MDGs 1 – 8).
3.	Civil Society Legislative Advocacy Centre (CISLAC).	Legislative advocacy and capacity building of CSOs on budget tracking of MDGs allocations (MDGs 1 – 7).
4.	Action Aid – Nigeria	Adolescent and Reproductive Health, HIV-AIDS (MDGs, 3 – 6).
5.	Civil Society Against HIV-ADIS in Nigeria (CISHAN)	Health, HIV-0AIDS (MDGs 4 and 6)
6.	Coalition of Women's Groups: - National Council of Women's Societies (NCWS),	Pro-poor policies, women empowerment, maternal health, health and HIV-AIDS (MDGs 1, 3 to 6).

	Advocacy Nigeria, WRAPA, Medical Women's Association of Nigeria, Nigerian Association of Women Journalists, International Federation of Women Lawyers, Federation of Muslim Women's Association of Nigeria (FOMWAN), Women's Right to Health Information (WORTH).	
7.	Budget Transparency and Accountability Network (BTAN).	Pro-poor policies, advocacy and capacity building for CBOs on budget and good governance (MDGs 1, 2 & 8)
8.	Nigeria Network of NGOs (NNGo)	Advocacy and campaign against poverty and social injustices, building partnerships (MDGs 1, 2-3, 7-8)
9.	Coalition of Faith-based Organizations (FBOs): - PADEAP (Katsina), Micah challenge, Christian Health Association of Nigeria (CHAN) (Jos), Nigeria Network of FBOs on MDGs (NINFBO) and Make Poverty History (Lagos).	Pro-poor policies, humanitarian relief assistance relating to health, food, HIV-AIDS, water and sanitation, education, poverty eradication, gender equality and women empowerment, capacity building of CBOs, monitoring and evaluation of MDGs programmes and projects (MDGs 1 – 8).
10.	Society for Family Health	Health, adolescent and reproductive health, HIV-AIDS (MDGs 3 – 6).
11.	Civil Society Coalition for Poverty Eradication (CISCOPE)	Pro-poor policies, food security, health, agriculture and capacity building of small scale rural farmers (MDGs 1 – 6).

Source: - Reports of various Coalitions of NGOs, FBOs and CBOs in Nigeria by the MDGs Nigeria Campaign Group sent to the Resource Person (Prof. M.T. Ladan, Faculty of Law, ABU, Zaria) on 2/9/10 to draft this paper for presentation at the UNMDGs Review meeting in New York, USA, 18-22 Sept. 2010.

b) CSOs Activities in the Implementation of the MDGs in Nigeria

CSOs engagement in the implementation of MDGs contributes to: - poverty reduction, increase in enrolment and retention of children in school, women and youth empowerment, maternal and child mortality reduction, reduction in stigma and discrimination against PLWHA, increase in accessible safe drinking water etc, in a number of ways, including: -

i. Monitoring and Evaluation (M&E) of the MDG allocations to MDAs, States and LGAs.

The DRG – M and E is operationalised through a partnership between Private sector professionals and civil society organizations in Nigeria. It is a results-based and objective mechanism that provides independent and credible feedback on implementation and impact of DRG investments to Government, the general public and the international community.

Presently, there are more than 170 CSOs in Nigeria monitoring and evaluating the MDGs with support from the Federal Government (OSSAP- MDGs), UNMC, UNDP, EU, DFID etc.

The civil society arm of the National Monitoring and Evaluation Team (NMET) is led by CDD. A total of 38 CSOs are involved in the M and E exercise in all the 36 states and the Federal Capital Territory (FCT) Abuja. The objectives of the NMET are to:

- Optimize utilization of resources by identifying leakages, diversions, tolls, bottlenecks etc;

- Ensure compliance with implementation plans by the MDAs, especially relating to coverage, quality, outputs and outcomes at local levels; of public expenditure, especially, the DRGs to Nigerians and the international community;
- Provide information for analysis to identify resource and capacity gaps in the attainment of the MDGs.

To achieve the objectives stated above, the following M and E tools are being used: - Project site visitations; Focus Group Discussions; Interviews with beneficiary communities and with MDAs.

Results

Since the inception of this exercise in 2006 the following are some of the results with regards to the implementation of the MDGs project in Nigeria: - increased awareness and consciousness of implementing bodies, civil society organizations and benefiting communities to the importance of monitoring and evaluating the MDGs projects in particular and public service delivery in general; it has helped to revive hitherto moribund projects of the federal government in the respective states especially the Federal Colleges of Education, the Federal Medical Centres and the PHCs; it has also made the federal and state governments to forge a partnership to address the needs of the poorer segments of the society especially with the introduction of the Conditional Cash Transfer and Quick wins and lastly Nigeria is one of the key countries in Africa to have fully implemented an M&E framework that integrates the input of Non State Actors.

As we approach the 2015 deadline, the DRGs have the potential to help Nigeria accelerate progress on the MDGs attainment if they are properly implemented. The diversity and importance of the projects that have been implemented so far starting from 2006 deserve commendation. However there is a need for increased community awareness and continuous monitoring and evaluation in order that the programmes can bring the much desired change.

Independent M&E process have provided vital feedback and guided the DRG investments by: -

- Highlighting challenges and abandoned projects
- Harmonizing monitoring with project implementation
- Adequate and timely response by government to data and information

Immediate next steps include conclusion of the 2008 M&E Report and commencement of the 2009 M&E exercise.

Incorporation of GIS Mapping to illustrate breadth and scale of impact and huge number of project sites nationwide.

Institutionalization of lessons learned through National M&E framework for the implementation of vision 20:20:20 M&E plan by the National Planning Commission.

Findings

- Diligence in Project implementation;
- Performance level increased in the 2008 M&E compared to 2006 & 07;
- Near unanimity that programmes will enhance development;

- Marginalized groups benefit from the poverty reduction project/CCT of NAPEP;
- Lack of effective project supervision by implementing bodies;
- Low quality compliance;
- Low level of awareness/involvement of communities;
- Improper branding of MDGs;
- Limited number of CSOs involved in the M&E.

ii. Constructive CSO Partnership with Parliamentarians on MDGs

Aware of the crucial role of the National and State Legislative bodies in appropriation funds/DRG and their active oversight functions on MDGs projects, the CSOs in Nigeria, led by the Civil Society Legislative Advocacy Centre (CISLAC), Abuja, resolved in 2007 to launch a sustained legislative advocacy and capacity building activities on the implementation of the MDGs in Nigeria.

CISLAC targets specific and relevant legislative processes to advance the agenda of the MDGs within such processes. In this regard, CISLAC has organized numerous MDGs awareness activities for members of the legislative at both the states and national levels. Such activities include regular advocacy visits, roundtable dialogue and information sharing on how best to formulate effective decisions and enact laws that would enhance the achievement of the MDGs, promote equity and address poverty in Nigeria.

CSLAC has also intensified efforts in building the capacity of staff of the legislature house committees on MDGs and national planning matters with a view to enhancing their legislative reporting skills and improve on the oversight role of the legislative committee members.

The above constructive engagement efforts have resulted in the following: -

- In the discharge of its oversight functions, the House of Representatives committee on MDGs has institutionalized a regular interface between the committee, the implementing agencies and the National Monitoring and Evaluation Team (NMET). This periodic MDG public hearing has served as an effective monitoring and evaluation tool for the legislators and other stakeholders. The latest of such interface was the 3-day public hearing organized in July 2010 by the House MDG Committee to assess the level of implementation of MDGs in Nigeria between 2007-2010. The hearing revealed that the MDGs project has gulped N1.04 trillion naira since 2006; and that Nigeria has not only shown the needed commitment but initiated actions and measures to realize the objectives of the MDGs by the target year 2015.
- Enhanced informed debates by parliamentarians on the MDGs resulting into increased budgetary allocations to critical MDG sectors: - education, health, poverty reduction, agriculture, energy etc.
- Establishment and commissioning of the MDGs Resource Centre on 27th July 2009 within the National Legislative Assembly, Abuja by the Speaker of the House of Representatives on behalf of the House Committee on MDGs, CSOs and Planned Parenthood Federation International (PPFI) that supported its establishment. The Centre aims at: collating resource materials in both print and electronic forms on MDGs; sharing information and deepening our mutual understanding as well as

updating legislators on MDGs implementation progress. The centre is the first of its kind in any parliament in Africa.

- Formation of legislative caucuses on MDGs at the national and State Legislative Assemblies.
- Enhanced legislative committee staff reporting skills on MDGs.
- Establishment in 2010 of African Parliamentarians Forum on MDGs arising from CISLAC's 2009 collaboration with the Millennium Campaign that scaled up closer collaboration with the House of Representatives Committee on MDGs that hosted the regional consultative meeting in Abuja. The Forum aimed at sustaining campaign among African Parliamentarians on the MDGs.

CISLAC has also embarked upon capacity building efforts for NGOs, CBOs and FBOs on budget tracking of MDGs allocations.

iii. CSOs: Giving Voice to the Poor, Service delivery and accountability of development activities

MDGs implementation capacity of CSOs in Nigeria can be seen in the following instances: -

- Promoting Public consensus and local ownership for reforms and for national poverty reduction and development strategies by creating knowledge-sharing networks, building common ground for understanding, encouraging public-private cooperation, and sometimes even diffusing tensions;
- Giving voice to the concerns of primary and secondary stakeholders, particularly poor and marginalized populations, and help ensure that their views are factored into policy and programme decisions;
- Strengthening and leveraging impact of development programs by providing local knowledge, identifying potential risks, targeting assistance, and expanding reach, particularly at the community level;
- Bringing innovative ideas and solutions to development challenges at both the local and national levels;
- Providing professional expertise and increasing capacity for effective service delivery especially in environments with weak public sector capacity; and
- Improving public transparency and accountability of development activities, and thus contributing to the enabling environment for good governance.

PART FOUR: - INDIVIDUAL CIVIL AND POLITICAL RIGHTS: - ARTICLES 2-13

Chapter 1: - Rights to Non-Discrimination and Equality before and Equal protection of the Law: - Articles 2 and 3.

1.0 Legal/Policy and Administrative Measures.

1.1 Non Discrimination

- Section 42 of the Nigerian Constitution guarantees the right to freedom from discrimination on the ground of sex, religion, ethnicity, political opinion, circumstances of birth, place of origin etc except in accordance with the constitutional limitations provided therein;
- Section 16(1)(b) obligates the State to ensure the control of the national economy in such a manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity;
- Section 17 obligates the state to ensure that in furtherance of the social order founded on ideals of freedom, equality and justice: -
 - a) Every citizen shall have equality of rights, obligations and opportunities before the law;
 - b) All citizens without discrimination on any group whatsoever, have the opportunity for securing adequate means of livelihood as well as adequate opportunity to secure suitable employment;
 - c) There is equal pay for equal work without discrimination on account of sex, or on any other ground whatsoever.

1.2 Measures taken to deal with cultural practices affecting children.

Specific measures taken by the Government to combat such harmful cultural practices against the best interest of the child include:

- Prohibition of child marriage and child betrothal under **Sections 21 and 22** of the **CRA**.
- Prohibition of tattoos and skin marks under **Section 24** of **CRA**
- Prohibition of Child Trafficking by Trafficking in Persons (Prohibition) Law Enforcement and Administration Act **2003**
- Edo State Law on Female Genital Mutilation (FGM)—**2000** bans the practice of FGM and prescribes the punishment of N1000 fine or six months imprisonment for its violation.
- Bills prohibiting Female Genital Mutilation have been passed in eleven states such as Edo, Ebonyi, Enugu, Cross-River and Bayelsa States.
- The National Policy on Food and Nutrition in Nigeria **2001** addresses among others, cultural nutritional practices that cause deficiencies associated with high rate of infant mortality and morbidity.
- The Northern States of Zamfara, Sokoto, Kebbi, Kaduna, Kano, Jigawa, Yobe, Bauchi, and Borno, where the Shari'a Legal system is being applied, have witnessed commitment of government to the welfare of the less privileged children, notably orphans and the numerous child beggars prevalent in those states.
- The Shari'a Legal system does not provide for adoption but allows for fostering and inheritance rights defined by a will (**Wasiyyah**) for fostered children, thereby guarding against possible discrimination against such children.

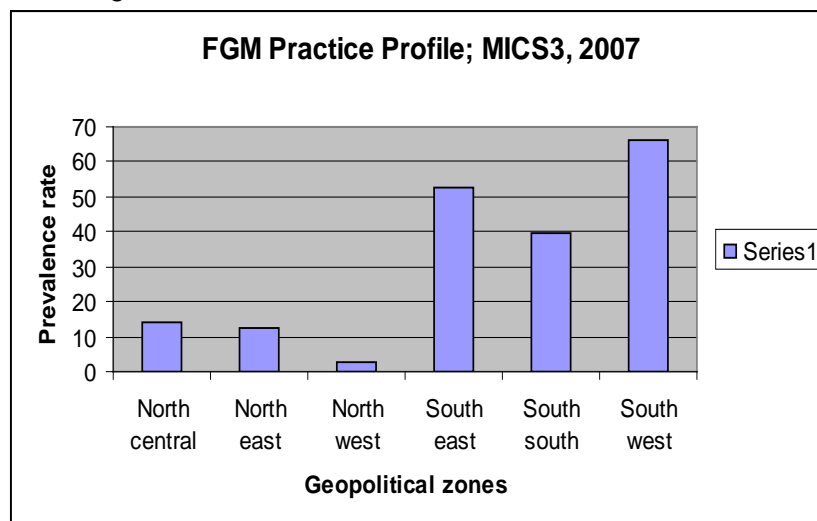
- There are on going efforts across the country by NGOs to scale up children participation in decision making in schools - particularly in the areas of school administration, drafting school's time table, choice of prefects and involvement in Parent/Teachers Association meetings.

1.3 FGM and Intervention Measures

- The 2002 National Policy on FGM is still being implemented based on the annexed 2002-08 National Plan of Action.
- The prevalence rate of FGM is on a declining trend in Nigeria. This was due to the various policies and legislations that have been put in place against the practice. While data from the NBS, 2006 gave the prevalence rate of FGM as 32.6%, MICS 3, 2007 gave the prevalence rate as 26%.

There is some degree of variation in the level of practice of FGM across the six geopolitical zones in the country. The South West has the highest prevalence rate with 66.2% followed by South East 52.7%. South-South 39.5%, North Central 14%, North West 2.8% and North East 12.3%. It is more prevalent in the urban centres, 36.2% compared with the rural area 20.8%. [MICS 3, 2007]

Figure 3: - FGM Practice Profile



Source: FGM Practice Profile MICS3, 2007/Nigeria Demographic and Health Survey, 2008-9

- Further, The Federal Ministry of Health has since 2004 commenced the commemoration of the 'Female Genital Mutilation (FGM) Day' on the 6th day of February. In 2005, programmes were organized to mark the International Day of Zero Tolerance and commemorate the 'Female Genital Mutilation (FGM) Day'. The series of activities included the training of about 120 nurse tutors on integration of FGM prevention and management into the schools curricula of Nursing/Midwifery/Public Health Nurses/Community Health Officers - in four health zones, namely South East, South West, North East and South South.
 - On the question of whether there are follow-up activities and programmes, records put together by the Federal Ministry of Health tagged: Best Practice

on the Elimination of Female Genital Mutilation-The Nigerian Experience shows that :

- i. Local communities are being mobilized in the states that have passed the Bill prohibiting FGM, to form coalition lobbying groups against all forms of harmful practices affecting women and girls at the state level.
- ii. Advocacy visits by the Technical Working Group on the elimination of FGM to other states that are yet to pass the anti-FGM bill is on-going.
- iii. Recognizing the important roles played by the Traditional Birth Attendants (TBAs) as the ones available to attend to most of the deliveries at the local levels, training them was discovered to be important in two ways. Firstly, those who practice FGM would be sufficiently sensitized to give up the practice and secondly, all trained TBAs are mobilized to be effective change agents in the eradication of FGM. Arising from this therefore, the Federal Ministry of Women Affairs and Social Development organized a 3-day training workshop for TBAs in each of the six geo-political zones of the country, in order to boost their capacity in deliveries and disseminating the anti-FGM message.

1.4 Administrative and Legislative Measures to Accelerate Equality

The National Gender Policy 2007 provides the framework for ensuring the acceleration of equality between men and women. The document specifies guidelines for the promotion of gender equality in all sectors of the economy.

1.5 Special Measures Taken to Ensure Equality between Men and Women

Government and civil society organizations in Nigeria have put in place measures to ensure the acceleration of equality between men and women. At the national level, the NEEDS document of the Federal Government provides for the engendering of all programs emanating from the document through affirmative action.

Other measures for ensuring the full advancement of women outlined in this report contribute to providing accelerated mechanisms for achieving equality between women and men. These cumulative efforts have helped to bridge disparities in equality and fast track the processes in the period under review.

Following the financial gains that accrued to the Nigerian government as a result of the debt relief it secured in 2005, special funds have been allocated to the FMWA & SD. The Special funding provided through the Debt Relief Gains and Millennium Development Goals office is to accelerate capacity building of the Women Affairs Ministry and other concerned actors to effectively monitor MDG implementing sectors for gender equality compliance.

1.6 Political Parties

Efforts were made by the FMWA & SD, CSOs and the National Coalition on Women's Political Participation to engage political parties on the need to adopt the policy of affirmative action towards ensuring increased participation of women in party politics particularly in the 2011 elections. This resulted in the gains made by women in the Current dispensation earlier highlighted in this report. Female Political Pressure groups were set up to build the capacity of female aspirants, encourage more women to register and join political parties and participate more effectively in the political processes.

1.7 Challenges

Despite the concerted efforts that the federal and state governments and gender machineries are making, at ensuring gender equality in all sectors, policies and programmes, challenges that are attributable to patriarchy, deep rooted traditional beliefs and customs, low level of male involvement and participation in creating change, have contributed immensely to the perpetuation of gender inequality in the country.

1.8 EQUALITY IN MARRIAGE AND FAMILY

1.8.1 Proactive and Innovative Measures to Remove Contradictions in the Tripartite Act

- To further guarantee equality in marriage, Section 21 of the Child's Rights Act stipulates eighteen years as the minimum age for marriage and betrothal. This takes care of the absence of a fixed age of marriage in the Marriage Act, Cap. M6, Vol. 8, Laws of the Federation of Nigeria, 2004, and the Matrimonial Causes Act, Cap. M.7, Vol.8, Laws of the Federation of Nigeria, 2004, and outlaws the arbitrary fixing of age of marriage under customary and traditional practices. At least 22 states of the Federation have adopted the provisions of the Child's Rights Act, 2003.

1.8.2 Other Related Initiatives by NGOs and Government

- Also worthy of mention here are the health sector initiatives on gender-based violence embarked upon by Federal Ministry of Health. These include the development of a draft policy guideline for the management and control of Gender-Based Violence (GBV) targeting health workers, law enforcement agents and the Judiciary. This is a follow-up to the findings of its 2003 National HIV/AIDS and Reproductive Health Survey.
- Between 2004 and 2010, the under listed Nigerian NGOs and several others, engaged in diverse public education activities, capacity building initiatives, legal assistance and counseling services for female victims and survivors of violence and violation of human rights: Project Alert, Lagos; WRAPA, Abuja; BAOBAB for Women's Human Rights, Lagos; WACOL, Enugu; Action Health Incorporated, Lagos; Girls' Power Initiative (GPI), Calabar; WOCON, Lagos; CIRDDOC, Enugu; WOTCLEF, Abuja; Women's Optimum Development, WARDC, Lagos; GADA Lagos; LRRDC Lagos, AHIP, Kano; GHARF Enugu; WHARC, Benin etc.

- **Challenges**

Dearth of gender disaggregated data is a major constraint to the achievement of equality of women and men before the law, depriving gender actors evidence to argue for affirmative action and gender specific concessions and interventions as a strategy for attaining gender equality. There is need to have useful data on the prevalence and pattern of violence against women and discriminatory practices in the various parts of the country.

Another constraint is the inadequate legal framework and enforcement mechanisms for existing legislation. Whereas Nigeria is signatory to an array of international human rights instruments which affirm in clear terms the aspirations of

enhancing women's rights, Nigeria also has an array of laws reflecting aspirations in direct variance to what these international instruments espouse. Nigeria still has many customary laws that provide institutional support for practices such as early marriage, early and unspaced child bearing, FGM, widowhood rites and dis-inheritance that limit women's enjoyment of their right to equality. Even where statutory laws exist to outlaw some of these inimical customary and cultural practices, practical experience and evidence abound that enforcement level is negligible.

CHAPTER 2

Right to Life: - Article 4

1. Constitutional and Judicial Measures

Section 33 of the Constitution of the Federal Republic of Nigeria, 1999 guarantees the right to life. Although the Constitution permits courts of competent jurisdiction to impose the death sentence, it must be emphasized that such executions can only be lawful where there is no appeal pending against the death sentence so imposed. Thus the Supreme Court of Nigeria in **BELLO v. ATTORNEY GENERAL OF OYO STATE (1986) 12 S.C.1** awarded damages against the Government of Oyo State for executing a condemned criminal whose appeal was pending at the Court of Appeal. Appeals in such circumstances operate as a stay of execution of the death sentence. However, Section 221 (1) of the Child Rights Act 2003 provides as follows: - "No child shall be ordered to be subject to "the death penalty- or have the death penalty recorded against him or her".

2. Policy and Administrative Measures to Promote and Protect the Survival Rights of Women and Children.

I Policy Measures

The National Child Policy 2007, the National Gender Policy 2007, the National Plan of Action on Orphans and Vulnerable Children 2006, the National Reproductive Health Policy and Strategy 2001, the National Policy on HIV-AIDS 2003, the National Policy Health Policy and Strategy, 1998 and 2004, the National Policy on the Elimination of Female Genital Mutilation, 1998 and 2002, the National Adolescent Health Policy 1995, the National Policy on Maternal and Child Health, 1994, and the National Policy on Population for Development, Unity, Progress and Self-Reliance, 1998 and 2004, all constitute the key policy frameworks that seek to promote the survival rights of Nigerians, especially women and children, to achieve quality reproductive and sexual health for all Nigerians including women and girls.

a) Survival of Children

Government's unalloyed desire to secure the survival rights of the Nigerian child are evident in the numerous activities and efforts that have been put in place, notably:-

The development of the Integrated Maternal, Newborn and Child Health Strategy in the Federal Ministry of Health launched in March 2007;

The establishment of Social Mobilization Committees at national, state and local levels, on the immunisation of children against poliomyelitis and other childhood killer diseases;

Regular de-worming exercises for children in primary schools across the country;

Free pre and post-natal medical care for pregnant women, and children up to the age of five years;

- Iodine and Vitamin A Supplementation Exercises;
- The "Roll-back Malaria" project; including the popularization of the use of insecticide treated mosquito nets;

- Various interventions by states and local governments in cases of abject destitution and hardship, particularly where children are involved;
- The promotion of exclusive breast-feeding for the first six months of life;
- The promotion of household and community practices for child survival such as parent and community education initiatives;
- Group monitoring for Under-Fives;
- Oral rehydration therapy for diarrhea and gastro-intestinal diseases;
- Integrated Management of Childhood Illness (IMCI); and
- School Feeding Programmes in Abia, Benue, Enugu, Imo, Kogi, Nasarawa and Osun States.

Chapter 3: - **Right to Human Dignity and Prohibition of Torture and Inhuman Treatment: Article 5**
1. **Constitutional and Judicial Measures**

- Section 34 of the 1999 Nigerian Constitution guarantees the right to human dignity and to freedom from torture, inhuman or degrading treatment, and freedom from being held in slavery or servitude as well as freedom from being subjected to any unconstitutional forced or compulsory labour.
- Although the death penalty may be a form of cruel, inhuman and degrading treatment, the Supreme Court of Nigeria in *Kalu Onuoha v. The State* (1998) held that it was nevertheless constitutionally permissible, having regard to the qualified nature of the right to life under the constitution.
- However, an inordinate delay in the execution of death sentence may amount to inhuman and degrading treatment. In the case of *Peter Nemi v. Attorney General of Lagos State and Anor* (1996)6 NWLR 587, the Court of Appeal held that the right to human dignity avails condemned prisoners. Consequently, ending the life of a condemned prisoner must be done according to due process of law, and the due process of law does not end with the pronouncement of sentence.
- *Chief Chinedu Eze and 1 Other v. Inspector-General of Police and 4 Others* (2007) CHR pages 43-68: - The Court in its judgement referred, amongst others, to Articles 5 and 6 of the African Charter on Human and Peoples' Rights which guarantees the right of every individual to the dignity of his person and to liberty and the security of his person. Happily today, apart from ratifying the African Charter on Human and Peoples' Rights, Nigeria has gone a step further by enacting this Treaty into Municipal law. Thus, by virtue of the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act (Cap 10) Laws of the Federation of Nigeria, 1990 the provisions of the Charter have the force of law in Nigeria. It is therefore established that international treaties which have been enacted into local laws pursuant to Section 12 of the Constitution are enforceable by Municipal Courts in Nigeria. See *Oshevire v. British Caledonia Airways* (1987) 4 NWLR pt. 163 at 507 and *Ibidapo v. Lufthanse Airlines* (1997) 4 NWLR pt 498 at page 128.

The African Charter has thus been domestically applied in a plethora of Cases such as *Ogugu v. The State* (1996) 9 NWLR (pt. 366) Director SSS. V. Olisa Agbakoba (1998) NWLR pt. 595 at page 425. *Nwangwu v. Duru* (2002) 2 NWLR pt. 751 at page 265. It goes without saying that the observance of human rights is a tribute to the rule of law.

- In 2009 the FGN set up a Committee on the Prevention of Torture to review allegations/complaints of torture in law enforcement detention centres and police cells etc with a view to recommending appropriate intervention measures to be taken by the Federal Government against violators. At the time of this report, there is no available report of the activities of the committee.
- The Legal Aid Council is in collaboration with Lawyers Without Borders, France and the Nigerian Bar Association in conducting training and creating awareness on the provisions of Convention Against Torture to Lawyers, Police, Judiciary, Prison Officials and other Stakeholders in the four states of Kaduna, Lagos, Plateau, Kano. This

programme is presently in its second year. This is a three year project sponsored by the European Union.

Chapter 4: - **Right to Personal Liberty: - Article 6.**

1. **Constitutional and Administrative Measures**

- Section 35 of the 1999 Nigerian Constitution guarantees the right to personal liberty and no person shall be deprived of such liberty except in accordance with the qualifications provided by law; for the limit within which to bring a suspect to the competent court of law; and for compensation and public apology to a wrongfully detained person.

2. **PRISON DECONGESTION AND REFORM INITIATIVE OF THE FEDERAL GOVERNMENT: 2008-11**

The Nigerian Prisons Service has gone through a lot of reforms designed to make the institution meet contemporary assessment in terms of best practices. The prisons infrastructure which includes cells, offices, workshops and even the immediate environment, which a few years ago were as oppressive to both prisoners and staff alike, have now been rehabilitated. This rehabilitation also included the building of new prisons, the expansion and modernisation of old ones and the building of new and modern cells to contain the pre trial detainees in humane conditions. It is estimated that close to 45 percent of the old prisons infrastructure in Nigeria have received a face lift. That is in addition to eight new prisons completed and commissioned between 2008 and 2011.

The NPS has also upgraded its medical facilities to ensure that prisoners have access to Medicare in custody. For this reason prison hospitals have been built in Kuje, Owerri, Makurdi, Port Harcourt which together with the existing ones in Lagos, Kaduna and Bauchi prisons provide medical services for sick prisoners. In addition, the collaboration between the prison and NACA has led to HIV/AIDS management strategy that has reduced the prevalence in the prison.

The NPS has also started the Adult Remedial Educational Programme (AREP), through which prisoners who are interested in continuing with their education are given the opportunity to do so. The NPS is collaborating with the National Open University of Nigeria (NOUN) on this project and as at today, there are up to 35 registered undergraduate prisoners studying various courses with NOUN.

On the issue of manpower development, the NPS has reorganized its training infrastructure to be in tune with current trends. The training manual has been reviewed in a collaborative effort with the United Nations Office of Drugs and Crime, (UNODC) Nigeria. This new manual contains the whole gamut of NPS training curriculum and the best part of it is its human rights slant.

The major challenge has been the high level of awaiting trial prisoners in the system. For now out of 47508 prisoners in custody, 30,629 are awaiting trial; some for more than 17 years. 805 are condemned convicts. The major constraint is how these awaiting trial persons, who are still considered innocent in law, can get fair and fast trial.

The Nigerian Prison Service is meanwhile collaborating with the Judiciary, Federal and State Ministries of Justice and the Non-Governmental Organizations/Nigerian Bar Association in order to find out ways of pushing through needed reforms in the Criminal Justice Sector that will help to entrench fair and faster trials of suspects in custody.

This new reach out to stakeholders is yielding results because new and innovative ways of speeding up the trial of cases are being adopted in several States with very remarkable results.

Meanwhile the transformation of the Nigerian Prisons is continuing with the enthronement of Corrections in the system very much in sight.

Chapter 5: - Right to Fair Trial: Article 7

1. Constitutional and Administrative Measures

- Section 36 of the Nigerian Constitution guarantees the right to fair hearing/trial and deals with fair hearing within reasonable time, presumption of innocence, legal assistance and interpretation to the accused, the rule against retroactivity of laws and the rule against compellability of evidence and undefined law.

2. Awaiting trial inmates and prison decongestion reform initiatives 2005-11

Sequel to the Federal Executive Council's approval in 2005, the Honourable Attorney General of the Federation began a nationwide systematic prison decongestion exercise by Government to improve and strengthen the internal processes of managing the nation's prisons. The Program has, through these necessary, proactive and firm measures, achieved its primary target of reducing the population of Awaiting Trial Persons (ATPs) in Nigerian prisons and generally improving the criminal justice system in the country. The Prison Act (Amendment Bill) 2007 is receiving due consideration of the National Assembly.

The Statistics obtained through the Ministry's monitoring mechanism for the Program indicate that over **47,956** inmates have so far benefited from the program through the retention of the services of a large number of private Legal Practitioners (over **3,500** Solicitors) to undertake the defence of such persons in courts across the 36 states and the FCT.

As a result of our concerted efforts with other stakeholders over the years, it is on record that out of the total number of **47,956** cases farmed out, a total of **22,544** cases have so far been prosecuted with some accused persons convicted, others discharged for want of evidence and many granted bail while **25,412** cases are still pending before the various courts in the country. It should be noted however that this information represents the number of cases in progress as captured by reports submitted to the office of the Hon. Attorney-General of the Federation & Minister of Justice as at May 2010. It is noteworthy that there are so many solicitors that have not submitted progress reports at the time of compiling this report.

Payment of Fines: - The present Hon. Attorney-General of the Federation has introduced a novel and laudable practice of payment of fines on behalf of indigent convicted for minor offences with option of fines. So far, over a thousand convicts have benefited nationwide. This is done in order to drastically reduce the number of convicts and has been found effective.

A Success Story: - The achievements recorded in the course of this program include: -

- i. The prosecution of over **22,000** cases before various courts in the Country through the instrumentality of this program;
- ii. Retaining the services of over **3,500** private counsel to represent over **47,000** accused persons charged for various offences;
- iii. Regular installmental payment to the external solicitors engaged, as pegged by the Ministry; and

- iv. Creating the enabling environment for officers of this Ministry to visit the prisons and have first-hand information about the conditions prevailing therein

Following the resolution and recommendations at the December 2010 National Summit on Prison Reform and Decongestion in Nigeria, the Minister of Internal Affairs directed in January 2011 the Controller General of Prisons to get monthly prison's report to the Legal Aid Council of Nigeria in order to provide free legal advice and representation in all Nigerian Courts for prison inmates held in prison custody nationwide.

The Federal Ministry of Justice's consultative Forum on Criminal Justice Administration in Nigeria was convoked in December, 2010. It was attended by State Chief and High Court Judges, State Attorneys General, Prisons Police and Legal Aid officers, Civil Society Groups and other stakeholders.

One of the results of this nationwide consultation was the development of a set of templates on best practices which have been tried elsewhere on how to ensure fair and fast trials. These measures are being communicated to states for application and the results are encouraging.

Intense efforts are also being made to get the National Assembly to pass the relevant bills on Criminal Prosecution including the Prison (Amendment) Bill.

Chapter 6: - Right to Freedom of Conscience: - Article 8

1. Constitutional and Judicial Measures

- Section 38 of the Nigerian Constitution guarantees the right to freedom of thought, conscience and religion.
- The section gives the latitude to every person to change his/her belief, to manifest and propagate his/her religion in worship, teaching, practice and observance either alone or in concert with others, subject to the constitutional limitations such as in the interest of defence, public safety and order, public morality or health or for the purpose of protecting the rights and freedom of others.
- The Court of Appeal and the Supreme Court of Nigeria have struck down some local government authority policies/decisions and right to freedom of conscience, thought and religion: - Adamu v. Attorney General of Borno State (1996) 8 NWLR 203; Theresa Onwo v. Oko (1996) 6 NWLR 587; Agbai v. Okogbue (1991) 1 NWLR (pt.204)p.391 at 444.

The above constitutional ideals can best be translated into practice by the following:

- i. Promoting of ethno - religious tolerance among the diverse ethnic and religious groups for the purpose of peaceful co-existence and mutual respect.
 - ii. Promotion of continuing inter-faith dialogue by Faith-Base Organizations nationwide.
- The role of the leadership of the Supreme Council for Islamic Affairs and the Christian Association of Nigeria in promoting inter-faith dialogue and the promotion of freedom of religion and conscience through the promotion of religious tolerance and the prevention and management of ethno-religious conflicts largely fuelled by politicians is commendable.

Chapter 7: - Right to Freedom of Expression: - Article 9

1. Constitutional and Administrative Measures

- Section 39 of the 1999 Nigerian Constitution guarantees the right to freedom of expression and the press subject to the constitutional limitations of public interest/reasonably justifiable in a democratic society.
- Under Section 22 of the Constitution, on obligations of the Mass Media: - The Press, radio, television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in chapter two of the constitution and uphold the responsibility of the government to the people.
- In the case of *Akinnola v. Babangida and Ors* (1999) JHRLP Vol.4 Nos.1-3, p.250, the Court held that a federal government law banning a newspaper was violative of the right to receive and impart information under article 9 of the Charter.

2. Measures guaranteeing the child's right to freedom of expression:

Section 39 of the Nigerian Constitution and Section 3 of the CRA 2003 guarantee freedom of expression to all citizens including children. The inauguration of the Nigerian Children's Parliament in December 2000 has provided a forum for children to participate in affairs affecting them and has been institutionalized. A platform for children to dialogue with the President of Nigeria and other leaders on a regular basis is assured.

Chapter 8: - Right to Freedom of Association: - Article 10

1. Constitutional and Administrative Measures

- Section 40 of the Constitution of Nigeria, 1999 guarantees the right to freedom of association with other persons and to form or belong to any political party, trade union or any other association for the protection of his interests.
- Hence the open space provided for Nigerians to form and belong to different political parties and Civil Society Organizations. This has provided an opportunity for 63 registered political parties and over 500 registered NGOs in Nigeria.
- The Public Order Act has been whittled down by the recent Court of Appeal pronouncement, hence citizens no longer require police permit before they can freely assemble.
- Nigeria has ratified and domesticated the two ILO Conventions. In the period under review, Nigeria has protected and promoted these rights in the world of work. Specifically on May 25, 2011, Nigeria under the Statutory Mandate of the Ministry of Labour and Productivity issued Guidelines on Labour Administration issues in Contract Staffing/Outsourcing in the Oil and Gas Sector. Amongst many other issues addressed by the Guidelines, it is not re-emphasized that Freedom of Association and the right to Bargain Collectively is the unfettered right of workers whether direct or contract staff.

The Constitution of Nigeria (1999) guarantees the right to freedom of association and peaceful assembly to all its citizens including children. In addition the *Child's Rights Act* contains adequate provisions to ensure the freedom of association and assembly by all children.

Chapter 9: - Right to Freedom of Assembly: - Article 11

1. Constitutional and Judicial Measures

- Section 40 of the Constitution of Nigeria 1999 guarantees the right to freedom of assembly subject to the constitutional limitations of reasonably justifiable in a democratic society such as in the interest of defence, public safety, order, morality or health or for the protection of the rights of other persons.
- Public assembly is an essential part of the activities of political parties, trade unions, religious bodies, professional associations etc.

Further, political parties and their candidates shall not use places of worship, police stations and other public offices for political rallies, campaigns and processions.

- All Nigeria Peoples Party & 11 others v. Inspector General of Police (2006) CHR 181-199: - That by the combined effect of Sections 39 and 40 of the 1999 Constitution as well as Article 11 of the African Charter on Human and Peoples' Rights, the right to assemble freely cannot be violated without violating the fundamental right to peaceful assembly and association.

Chapter 10: - Right to Freedom of Movement: - Article 12

1. Constitutional and Judicial Measures

- Section 41 of the 1999 Nigerian Constitution guarantees the right to freedom of movement subject to the constitutional limitations relating to measures that are reasonably justifiable in a democratic society.
- A good example of law that forms an exception to the right to freedom of movement as enshrined in the constitution is Section 36 of the Immigration Act Cap. 1.I vol. 7, LFN 2004 which stipulates thus: "Subject to the provision of Subsection (2) of this Section, the Minister (of Interior) may if he thinks it to be in the public interest, by order prohibit the departure of any person from Nigeria, and if the travel document of any person are not in proper order or there is, to the knowledge of the Immigration Officer, an unsatisfied order of a Court of Competent Jurisdiction or Warrant of arrest relating to that person, an immigration officer may refuse to allow such person to leave Nigeria, or in his discretion he may refer the case of the Comptroller General of Immigration Service for further consideration. By virtue of Section 36(2), this power of the Minister to prohibit departure cannot be exercised in respect of exempted persons who enjoy certain immunities.

With respect to foreigners – whether aliens or West African Citizens, their freedom of movement into, out of and within Nigeria is subject to compliance with certain Immigration requirements as provided in the various Nigeria Immigration Laws especially the Immigration Act, Immigration Regulations (Control of Aliens), African Charter on Human and Peoples' Rights as well as ECOWAS protocol on free movement of persons, residence and establishment.

- *Otunba Oyewole Fashawe v. Attorney-General of the Federation & 3 Others* (2007) CHR 890-116: - Based on the above facts, the Applicant brought an action for the enforcement of his fundamental rights as contained in Section 35, 36, 37, 40, 41 and 43 of the 1999 Constitution and Articles 6, 7, 11-12 and 14 of the African Charter on Human and Peoples' Rights.
 - i. A declaration that the arrest, detention and incarceration of the Applicant by the 2nd Respond at Abuja and later in Lagos without any warrant and without any charge laid or framed against him is unconstitutional, illegal and constitutes a violation of the Applicant's fundamental right to personal liberty, fair hearing and freedom of movement as respectively guaranteed by Section 35, 36 and 41 of the 1999 Constitution and Articles 6, 7, 11 and 12 of the African Charter on Human and Peoples' Rights.

In a considered ruling the Court dismissed the Respondent's Preliminary Objection, allowed the application and granted the reliefs sought by the Applicant.

Chapter 11: - Right to Participate in Government: - Article 13

1. Constitutional and Judicial Measures

- Though not explicitly provided for as a right under the constitution, the cumulative effect of sections 14 and 17 of the constitution is that: -
 - a) the Federal Republic of Nigeria shall be a State based on the principles of democracy and social justice;
 - b) the participation by the people in their government shall be ensured in accordance with the constitution such as: -
 - c) the ideals of freedom, equality and justice on which the state social order is founded;
 - d) every citizen shall have equality of rights, obligations and opportunities before the law, in furtherance of the State social order;
 - e) citizens' right to elect and to be elected or the right to choose and participate in political decision without any discrimination and in accordance with the Electoral Act;
 - f) citizen's right to free and fair elections that is not characterized by an atmosphere of intimidation, electoral malpractices resulting into electoral violence and denial of the right to participate in democratic governance.
- Electoral Act 2010: Establishes Independent National Electoral Commission (INEC) to conduct free and fair elections, conduct registration of political parties and monitor their compliance with the electoral law, among others.
- The Courts have held that the right to free and fair elections is a major determinant of the right to participate in democratic governance without discrimination and abuse of legal power: - See *Abubakar v. INEC* (2004)1 NWLR (pt.854)207; *Ngige v. Peter Obi and Ors* (2006)14 NWLR (pt.999)1 CA at 66; *Atiku and Action Congress and Ors v. INEC and Ors* (2007) ALL FWLR (pt.353)3.

2. Strategic Measures Taken to Ensure Participation of Women in National Development Political and Public Life

The National Gender Policy, 2007, provides for a strategic framework and monitoring measures to enhance rural women's access to justice, information etc as shown in table 4 below.

The strategies for achieving the policy goal and objectives are premised on the '**dual agenda**' principle, which perceives gender equity and equality as beneficial not only to individuals (women and men), but also essential for producing an effective and efficient system, both at the macro (national) and micro (organizational) levels. Recognizing the cross-cutting nature of gender issues, the delivery of the gender policy shall be channeled through the seven integrated strategies outlined below.

Table 4: - Broad Delivery Strategies and Policy Outcomes

Strategies	Expected Outcomes
Policy, Partnerships and Programme Reforms	Mainstreaming of gender concerns across sectors and at all levels.
Information, Communication and Value Re-Orientation	Increased Gender knowledge, Attitude and Practice, Male Involvement and positive gender culture
Capacity Building and Skill Development	Technical expertise and appropriate tools and instruments for sustained gender responsive development
Legislation and Human Rights Protection	Gender Justice and guarantee of Human Rights
Economic Reforms and Financial Accountability	Enhanced productivity of all citizens and gender responsive policy and budget efficiency across sectors
Research Data and Evidence-Based Planning	Reliable sex disaggregated data and indicators
Monitoring and Evaluation	Effective gender equality tracking and benchmarking of progress.

Source: - National Gender Policy, 2007, p.23

In addition, the National Gender Policy 2007 of the Federal Ministry of Women Affairs contains monitoring framework and indicators to ensure that women benefit from their implementation. These include: -

- i. Monitoring inputs, the resources used to provide a service;
- ii. Monitoring outputs, the level of source provided;
- iii. Evaluating the impacts, the benefits women gain from the service in terms of better livelihoods and welfare;
- iv. Ensuring public participation in budget monitoring, public consultations, communication and benchmarking, etc.

Progress towards target

- National Strategic Framework (2008-2012) of the Gender Policy produced and launched in May 2008;
- National Gender Management System of the Gender Policy produced and launched in May 2008;
- Gender parity (female : male) in net primary school enrolment rate in percentage, 82.0% in 1990; 93.6% in 2007; 14.2 percentage change between 1990 and 2007; 100% 2015 target and definite towards target.
- Gender parity (female : male) in net secondary school enrolment rate in percentage, 105.5% in 1990; 97.7% in 2007; -7.4 percentage change between 1990 and 2007; 100% 2015 target and very good progress towards target.
- The present administration statistics shows that the percentage of female Ministers is 31% (13 out of 42 Federal Ministers), while that of the male is 69% (29 male ministers). Currently, the number of females serving as Permanent Secretaries is put at 9 representing 22.5%, while that of their male counterpart is 31 representing 77.5%. Within 2006/7, Nigeria recorded a first female Head of Service (the highest position for career civil servants) and after her retirement in 2007, she was replaced by another female;

- In the area of judicial appointments, between 2006 and 2010, 3 women have been appointed to the exalted Supreme Court bench, this represents 12%. Out of the 70 current justices of the Court of Appeal, about 15 of them are female. Across the 36 states of the Federation and the Federal Capital Territory Judiciaries, more women have been appointed as High Court Judges accounting for about 30% of the total number of Judges in the country. Reports tend to show that there are more female Magistrates than male in the country.
- Currently, there are about 27 female directors in the Federal Ministry of Foreign Affairs and 13 female career ambassadors.
- Currently, there are 7 (Seven) Female out of 45 Permanent Secretaries in the Federal Public Service representing 15.5% of the total while the men make up 84.5%.
- Measures in place to support women entrepreneurs/enhance their social security include the following:

i. Economic and Social Empowerment of the Nigerian women is in different stages, the Ministry of Women Affairs has transcended the initial stage of advocacy to action which involves various funding mechanisms for economic growth of the women, such as Micro-Credit Loan Scheme for Women, Women Fund For Economic Empowerment (WOFEE), Business and Development Fund for Women (BUDFOW) etc.

Challenges: Women, generally do not participate in decision making at the community level, except they are members of Traditional Village Council or Community Development Committees. However, at the household level, women participate more in decision making because of increase in female headed household as shown in Table 5 below.

Table 5: Levels of Decision Making by Sex		
LEVEL/Type of Decision Making	Male	Female
Community Type		
National	23.7	4.2
Rural	27.0	4.6
Urban	17.2	3.2
Household Type		
National	74.2	72.8
Rural	74.4	72.9
Urban	73.9	72.7
Source: NBS, CWIQ 2006		

- Limited access to justice among rural women due to high legal fees and lack of capacities for asserting rights. Contrarily, most organizations providing free legal services are based in urban centres.
- Limited access to information as a result of inadequate power supply, inadequate knowledge and skill about information technology is a major impediment to the advancement of women in rural communities.
- Lack of equal access to land and opportunities to contribute to decision making processes at the community Level.
- Inadequate cultivating, harvesting, processing and storage facilities for women.
- Traditional beliefs that the use of certain modern technologies hinder women's progress in farming at the rural level.

- Dearth of gender disaggregated data is a major constraint to the achievement of equality of women and men before the law, depriving gender actors evidence to argue for affirmative action and gender specific concessions and interventions as a strategy for attaining gender equality. There is need to have useful data on the prevalence and pattern of violence against women and discriminatory practices in the various parts of the country.

PART FIVE: - INDIVIDUAL ECONOMIC SOCIAL AND CULTURAL RIGHTS: - ARTICLES 14-18.

Chapter 12: - Right to Property: - Article 14

Constitutional Legislative and Judicial Measures

Sections 43 and 44 of the Constitution of the Federal Republic of Nigeria 1999 guarantee the right to acquire and own immovable property anywhere in Nigeria, and the right to prompt, due and adequate compensation when any moveable property or any interest in any immovable property is compulsorily acquired by government.

- Although the Constitution does not expressly guarantee the right to housing, a combined reading of Sections 16 and 41, in addition to other legislation disclose the following:
 - a) That the Nigerian State shall direct its policy towards ensuring that suitable and adequate shelter is provided for all its citizens;
 - b) That citizens have the right to move about freely and reside in any part of the country they so desire;
 - c) That the Constitution expressly preserves the general laws governing leases, tenancies, mortgages, charges, bills of sale or any contractual rights or obligations, while allowing for the compulsory acquisition of property that is in a dangerous state or property that is injurious to health of human beings, plants or animals. It also permits (subject to the prompt payment of compensation) damage to buildings in the course of providing or maintaining the supply or distribution of energy, fuel, water, sewage, telecommunications services or other public facilities and utilities.
- c) That the Recovery of Premises Act, was passed to lay down a general procedure for the recovery of possession of premises and confer a measure of security of tenure on tenants and occupiers of premises in all parts of Nigeria. The Act expressly prohibits forcible and violent eviction of tenants and prescribes the steps to be taken by a landlord in order to end a tenancy. It vests supervisory jurisdiction over tenancy relations on the courts and discourages self-help. The Act lays down the length of notice required to properly and effectively terminate periodic tenancies as well as the mode of service of statutory notices on the tenant. It also provides guidelines for the courts on how to proceed in matters involving the recovery of premises.
- During its pendency, the Yar'Adua/Jonathan administration probed the mode of revocation of land by the previous administration of the Federal Capital Territory with a view to ascertaining its compliance with due process of the law. The Probe was also aimed at protecting the right to own property in Nigeria.

The Courts have been able to rise to the defence of citizens where government agencies have abused the provisions of the Land Use Act 1978 and the Public Lands Acquisition Act 1976, to dispossess citizens of landed property under the guise of the "overriding public interest" and "public purposes" clauses. Most recently the Court of Appeal in the case of

TIMOTHY v. OFORKA (2008) ALL FWLR 1370 at 1381 declared that a native law and custom, which does not allow women to deal in land, was not only unconstitutional but also repugnant to natural justice, equity and good conscience.

- In reality, the customary laws and practices of several communities in Nigeria **do not support the right of women to own immovable** property. However, such customary laws and practices, in fact, constitute derogations from the rights conferred upon Nigerian women by the above-mentioned provisions of the Nigerian Constitution.
- Just like the provisions of the Constitution, the provisions of the Land use Act, 1978 also confer general powers to own real property upon both men and women. The only restriction under the Land Use Act is that which forbids the Governor of a State from granting a statutory right of occupancy or consent to an assignment or the subletting of a statutory right of occupancy to a minor (i.e. a person under the age of twenty-one years), except through his or her duly appointed guardian or trustee or in respect of property obtained by inheritance.

The Act also prohibits the application of any customary law which prohibits, restricts or regulates the devolution on death to any particular class of person or the right to occupy land for purposes of depriving any person of any beneficial interest in any such land other than the right to occupy same; or depriving him or her of the right to the proceeds of sale thereof to which he or she may be entitled under the rules of inheritance of any other customary law.

This means that, where there are two or more competing or conflicting customary laws governing inheritance, the one which is more or most favourable to a successor on inheritance, will be applied. This provision may therefore make it possible for a woman to inherit beneficial interests, rather than the land itself, in the case of the demise of her parents or husband, if the deceased is subject to any customary law, such as that of his or her personal law or that of the locality of the land, which is favourable to her inheriting such interests.

Chapter 13: - Right to Work: - Article 15

1. Constitutional and Judicial Measures

- Though the 1999 Nigeria Constitution does not contain explicit provisions on the right to work, it nevertheless provides under chapter 2, sections 16 and 17 read together as follows that: -
 - a) The state shall, within the context of economic objectives (section 16) protect the right of every citizen to engage in any economic activities (including the production, distribution and exchange of wealth or of major sectors of the economy;
 - b) The state shall direct its policy towards ensuring that: - all citizens, without discrimination on any group whatsoever, have the opportunity for securing adequate means of livelihood as well as adequate opportunity to secure suitable employment; conditions of work are just and humane, and that there are adequate facilities for leisure and for social, religious and cultural life; the health, safety and welfare of all persons in employment are safeguarded and not endangered or abused; there is equal pay for equal work without discrimination on account of sex, or on any other ground whatsoever; children, young persons and the age are protected against any exploitation whatsoever, and against moral and material neglect.
- **Employees/Workmen's Compensation Act 2011** makes it compulsory for an employer to pay compensation to his/her employee or his dependants who suffers from death, injury, disease or disability arising from or in the course of employment, among others. Hence, the new Act provides for a more open and fair system of guaranteed and adequate compensation, thereby creating a room for harmonious industrial relationships between labour unions and employers in both the public and private sectors.
- Other Employment/Labour Legislations are: - The **Labour Act** makes provisions for the protection of wages, contracts of employment and terms and conditions of employment; the **Factories Act** provides for the registration of factories, to provide for factory workers and other professionals exposed to occupational hazards and to make adequate provisions regarding the safety of workers; the **Trade Unions Act** makes provisions with respect to the formation, registration and organization of Trade Unions; the **Trade Disputes Act** makes provisions for the expeditious settlement of trade disputes and other matters ancillary thereto; the Nigerian Maritime Labour Act, 2003 regulates the activities of seafarer employers, stevedoring companies, dockworkers and other maritime workers; the Social Insurance Trust Fund Act operates the social security system of assistance to the less privileged members of society and aims at cushioning the effect of uncertainties brought about by death, disability and old age; the Pension Reform Act 2004 seeks to ensure that employees covered by the Act receive their retirement benefits as and when due, aims at assisting improvident persons save for old age etc.
- The Nigerian Oil and Gas Local Content Act 2010 seeks to give the force of law to the Nigerian Content Policy, the objective of which is to increase the quantum composite value added to or created in the Nigerian economy by the systematic development of

capacity and capabilities through the deliberate utilization of Nigerian human and material resources and services in the country's oil and gas industry thereby creating employment and investment opportunities for Nigerians.

- As one of the member states making up the International Labour Organization (ILO), **Nigeria has currently, fully ratified and domesticated to an extent, all eight Core Labour Standards entrenching human and peoples' rights in the world of work.** During the period of this report, the workers' rights embedded in the core labour standards, were protected and ensured by Labour Officers in the Ministry through various forms of Intervention entailing Social Dialogue, Tripartite meetings, Integrated Labour Inspections, and other functional modes at the disposal of the Ministry.

The right of any party in a trade dispute to be heard starting from mediation to conciliation to a referral by the Hon. Minister of labour and productivity to the Industrial Arbitration Panel is been enhanced and if any of the parties to the dispute is dissatisfied with the IAP Award, a further referral to the National Industrial Court which is the final arbiter in trade dispute matters is available unless it is on a matter of fundamental human rights. In furtherance of the determination of the Federal government of Nigeria to strengthen rights at work the National Industrial Court has been upgraded and recognized as a superior court of record in the constitution of the Federal Republic of Nigeria. Individual labour complaints (as different from trade disputes declared by Trade Unions) were handled nationwide by the respective State Controller manning each of the States' Labour Officers of the Federation including the FCT and by the Headquarters labour administration when conciliation fails at the state level.

- The Ministry of Labour recognizes that the worker is the most important factor of production and has collaborated with the Social Partners, Development Partners, Non-Governmental Partners Organizations and People Living with HIV/AIDS to develop and produce the National Workplace Policy on HIV/AIDS as well as an implementation manual of the policy. The policy which is right based provides guidelines for government, employers, workers and other stakeholders in the workplace and also identifies strategies and programmes for protecting the rights and dignity of workers infected by the virus. The Ministry is also extending care and support to some of its staff that are affected by the scourge to enable them to be in employment as long as they could.
- **Achievements of the Ministry of Labour and Productivity 2008-10:**
 - i) **New National Minimum Wage:** The New National Minimum Wage (Amendment) Act 2011 which was assented to by the President in March 2011 provides for a new minimum wage of N18,000 per month.
 - ii) **Casualisation/Contract Staffing:** Also following the hue and cry over the risk to decent work and unfair labour practices in the nation's oil and gas industries, the Honourable Minister of Labour and Productivity in the year 2010 constituted a Technical Working Group (TWG) comprising of all the relevant stakeholders in the oil and gas sector including the social partners with the following terms of reference, among others: to review existing MOUs on Casualisation and Contract Staffing in the light of current realities; to come up with Guidelines to ensure unionization and Collective Bargaining for the affected workers.

The Committee has completed its work and the guidelines have been issued by the Honourable Minister of Labour and Productivity pursuant to his mandate under the Labour Act. It is hoped that other sectors may key into the product of the TWG for guidance.

iii) The Decent Work Country Programme: The world of work is central to peoples' well being and makes them thriving social animals. For work to be positive and progressive it has to be decent. Accordingly, Decent Work sums up the aspirations of people in the workplace. It details opportunities for work that is productive and delivers a fair wage, security and social protection in the workplace. It is aimed at achieving a fair globalization and reduction of poverty and in order to realize this at the national level, the ILO developed an Agenda for community work based on four strategic pillars of job creation, rights at work, social protection, and promoting social dialogue with gender equality as a crosscutting objective.

Nigeria has been chosen as one of the Pilot Countries for the Decent Work Country Programme (DWCP). The DWCP has been described as the ILO main vehicle for delivery of support to countries. The DWCP is organized around a limited number of country programme priorities and expected outcomes. It is hoped that the programme in Nigeria, would aid in enhancing national investment, scope of social protection, increase in employment rate, wealth, and eradication of poverty in Nigeria this would be in the spirit of a statement in the ILO Constitution that "Poverty anywhere constitutes a danger to prosperity everywhere".

iv) The Global Jobs Pact: In trepidation of a prolonged global increase in the collapse of enterprises and investments, unemployment, poverty and inequality, the ILO adopted a Global Jobs Pact designed to guide national and international policies aimed at stimulating economic recovery, generating jobs and providing protection to working people and their families.

In furtherance therefore, to catching up with the trends of globalization and world economic recession, the ILO would be assisting Nigeria within the year 2011 in the implementation of the Global Jobs Pact. Consequently, the ILO and the Ministry of Labour and Productivity have a partnership in implementing measures aimed at creating jobs and reducing unemployment.

- Tables 11 and 12 below reveal the unemployment rates by Age Group and Sector as well as by states within the Federation of Nigeria.

Table 6: Unemployment Rates by Age Group and Sector

Years	15-24			25-44			45-59			60-64			All Groups		
	National	Urban	Rural	National	Urban	Rural	National	Urban	Rural	National	Urban	Rural	National	Urban	Rural
1999	12.8	30.4	9.0	2.2	3.4	1.9	1.1	1.5	1.0	3.4	8.3	2.4	8.2	8.4	7.7
2000	15.9	26.4	13.6	2.0	3.4	1.7	0.9	1.6	0.8	3.8	8.3	2.9	13.1	13.3	12.6
2001	29.3	36.4	26.3	14.6	10.0	16.6	10.3	8.4	11.1	13.4	16.0	12.3	13.6	12.7	14.0
2002	27.5	29.0	26.8	11.1	6.5	13.0	7.4	5.9	9.5	11.7	11.8	11.7	12.6	8.7	14.2
2003	32.1	33.8	31.3	14.7	18.1	13.2	10.7	11.6	10.3	13.4	13.5	13.4	14.8	10.9	16.4
2004	28.9	31.2	27.9	11.4	10.0	12.0	7.7	4.5	9.0	10.1	4.8	12.4	13.4	9.5	15.0
2005	34.2	34.6	34.0	11.3	9.3	12.2	6.6	4.1	7.7	9.7	11.2	9.0	11.9	10.1	12.6
2006	30.8	31.9	30.3	8.8	5.1	11.1	4.8	1.6	6.7	7.3	4.0	8.3	13.7	10.2	14.6
2007	30.7	31.9	30.2	8.5	4.7	11.0	4.5	1.0	6.6	7.1	3.3	8.3	14.6	10.9	14.8
2008	41.6	49.9	39.6	17.0	16.3	17.3	11.5	10.0	12.1	16.7	18.2	16.2	19.7	19.2	19.8

Source: National Bureau of Statistics, General Household Survey Report (1999-2008)

Table 7: Unemployment Rates by State (1999- 2008)

States	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Abia	9.65	4.2	16	14.8	11.4	9.7	7.9	13.5	25.1	14.5
Adamawa	11.15	46.8	18.2	12.9	11.9	16.7	21.4	17.9	21.5	29.4
Akwa Ibom	9.45	14.2	17.4	12.3	14.4	14.4	14.4	15.3	18.0	34.1
Anambra	4.05	21.2	5	6.6	9.1	9.5	9.8	10.8	14.9	16.8
Bauchi	5.8	48.2	15.1	10.4	20.5	25.1	29.7	23.9	20.5	37.2
Bayelsa	3.4	3.9	7.5	3.5	7.1	14.0	20.9	16.0	21.9	41.5
Benue	4.25	23.8	12.9	8.2	4.8	11.7	18.6	10.8	7.9	8.5
Borno	3.45	4.8	8.2	6.4	0.8	3.6	6.3	5.8	12.5	27.7
Cross River	6.15	14.2	9.8	7.9	12.0	11.6	11.1	16.9	32.8	14.3
Delta	9.6	7.9	16.3	14.9	17.1	10.8	4.5	13.8	22.9	18.4
Ebonyi	3.4	3.9	13.1	2.8	16.7	11.9	7.0	10.9	7.9	12
Edo	3.4	12.6	9.9	4.8	3.1	6.5	9.9	8.6	14.8	12.2
Ekiti	10.15	17.9	14.3	17.5	8.2	7.9	7.5	8.7	11.4	20.6
Enugu	11.75	21.2	16	15.2	16.5	22.0	27.4	20.0	14.1	14.9
Gombe	5.8	48.2	8.9	13.4	7.6	15.2	22.8	15.6	16.9	32.1
Imo	13.15	27.2	32.5	19.9	22.1	19.3	16.5	21.5	28.3	20.8
Jigawa	3.25	14.3	14.5	6.1	20.5	19.8	19.1	21.6	27.0	26.5
Kaduna	6.75	19.5	6.9	8.4	19.6	15.9	12.1	14.1	8.7	11.6
Kano	8.7	22.3	26.8	12.8	25.9	22.5	19.1	19.4	10.1	27.6
Katsina	5.55	2	23.7	10.4	20.3	22.1	23.8	19.3	10.9	37.3
Kebbi	6.65	31	29.4	12.3	19.8	19.9	19.9	15.2	1.3	12
Kogi	13.8	4.4	16.1	19.9	14.9	11.8	8.7	12.5	14.6	19
Kwara	5.2	13.3	12.5	8.8	5.4	4.2	2.9	7.5	17.7	11
Lagos	8.8	4.8	5.3	8	25.6	16.1	6.5	15.5	13.7	19.5
Nassarawa	1.5	3.8	2	1.6	5.1	6.9	8.7	8.1	11.8	10.1
Niger	3.85	3.8	4.6	6.3	6.7	3.5	0.2	3.6	4.2	28
Ogun	5.3	4.8	4.9	9.2	1.3	1.9	2.5	2.3	3.6	8.5
Ondo	9.8	17.9	20.1	16.8	7.3	6.8	6.2	6.7	6.7	14.9
Osun	0.75	5.7	7.5	1	0.4	1.2	1.9	2.7	7.2	12.6
Oyo	6.7	2.4	5.4	7	0.8	3.1	5.3	4.3	8.1	14.9
Plateau	9.1	7.9	4	11.8	0.4	1.6	2.8	2.9	6.8	7.1
Rivers	3.4	3.9	22.8	6.6	15.3	11.2	7.0	25.0	66.4	27.9
Sokoto	2.8	40.6	5.7	4.1	4.9	4.5	4.1	6.4	12.3	22.4
Taraba	11.85	34.4	18.1	16.8	23.8	13.6	3.4	14.0	15.2	26.8
Yobe	10.95	24.6	12	15	12.1	10.1	8.0	13.6	24.4	27.3
Zamfara	23.95	40.6	22.4	46.4	71.5	61.3	51.1	50.8	19.1	13.3
FCT (Abuja)	11.85	3	10.4	14.4	5.3	5.9	6.5	16.4	47.8	21.5
Nigeria	8.15	13.1	13.6	12.6	14.8	13.4	11.9	13.7	14.6	19.7

Source: National Bureau of Statistics, General Household Survey Report (1999-2008)

THE GAIN OF PARADIGM SHIFT BANK OF INDUSTRY OF NIGERIA: 2006-2010

The Vice President, Federal Republic of Nigeria, Arc. Namadi Sambo cutting the tape at the re-opening of United Nigerian Textiles Plc, Kaduna, a beneficiary of the Federal Government's N100billion Cotton, Textile and Garment Industry Revival Scheme managed by Bank of Industry.

More than 35 companies across the country have benefitted from the CTG Scheme within the first year of its implementation by the Bank of Industry. Consequently, more:

- Jobs have been saved
- Workers have been recalled
- Than 20,000 new jobs have been created

Resultant Development Impact of Bank of Industry's Operations

- Sixty months after the launch of its PARADIGM SHIFT INITIATIVE in January 2006, the Bank of Industry Ltd had continued to witness unprecedented expansion in its credit operations without compromising the quality of its investment and post impressive financial results.
 - While, the cumulative number of approved loans and investments grew by 1125% from 88 as at December 2005 to 1078 by December 2010, the value of fresh loans and investments rose by 1066.3% from N9.8 billion to N114.3 billion within the same period.
 - The percentage of its annual lending to SMEs increased to 96% by December 2010 from 35% in 2005.
 - More than N2.37 billion has been approved to various cooperative groups since 2008 (comprising mainly women and youths) under a collective guarantee arrangement.
 - The Portfolio At Risk (PAR) declined from 65% in 2005 to an average of less than 22% in 2009. The industry average in Nigeria is 32.8%.
 - The development effectiveness of its operations has been remarkable as cumulative direct and indirect jobs created exceeded 1,000,000 by December 2010.

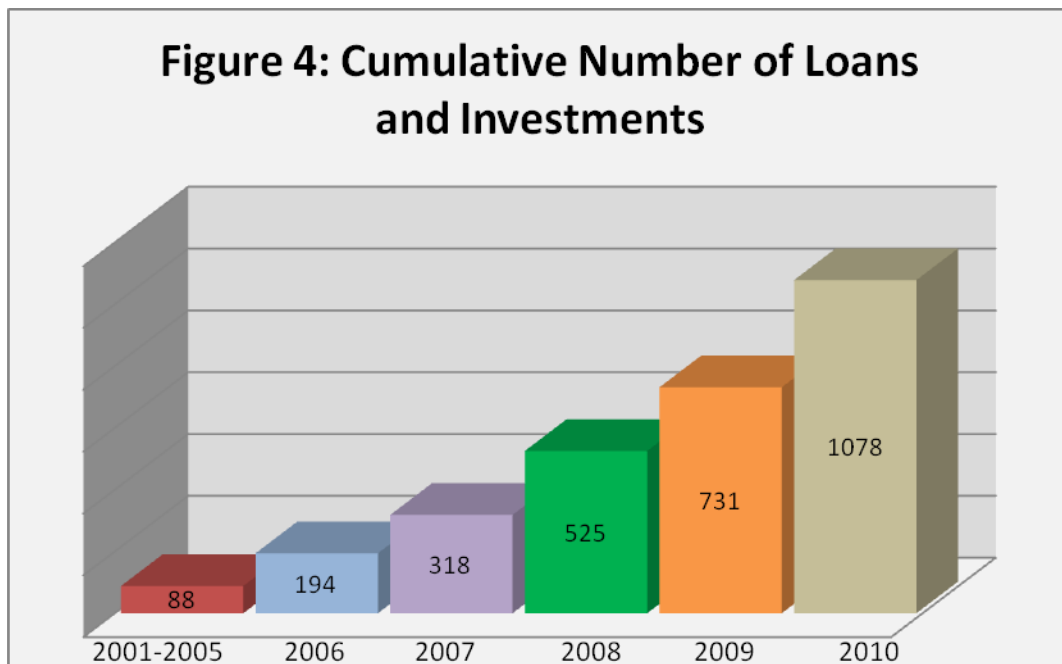


Figure 5: Cumulative Value of Loans and Investments (₹ Billion)

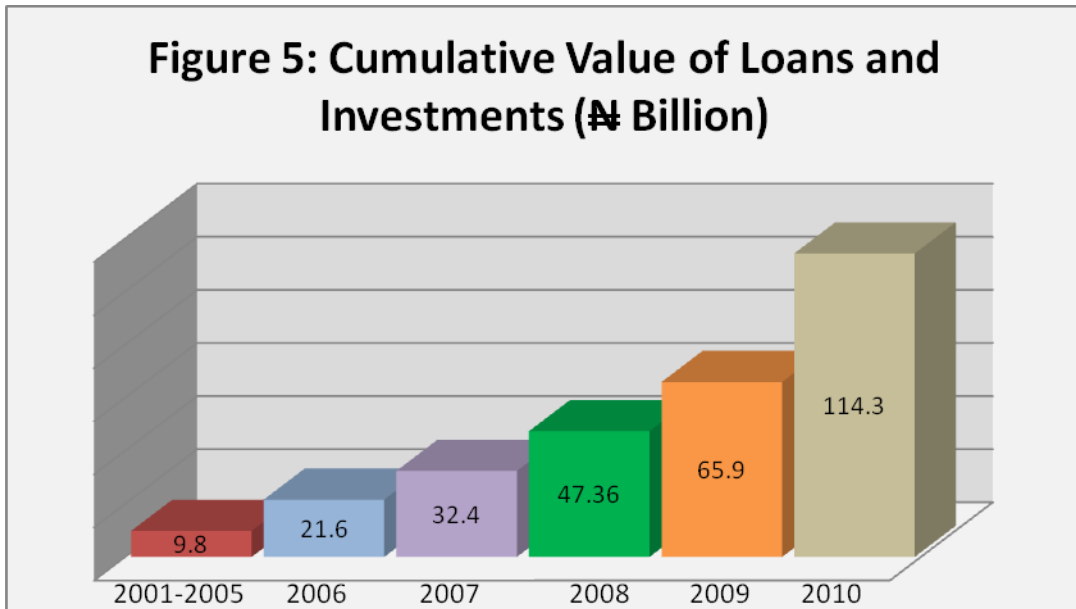
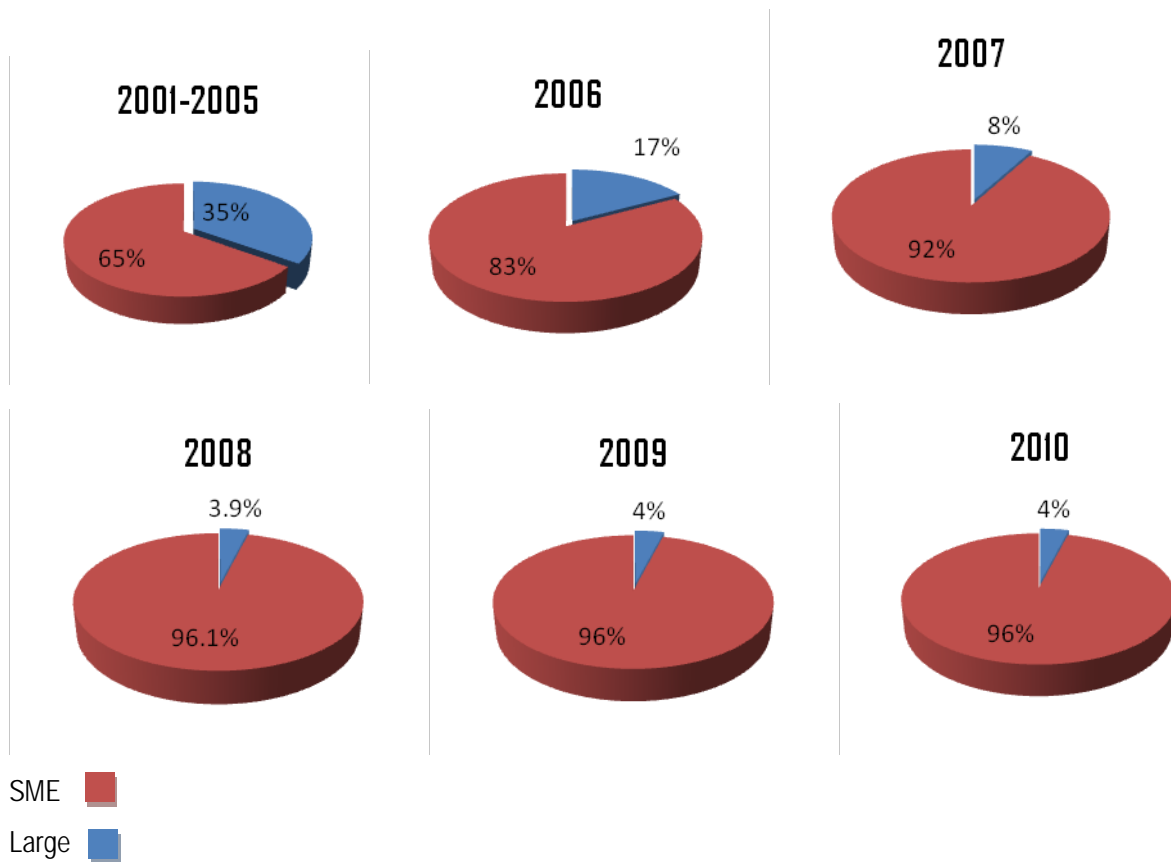


Figure 6: Cumulative Number of Approvals by Loans/Investment Size



Chapter 14: - Right to Health: - Article 16

1. Constitutional and Judicial Measures

- The Nigerian Constitution does not explicitly provide for the right to health, yet the provisions of sections 17, 33 and 35 allude to the right to health in Nigeria.
- Section 17 dealing with the social objectives of the Nigerian State obligates government to direct its policies to ensure adequate medical and health facilities for all persons; ensure that the health, safety and welfare of all persons in employment are not endangered or abused.
- Clearly the constitutional provisions under sections 33 and 35 recognised that the rights to life, sanctity of the human person and human dignity are necessarily connected to physical and mental health of persons.
- In May 2011 the Federal Government passed into law The National Health Bill which seeks to promote accessible, affordable, available and qualitative access to health care services at all levels in Nigeria. Awaiting the assent of the President.
- Further the constitutional provisions of sections 17, 33 and 35 implicitly on the right to health includes the provision of affordable, available, adequate, qualitative and accessible health care facilities and services by all, especially women's reproductive health rights without any discrimination.
- Furthermore, human rights of persons living with HIV-AIDS are protected under the rights to freedom from discrimination, to human dignity, to personal liberty, to life, to private and family life, to freedom of expression, to peaceful assembly and association and to freedom of movement.
- In the case of *Odafe and Ors v. Attorney General and ors* (2004) AHRLR 205, the Federal High Court, Port Harcourt, held that failure by the prison officials to give the applicants/prison inmates as confirmed HIV/AIDS patients due medical attention and access to medical services while in prison custody was violative of the rights to human dignity and health under Articles 5 and 16 of the Charter.
- Furthermore, having signed and ratified the following multilateral treaties, Nigeria is bound legally to ensure the effective promotion and protection of the provisions and state obligations contained therein that are relevant to the right to health and HIV/AIDS.

2. Legislative and Policy Measures

Nigeria has shown keen commitment to promote and protect the rights of Nigerians, particularly women and children to basic health and welfare, through principal legislative, policy, strategic and administrative measures.

The **1999 Constitution of the Federal Republic of Nigeria does not recognize the right to health directly though some provisions of the Constitution allude to the right and when one reads all such provisions making allusions to the right, it may not be wrong for one to infer recognition of the right to health as a basic constitutional right.** Section 14 of the Constitution for example, recognizes that the security and welfare of the people shall be the primary purpose of government. Section 17 dealing with the social objectives of the Nigerian State obligates government to direct its policies to ensure adequate medical and health facilities for all persons; ensure that the health, safety and welfare of all persons in employment are not endangered or abused. Further, it provides that children, young persons and the aged shall be protected against

exploitation, and against moral or material neglect; that provision is made for public assistance in deserving cases or other conditions of need; and the evolution and promotion of family life is encouraged. The constitutional provisions clearly recognized that the right to life, sanctity of the human person and human dignity (provided for in sections 17, 33 and 35) are clearly connected to physical and mental health of persons. Section 17(3)(b) has clearly provided that the conditions of work must be just and humane, and that adequate facilities for leisure and for social, religious and cultural life are to be provided. This provision if properly implemented will enhance the promotion of women's health generally. The prohibition of sex-discrimination (section 42) also means that women and children are entitled to good health and a decent environment.

Section 33(1) of the Constitution provides for the right to life thus:
Every person has a right to life and no-one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria.

The emergent trend in international law is that governments, in protecting the right to life have to take positive measures that will include provision of adequate health facilities for all, especially women and children. Thus, a situation wherein women and children die of preventable disease is a clear violation of their right to life. It is therefore submitted that the constitutional provision that guarantee the right to life may be construed as guaranteeing also the right to health, which includes the provision of adequate health facilities accessible by all.

Under the Constitution of the Federal Republic of Nigeria, **human rights of persons living with HIV/AIDS** can be discussed under the following: (a) Freedom from Discrimination; (b) Right to Dignity of Human Person; (c) Right to Personal Liberty; (d) Right to Life; (e) Right to Private and Family Life; (f) Right to Freedom of Expression and the Press; (g) Right of Peaceful Assembly and Association; (h) Right to Freedom of Movement.

The 2004 Revised National Health Policy's long-term goal is to provide adequate access to primary, secondary, and tertiary health care services for the entire Nigeria population through a functional referral system.

Because health is an integral part of overall development, inter-sectoral cooperation and collaboration between the different health-related ministries, development agencies and other relevant institutions shall be strengthened; and a gender-sensitive and responsive national health system shall be achieved by mainstreaming gender considerations in all health programmes.

The February 2005 National Policy on Population for Sustainable Development has the overall goal of improving the quality of life and standard of living for the Nigerian population. This is to be achieved through the attainment of a number of specific goals that include:

- Achievement of sustainable economic growth, protection and preservation of the environment, poverty eradication, and provision of quality social services;
- Achievement of a balance between the rate of population growth, available resources, and social and economic development of the country;

- Progress towards a complete demographic transition to a reasonable growth in birth rates and a low death rate;
- Improvement in the reproductive health of all Nigerian at every stage of the life circle;
- Acceleration of a strong and immediate response to the HIV/AIDS pandemic and other related infectious diseases;
- Progress in achieving balance and integrated urban and rural development.

The overall goal of the National Policy on HIV/AIDS 2003 is to control the spread of HIV-AIDS in Nigeria, and to mitigate its impact to the point where it is no longer of public health, social and economic concerns, such that all Nigerians will be able to achieve socially and economically productive live free of the diseases and its effects.

The primary objective of the National Health Insurance Scheme (NHIS) is to ensure that every Nigerian has access to good health care services, protect families from financial hardship of huge medical bills, and ensure equitable distribution of health care costs among different income groups. There are several sub-programmes under this scheme such as Children under-Five Social Health Insurance Programme (CFSHIP), Permanently Disabled Persons Social Health Insurance Programme (PDPSHIP), Formal Sector Social Health Insurance Programme (FSSHIP), Urban Self-employed Social Health Insurance Programme (USSHIP), Rural Community Social Health Insurance Programme (RCSHIP) and Prison Inmates Social Health Insurance Programme (PISHIP). The programme is funded through contribution of members and employer's investment income.

The Integrated Child Survival and Development (ICSD) Strategic Framework and Plan of Action (2005-2009)" (National Planning Commission, 2005) combines effective interventions for preventing death and improving health, growth and development. It is to serve as a reference document to guide implementation of child-survival interventions by governments at all levels.

The overall objective of the Revised National Health Policy is to strengthen the national health system such that it will be able to provide effective, efficient, quality, accessible and affordable health services that will improve the health status of Nigerians through the achievement of the health-related Millennium Development Goals (MDGs).

The following were the targets set by the National Health Policy:

- Reduce the under-five mortality rate by two-thirds between 1990 and 2015;
- Reduce the maternal mortality rate by three-quarters between 1990 and 2015;
- Reduce the spread of HIV/AIDS by 2015;
- Reduce the burden of malaria and other diseases by 2015.

Programmes and Policy aimed at reducing infant and maternal mortality rate.

To combat the rising rate of maternal mortality rate, the Federal Government of Nigeria through the Federal Ministry of Health embarked on the following actions:

Integrated, maternal Newborn and child Health Strategy (IMNCH): The Government formulated and is implementing the Integrated, Maternal, Newborn and child Health Strategy. This is a policy document that provides for the framework that will guide the acceleration of the attainment of MDGs 4 and 5.

It comprises of compilation of evidence based interventions and investment plan using the marginal budget for bottlenecks developed to guide implementation. The goal of the strategy is to reduce maternal neonatal and child morbidity and mortality in line with MDG4 targets.

Below are some of the programmes embarked on by the Government to address the infant maternal mortality rate in Nigeria thereby improving the right to life of pregnant women and ensure safe delivery:

Strengthening Institutional capacity and infrastructure:

Introduced capacity building of frontline health workers on life saving skills and training of community oriented resources persons (corps) as volunteers who live with the communities and serve as agents of change by counseling care givers and community members on the key household practices (KHHPs). A pilot capacity building project of national youth service corps doctors on emergency obstetric and neonatal care with the support of WHO was also carried out in some states.

Midwives service scheme:

In addressing the human resources challenges at the primary Health Centres the government established midwives service scheme to increase skilled birth attendance coverage at the primary health care levels (PHC) to facilitate the reduction in maternal, new born and child mortality and morbidity. This scheme was able to mobilize about 2488 midwives (newly qualified, unemployed and able retired midwives) and deployed to 652 primary health care facilities in the country, there were also trained on life saving skills (LSS) and integrated management of childhood illness (imci) to enhance their performance in providing quality care.

Strengthening the supply of commodities for maternal mortality reduction:

The government has come up with several strategies but not limited to the following:

- Supply of Antishock garment. This is a specially made garment designed for management of obstetric hemorrhage during and after deliveries. These are currently being piloted in some states.
- The Ministry recently procured the gold standard drug called magnesium sulphate which is used in the management of pre-eclampsia and eclampsia. Sensitization meetings on the use of the drug have been conducted and the use of the drug will soon commence.
- Purchase of safe motherhood (mama) kits pilot to solve the problem of out stock of consumables used during delivery was embarked upon in some states.
- The Ministry also procured midwifery kits which are currently being used for the midwives services scheme.
- Midwifery kits consumables have also been procured distributed to all the Federal Tertiary Institutions.
- Development and revision of some important policy documents.

The following targets were set by the National Policy on Population for Sustainable Development:

- Reduce the national population growth rate to 2 percent or lower by 2015;
- Reduce the total fertility rate by at least 0.6 children every five years by encouraging child spacing through the use of family planning;
- Increase the contraceptive prevalence rate for modern methods by at least two percentage points per year through the use of family planning;
- Reduce the infant mortality rate to 35 per 1,000 per live births by 2015;
- Reduce the child mortality rate to 45 per 1,000 live births by 2010;
- Reduce the maternal mortality ratio to 125 per 100,000 live births by 2010 and to 75 by 2015;
- Achieve sustainable universal basic education as soon as possible before 2015;
- Eliminate the gap between males and females in school enrolment at all levels and in vocational and technical education by 2015;
- Eliminate illiteracy by 2020;
- Achieve at least a 25 percent reduction in HIV/AIDS adult prevalence every five years.

The following were the target set by the National HIV/AIDS prevention plan 2007-9:

- Reduction of HIV/AIDS prevalence by 25% in 2009;
- Ensuring of prevention of new infection by 55% by 2010;
- To have 95% of the general population and specific groups make appropriate behavioural changes (save sex, abstinences, etc)
- Time Frame: - By 2015

The National HIV-AIDS Policy seeks to provide for the following:

- Strategies to prevent further HIV-AIDS transmission, provide care and support for the people living with HIV-AIDS and mitigate the social and economic impact of HIV-AIDS on the country.
- The policy identifies the importance of upholding and protecting the rights of all Nigerians including people living with or affected by HIV-ADIS, addresses the vulnerability of certain social groups including women and children to the HIV-AIDS epidemic; and develops appropriate measures to ensure that all these relevant issues are addressed.
- The Federal Government of Nigeria through the Ministry of Health has a National Policy on HIV/Aids strategic thrusts on the prevention of mother to child transmission of HIV (PMTCT) (October 2009). The Government of Nigeria is therefore committed to the promotion and provision of comprehensive PMTCT services consisting of a four pronged approach of:
 - Primary prevention of HIV infection among women of child bearing age;
 - Prevention of unintended pregnancies among women living with HIV.
 - Prevention of HIV transmission form women living with HIV to their infants, and

- Provision of appropriate treatment, care and support to mothers living with HIV and their children and families.

Progress towards target

- The development and adoption in March 2010 by the Federal Republic of Nigeria of the National Strategic Health Development Plan (NSHDP) 2010-2015 was highly participatory.
- The NSHDP will also serve as the overarching framework for health development in Nigeria. It draws inspiration from 36 States and the FCT Health Development Plans (SHDP). It has the following eight strategic priority areas:
 - Leadership and Governance for Health;
 - Health Service Delivery;
 - Human Resources for Health;
 - Financing for Health;
 - National Health Management Information System;
 - Partnerships for Health;
 - Community Participation and Ownership; and
 - Research for Health.
- Highly cost effective services in dealing with the major health challenges in Nigeria will be made available. As such a set of specific “high impact services” would constitute a core part of the service delivery to the Nigerian population. These services are specified in the NSHDP and will be implemented in an integrated manner.
- **Results Matrix:** A Framework has been developed to serve as a guide to the Federal, State and LGAs in the selection of evidenced-based priority interventions that will contribute to achieving the desired health outcomes for Nigerians.

The Federal, States and LGAs have used this framework to respectively develop their estimated budget plans through participatory approaches to reflect their context and prevailing issues.
- **Monitoring and Evaluation:** The NSHDP Results Matrix provides an excellent summary of key performance indicators to assess the progress of the National Plan. It has a total of 52 indicators covering an essential combination of indicators on impact, outcomes, outputs, process and inputs. A Monitoring and Evaluation (M&E) Framework for the National Strategic Health was developed to encourage the participation of different actors (with the public sector, private-for-profit, private-not-for-profit, NGOs, faith-based organizations, etc.) in harmonizing their data and to be mutually accountable for results at their respective levels.

In order to complement the National M&E Framework, a generic sub-national M&E framework was developed which the States and LGAs adapted to their own contexts, although indicators selected for sub-national are different from those of the national level.
- The total estimated costs of the NSHDP for the six year period 2010-2015 is USD 26.653 billion with an annual cost and investment requirement of \$4.442 billion. This gives an annual cost per capita of USD 31.63. Details of the specific earmarks of each priority areas are in table 8 below.

Table 8: - Estimated Cost of the NSHDP 2010-2015

Priority Area	US\$	Percent
Leadership and Governance for Health	183,914,685	0.69%
Health Service Delivery	12,975,047,689	48.68%
Human Resources for Health	11,097,841,997	41.64%
Financing For Health	1,459,843,402	5.48%
National Health Information System	277,367,996	1.04%
Community Participation And Ownership	159,420,543	0.60%
Partnerships for Health	170,016,518	0.64%
Research For Health	329,654,407	1.24%
Sum	26,653,107,239	100.00%

The overarching goal of the NSHDP is to significantly improve the health status of Nigerians through the development of a strengthened and sustainable health care delivery system. (See table 9 below)

Table 9: Key NSHDP Indicators and Targets

S/N	Indicator	Baseline	Targets		
			2011	2013	2015
1.	Life expectancy at birth	47 years	55 years	63 years	70 years
2.	Under-five mortality rate	157/1000 LBs (NDHS, 2008)	130/1000 LBs	103/1000 LBs	75/1000 LBs
3.	Infant mortality rate	75 (NDHS, 2008)	60/1000 LBs	45/1000 LBs	30/1000 LBs
4.	Proportion of 1 year old immunized against measles	41.4 (NDHS 2008)	60%	80%	95%
5.	Prevalence of children under five years of age who are underweight	27.1 (NDHS, 2008)	24%	20%	17.90%
6.	Percentage of Children under 5 sleeping under insecticide-treated bed nets	5.5 (NDHS, 2008)	24%	42%	60%
7.	Maternal mortality ratio	545/100,000 LBs (NDHS 2008)	409/100,000 LBs	273/100,000 LBs	136/100,000 LBs
8.	Adolescents Birth Rates	126 per 1000	114/r 1000	102/1000	901/1000
9.	HIV prevalence among population aged 15-24 years	4.2% (ANC Sentinel Survey)	3.2%	2.1%	1%

Challenges/Opportunities

- In order to achieve the health Millennium Development Goal, at the country level, every government wants to ensure an effective health system, and to do that, they must collect sufficient revenues in a manner that is sustainable, equitable, and efficient. They must pool health risks and purchase services so that they can provide their citizens with a package of essential services and also ensure financial protection against the costs of catastrophic illness. This means that governments should fund or subsidize those health care services.
- Government should also, as a matter of basic equity, finance services for the poor and, ideally, provide the entire population with financial protection. An important

element in these efforts is figuring out how to purchase health services efficiently, because efficiency gains constitute an additional source of revenue. External assistance from donor countries is one of many potential sources of revenues that can help finance a basic health system and is an important source of financing in many low-income countries.

- As a result of these considerations, needs are going unmet and health spending efficiency and levels remain well below the thresholds needed to achieve the MDGs. Low-income countries spend some 5 percent of their GDPs on health but Nigeria spend far less than 5 percent, whereas middle-income and high-income countries spend about 6 percent and 10 percent respectively.
 - Financing the NSHDP 2010-2015: The interplay of the funding sources and financing agents in the Nigerian health system is critical in ensuring adequate and timely resourcing of the National Strategic Health Development Plan. It will ensure the delivery of high impact and cost effective health services within an enabling environment, and invariably promote universal access to health services. The NSHDP (2010-2015) projects significant financial resource needs from the public sector at the Federal, State and LGA levels for each of the eight (8) priority areas. This underscores the importance of predictable and sufficient investments by these tiers of government to achieve the targeted measurable results.
 - Other existing windows of opportunity to explore as a way forward in addressing poor and inaccessible health care services, reproductive health concerns and in combating HIV-AIDS epidemic, include the large network of civil society groups that should be maximized. All stakeholders, including the government, should ensure that the whole country is effectively covered in the number and diversity of intervention. The capacity of the support groups should be built to achieve the goal of the intervention.
 - Additional veritable window of opportunity, is the public-private partnership that should be solidified. The private sector mentioned critical areas of concern given its potential to mobilize abundant human, technical and financial resources. Given the financial constraints and the non-availability of certain expertise in government, it is desirable to establish a formal, mutually beneficial, business arrangement of long-term nature, between the government institutions and private partners involving share governance and accountability as an important component in mobilizing resources for the national response.
 - The partnership must be all-embracing; state and local governments and all CSOs as well as development partners must play their part, alongside the federal government and the private sector. The existing political commitment should translate to positive results, for it to be meaningful.
-
- **National Response Plan of Action on Orphans and Vulnerable Children (OVC), 2006-2010:** This has been developed with the establishment of an OVC Unit in the FMWA & SD. The National Plan of Action on OVC when fully implemented would address the needs of OVC at various locations in the country.

Chapter 15: - Right to Education: - Article 17

1. Constitutional, Legislative and Judicial Measures

- In addition to the main poverty reduction strategy paper NEEDS and the Seven Point Agenda of the Federal Government of Nigeria, the following are the main documents on national laws, policies and key programmes in the education sector:
 - The 1999 Constitution
 - Universal Basic Education (UBE) Act 2004
 - Child's Right Act 2003
 - National Child Policy 2007
 - National Policy for Integrated Early Childhood Development in Nigeria (2007)
 - National Minimum Standard for Early Child Care Centres in Nigeria.
 - National Gender policy on Education 2008
- The policies/laws seek to ensure the access of all children of primary and junior secondary school age (6-14+ years) in Nigeria to free, compulsory and universal basic education. This policy objective of free and compulsory education including skill acquisition fits well into employment and job creation objectives, the overall national development strategy on the free mid-day meal will no doubt impact positively on the health and nutrition objectives. Governments in Nigeria (Federal, State and Local) have primary responsibility to fund and manage basic education; with Federal Government playing the intervention/assisting role. The Agencies involved include: the Universal Basic Education Commission (UBEC), State Universal Basic Education (SUBEB), Local Government Education Authority, private sector and development partners.
- The UBE ACT prescribes minimum standard of basic education throughout the country and UBEC is expected to monitor, supervise and coordinate the implementation of specific programmes for the attainment of compulsory, free and universal basic education. Relative to health and nutrition, basic education has the highest budgetary allocation and is most essential in poverty and deprivation reduction. This is because of the linkages between education, health, improved sanitation, access to information and improved knowledge of child rights and protection. Thus it is a very effective means of addressing the MDG goals and targets relating to children.
- In terms of funding, Federal Government contributes two percent of Consolidated Revenue Fund in addition to allocation to Universal Basic Education Commission (UBEC). The exact amounts contributed by states and LGAs could not be ascertained. However, public expenditure allocation as reflected in the Federal Government shows that the UBE's share in the budget was 1.7 percent in 2005, 0.4 percent in 2006, and 0.4 percent in 2007. The State governments are expected to provide counterpart funding as a pre-condition for them to access the allocation from the Federal Government for basic education. This programme support which includes funding of facilities, school text books and mid day meals (implemented in pilot states) is limited to government schools only; private schools of the same categories are free to charge fees and other costs.
- The UBE programme is nationwide with over 20 million children attending more than 60,000 public basic education schools. However, there are implementation challenges associated with the programme. For example, about 3.6 million and 7.2 million primary and junior secondary age children are out of school. There is a problem with funding as many state governments do not match their commitment with resources to ensure that

every child receives quality basic education. Teachers in these schools are often not well motivated and this adversely affects the quality of education received by pupils. Moreover, those who complete the junior secondary level and cannot proceed to the senior secondary level do not have any life skills to fall back on because this aspect of the programme is hardly implemented. In addition, gender disparity evidenced by low female child attendance especially in the northern states; high drop out rates in primary school (9.5 percent); low transition rate to secondary school (6.1 percent); and lack of qualified teachers as well as inadequate facilities (classrooms) remain major challenges to this programme.

The Education Tax Fund (ETF) deserves special mention as a scheme that provides resources from the organized private sector for funding of education. The objective of the ETF is to increase the level of funding available to education and to finance infrastructure and resources to improve the quality of education. All registered companies operating in Nigeria contributes 2 percent of accessible profit to the Fund. About 30 percent of the fund is for primary education, 20 percent for secondary and 50 percent for higher education. Although, the impact of the programme is felt more in the provision of facilities, it nevertheless, provides additional budget for addressing child poverty and disparities; thus, it has potentials to positively influence child educational outcomes. There is need for, more resources to go to the primary and junior secondary levels of education so as to improve quality and take care of more children in the lower wealth quintiles who cannot afford fees paying private schools at this level.

- **Though the Nigerian Constitution does not directly provide for the right to education, yet section 18 of the Constitution on educational objectives obligates the government** to direct its policy towards ensuring that there are equal and adequate educational opportunities at all levels.
 - (2) Government shall promote science and technology.
 - (3) Government shall strive to eradicate illiteracy, and to this end Government shall as and when practicable provide:
 - a) free, compulsory and universal primary education;
 - b) free secondary education;
 - c) free university education; and
 - d) free adult literacy programme.

- **Section 15 of the Child Rights Act, 2003**, every child has the right to free, compulsory and universal basic education and it shall be the duty of the Government in Nigeria to provide such education.
 - (2) Every parent or guardian shall ensure that his child or ward attends and completes his –
 - a) Primary school education; and
 - b) Junior secondary education.
 - (3) Every parent, guardian or person who has the care and custody of a child who has completed his basic education, shall endeavour to send the child to a senior secondary school, except as provided for in Subsection (4) of this section.

(4) Where a child to whom Subsection (3) of this section applies is not sent to senior secondary school, the child shall be encouraged to learn an appropriate trade and the employer of the child shall provide the necessaries for learning the trade.

(5) A female child who becomes pregnant, before completing her education shall be given the opportunity, after delivery, to continue with her education, on the basis of her individual ability.

- **The Universal Basic Education Act 2004 and strategic plan provides commitment to compulsory and free education**
- The National vision 2020 for Nigeria is to become an emerging economy model, delivering sound education policy and management for public good. Nigeria is also on course to meet the target of Millennium Development Goal that all boys and girls complete primary education i.e. 100% by 2015.

Government also collaborates with some international agencies like UNICEF, JICA, UNESCO, DFID, USAID, WHO and other development partners for the promotion of education in Nigeria. Their intervention and contributions are in the following areas: Manpower training; Supply of textbooks and equipment; Development of new institutions; Curriculum Development; Construction/refurbishing of classrooms, libraries, laboratories toilets etc; Provision of computers and other related facilities; Research and Giving scholarship among others.

2. Policy Measures

- **The National Policy on Education 2004** provides for the following: - philosophy and goals of education in Nigeria; early childhood/pre-primary education; basic education; primary education; secondary education; mass literacy, adult and non-formal education; science, technical and vocational education; tertiary education; open and distance education; special education; educational services; planning, administration and supervision of education; financing education.

Progress towards target

- Net Primary school enrolment rate in percentage: 56.8% in 1990 and 62.1% in 2007. Percentage difference 9.3%. Little progress made towards 100% target by 2015.
- Primary six completion rate 73% in 1990, 94% in 2007. Percentage difference 28.8%. Definite progress made towards 100% target by 2015.
- Adolescent literacy rate in percentage (15-24 year olds) 70.7 % in 1990, 76.4% in 2007. 8.1% difference. Some progress made.

Challenges/Opportunities

- Apart from manpower development, Nigerian education sector faces a lot of challenges. To develop human resources needs lot of human attention and human intervention. One of the main challenges is the growing trend in the number of children of school age and how to get them accommodated in the available schools and the provision of new schools if necessary.
- Addressing the plight of the Almajirai Children who in their millions under the traditional koranic school system are allowed to fend for themselves and for the upkeep of their

teachers by begging. They also serve as domestic servants or porters to other people and do odd jobs that are hazardous, detrimental to their health and exploitative. Their basic rights to survival and development as well as protection are violated as they are exposed to all forms of violence, discrimination, abuse and neglect by parents or guardians.

- Very recent opportunity to address the plight of the Almajirai children that are largely out of school is the Constitution of a National Implementation Committee on Almajirai Education Programme after the foundation laying stone of the Almajiri Model School launch in Jigawa State on December, 2010. The Committee has come out with the following documents to address the Almajiri child education: -
 - A Strategic Plan of Action (short term 2011-2015; long term 2020);
 - Operational guidelines complementing the Almajiri education programme;
 - The workplan for the integration of 400,000 Almajirai and distribution of model schools.

The above documents aim at addressing the integration of the more than 9,523,699 Almajirai across the country. A breakdown of this figure shows that: North-East has 2,657,767 pupils; North-West – 4,903,000 pupils; North-Central – 1,133,288; South-West- 809,317; South – East – 3,827; South-South – 18,500.

- The Strategy for the Acceleration of Girls' Education in Nigeria seeks to achieve gender parity in access to, retention, completion and achievement in basic Education by 2015 in Nigeria.

**Chapter 16: - Protection of the Family and the Rights of Women Children, Aged and the Disabled:
Article 18.**

1. Constitutional Administrative and Judicial Measures

- The combined effect of sections 14 to 18 of the 1999 Nigerian Constitution is that Government shall direct its policies towards ensuring: -
 - a) that evolution and promotion of family life is encouraged;
 - b) that children, young persons and the aged are protected against any exploitation whatsoever, and against any moral and material neglect;
 - c) that the conditions of work are just and humane, and that there are adequate facilities for leisure, social, religious and cultural life;
 - d) that the sanctity of the human person shall be recognized and human dignity shall be maintained and enhanced;
 - e) that suitable and adequate shelter, suitable and adequate food, reasonable minimum living wage, old age care and pensions, unemployment, sick benefits and welfare of the disabled are provided for all citizens;
 - f) that the security and welfare of the people shall be the primary purpose of government.

2. Measures adopted to ensure the responsibilities, rights and duties of parents

The most recent legal measure adopted in this regard can be found in **Sections 19-20 of the CRA 2003**, to the effect that subject to age, ability and other legal limitations, every child in Nigeria shall work toward the cohesion of his/her family and community; respect his/her parents and elders at all times and assist them in case of need, among others.

Section 20 states that:

“Every parent, guardian, institution, person and authority responsible for the care, maintenance, upbringing, education, training, socialisation, employment and rehabilitation of a child has the duty to provide the necessary guidance, discipline, education and training for the child in his/its care, such as will equip the child to secure his assimilation, appreciation, and observance of the responsibilities set out in this part of the Act.”

3. Support for Single Parents

Due to social stigmatisation, single mothers often do not make their status public. There are still no reliable disaggregated data on single-parent families. However, this information was part of the questionnaire in the last Census exercise which report is yet to be disaggregated for public use as at the time of this report. **NEEDS II** document has proposed a framework for providing support to vulnerable groups, especially single parents and teen aged mothers.

4. Orphans and Vulnerable Children Responses

Orphans and children made vulnerable by HIV/AIDS include children who have lost both parents due to any cause of death and children affected by HIV/AIDS. This includes

children living with HIV-infected parents and those in foster families affected by HIV/AIDS. The national HIV/AIDS Sero-prevalence was 4.4% in Nigeria, with series of different AIDS epidemic emerging at state levels. According to the 2006 report by the Federal Ministry of Health, there were about 2.9 to 3.3 million adults living with HIV/AIDS. The number of children orphaned and others made vulnerable by the HIV/AIDS epidemic has increased drastically since 2003. The estimated orphan population in Nigeria was 7 million in 2003, out of which 1.8 million was due to AIDS.

5. Core Principles and Strategies for responding to the phenomenon

In response to the growing phenomenon of OVC, the following strategies are being applied to:

- Strengthen the protection and care of orphans and other vulnerable children within their extended families and communities.
- Strengthen the economic coping capacities of families and communities
- Enhance the capacity of families and communities to respond to the psychosocial needs of orphans, vulnerable children and their caregivers
- Foster linkages between HIV/AIDS prevention activities, care and support for people living with HIV/AIDS, and efforts to support orphans and vulnerable children.
- Target the most vulnerable children and communities, and not only AIDS orphans
- Give particular attention to how gender role would make a difference and address gender discrimination
- Ensure the full involvement of children and adolescents as part of the solution
- Strengthen the role of schools and education systems
- Reduce stigma and discrimination
- Accelerate learning and information exchange
- Strengthen partnerships at all levels and build coalitions among key stakeholders
- Ensure that external support does not undermine community initiative and motivation

6 Steps taken to combat human trafficking.

Legislative measures

Legislative measures against human trafficking, including trafficking in children, have been taken at the national level by the Federal Government and at the State levels by some state governments. At the National level, the CRA under **Section 30(2) (b)** provides that *'a child shall not be used as a slave, or for practices similar to slavery such as trafficking of the child, debt bondage etc.'*

Sections 223-225 of the Criminal Code, applicable in Southern Nigeria, and **Articles 278-280 of the Penal Code**, applicable in Northern Nigeria provide for sanctions against human trafficking. **Section 34 of the 1999 Constitution** prohibits slavery and forced labour.

Further, ***Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003*** prohibits trafficking in human persons and provides for the rehabilitation of victims of trafficking. In line with this Act, Nigeria established the **National Agency for Prohibition of Traffic in Persons and Other Related Matters (NAPTIP)** in August 2003.

With the amendment to the legislation in 2005, Section 54 of the NAPTIP Act 2005 as amended established a Trafficked Victim's Fund into which all proceeds of the sale of assets and properties of traffickers are channeled for victim's rehabilitation.

A **Board of Victims of Trafficking Trust Fund** has been inaugurated by the Hon. Attorney-General of the Federation in line with the provisions of the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003 as amended.

Administrative Measures

Cooperation Agreements have been signed between Nigeria and Spain, Italy, Benin Republic, Switzerland, Luxembourg, Government of UK, Great Britain, Northern Ireland and The Netherland. Two coordinating groups and an Anti-Trafficking Network have been set up by the Agency, with the support of the United State Department of State and UNICEF to facilitate synergy and convergence on combating Child Trafficking in Nigeria

The impact of Nigeria's cooperation with countries of destination has resulted in an increase in the level of arrest and prosecution of those involved in women and child trafficking and other forms of sexual exploitation. Development partners, international agencies and NGOs have given material and technical support to NAPTIP to assist in the rescue, rehabilitation and social reintegration of trafficked persons.

NAPTIP delegation led by the Executive Secretary went on a fact finding mission to Mali on 12th October, 2010 and the Agency is working out the modalities to rescue about 150 victims and repatriate them to Nigeria. There was a follow up visit by the Agency to Mali in June 2011.

Nigeria, through the hardwork of NAPTIP in the fight against trafficking of human beings, was rated Tier 1 by the United States of America in 2009, 2010 and 2011.

7. Number of Traffickers Convicted and Victims Rescued by NAPTIP: as at 21/7/2011

Table 10 below shows efforts by the Nigerian anti-trafficking agency (NAPTIP) in securing successful prosecutions and convictions of human traffickers between 2004 and 2011:

TABLE 10: - LIST OF CONVICTIONS BY NAPTIP ON TRAFFICKING 2004-2011

S/N	NO. OF CONVICTIONS	NO. OF RESCUED VICTIMS
1	118 persons convicted for human trafficking offences	5,399 trafficked victims rescued between 2004 to July 2011.

Source: NAPTIP, Abuja as at 21/7/2011

8. Measures for the Protection of the Rights of Refugees/Internally Displaced Persons/Migrants

The National Commission for Refugees (NCFR) was established by Decree 52 of 1989 now Cap. N21, Laws of the Federation of Nigeria, 2004 which incorporated the 1951 United Nations Convention relating to the status of Refugees, its 1967 Protocol and the 1969 Organisation of African Unity Convention governing specific aspects of Refugees problems in Africa and they together form the guide to the protection and management of refugees and asylum seekers in Nigeria.

The Commission was further directed in 2002, by the Federal Government to manage Internally Displaced Persons (IDPs) in Nigeria.

8.1 National Policies on IDPs and Migrants 2008-9

The Federal Government of Nigeria, conscious of its obligation to protect the civil and human rights of all its citizens, by this Policy on Internal Displacement, hereby confirms its commitment to the international instruments and human rights standards relevant to Internally Displaced Persons, particularly the United Nations Guiding Principles on Internal Displacement. The Federal Government declares that the following clauses among others, are the aims and objectives it seeks to accomplish by the development of this National Policy: -

- i. To guide the various arms and levels of the Nigerian Government in the protection of persons firstly from displacement and secondly to assist in their protection during displacement;
- ii. To provide comprehensive guidelines to all international, humanitarian, and development agencies in the provision of assistance and protection to IDPs in Nigeria;
- iii. To assist State governments, security agencies, and other relevant bodies in designing policies that will provide for the security and well being of displaced persons within their respective States;
- iv. To protect displaced persons from disease, epidemic, and other health related problems;
- v. To provide basic amenities such as clothing, food, and shelter in collaboration with governmental and non-governmental humanitarian agencies;
- vi. To establish camp facilities and effective administration in order to cater for the needs of displaced persons;
- vii. To process displaced persons through formal registration and the issuance of identity cards;
- viii. To create an awareness of the needs of IDPs in this nation and in the international community; to mobilize support within the humanitarian community;

The Federal Government in pursuance of its obligation to establish and strengthen the structures that protect the human, civil and economic rights of its citizens at home and abroad, as well as the rights of aliens residing in Nigeria, hereby affirms its commitment to all international and national instruments, principles and standards that are related to migrants.

Persons of Concern in Nigeria: National Commission For Refugees' Report 2011

- Asylum seekers; Refugees; Returnees; Stateless Persons and Internally Displaced Persons

LOCATION	IDPS	RETURNEES	REFUGEES (incl LI)	CAUSES OF DISPLACEMENT
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TABLE 11: STATISTICS OF PERSONS OF CONCERN: - AS AT JANUARY 2011

Akwa Ibom	200,000	50,000 (Bakassi)	-	Boundary conflicts Returnees/ICJ
Cross River	115,000	325,000 (Bakassi)	3,464	Boundary Conflicts and ICJ
Bayelsa	-	18,000 (Bakassi)	-	ICJ
Ebonyi	80,000	-	-	Boundary Conflicts
Bauchi	45,000	-	-	Spill over from Plateau crisis 2001-2010
Kebbi	70,296	-	-	Floods and international boundary conflict
Jigawa	200,000	-	-	Floods, 2006 & 2010
Plateau	250,000	-		Religious and Ethnic Conflicts
Taraba	25,000	10,401		On going programme for IDPs. Returnees successfully integrated
Benue	48,000	-	4,654	Tribal conflicts and Cameroonian Refugees
Gombe	15,000	-		Spill over from Plateau Conflicts
Ogun	-	-	4,500	Locally Integrating refugees, Residual caseload and other nationalities
Edo	250,000	8,000 (Bakassi)		IDPs from Niger Delta and ICJ cases
Borno	5,000	-	1,021	Boko Haram cases and Chadian Refugees
Sokoto	35,000			Floods victims

NOTE:
Katsina, Jigawa, Oyo, Lagos, Ogun and Kogi States IDPs affected by flood disaster are in the process of being assessed.

Challenges

S/N	Challenges	Action Taken	Further Action Required	Remarks
1	Access to funds in emergency situation	Attorney General to submit final draft with latest SGF comments for onward submission	Advocacy Activities	Amendment will cover HTF and power to raise funds from other sources
2	Professional/Critical Operation Staff	Waiver has been granted	Personnel and Overhead Budget 2011 Project staffing is critical requirement especially in identified RR Projects.	Consultants Interns and Project Staff Office accommodation, equipment and other critical logistics
3	Migration and IDP Policies Endorsement – FEC	Draft returned for representation	Its approval will attract donor funds on Migration to the Government. Thematic Areas of Projects have been prepared by NCFR/NPC on the basis of draft NMAP.	Development of NMAP Establishment of AVR centers Migration Profile & Database; Survey Migration Secretariat and Coordination;
4	Ratification of African Union (AU) Convention on IDPs, hindered by Long process, lack of staffing and funding for advocacy	Correspondence with relevant MDAs initiated. Process on-going	Advocacy Training Technical expertise/consultants	
5	Implementation of Strategic Implementation Plan for IDPs in Bauchi and Plateau	Plateau State government has assented to jointly implement the plan.	Advocacy in Bauchi Training Funds to implement activities in the plan	
6	Funding Logistics	Collaboration with the NASS	Supplementary Funding Donations	

Source: National Commission For Refugees, Abuja, January 2011

Chapter 17

Articles 19 & 20 - Rights of all Peoples to Equality, Existence and Self-Determination:

Although the Constitution of the Federal Republic of Nigeria 1999 does not expressly guarantee this right, the cumulative effect of Sections 14-17 is that the Nigerian State shall direct its policy towards ensuring that: -

- a) The security and welfare of the people shall be the primary purpose of government;
- b) The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the federal character of Nigeria and the need to promote national unity and command national loyalty, thereby ensuring that there shall be no predominance of persons from a few States or from a few ethnic or other sectional groups in that Government or in any of its agencies.

The composition of the Government of a state, a local government council, or any of their agencies and the conduct of their affairs shall be carried out in such a manner as to recognize the diversity of the people within its area of authority and the need to promote a sense of belonging and loyalty among all the peoples of the Federation.

- c) The Nigerian State shall foster a feeling of belonging and of involvement among the various peoples of the Federation, to the end that loyalty to the nation shall override sectional interests.
- d) In furtherance of the preservation of social order, every citizen shall have equality of rights, obligations and opportunities before the law; the sanctity of the human person shall be recognized and human dignity shall be maintained and enhanced. Government actions shall be humane and the exploitation of human or natural resources in any form whatsoever for reasons, other than the good of the community, shall be prevented.

Chapter 18: - Rights of all Peoples to Control their Natural Resources and to Freedom from Foreign Economic Exploitation: - Article 21.

- Though the Nigerian Constitution does not declare or guarantee the above rights, the combined effect of sections 14-20 is that the State shall direct its policy towards ensuring that : -
 - a) the State shall, within the context of the ideals and objectives for which provisions are made in this Constitution - harness the resources of the nation and promote national prosperity and an efficient, dynamic and self-reliant economy; control the national economy in such manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity; without prejudice to the right of any person to participate in areas of the economy within the major sectors of the economy, protect the right of every citizen to engage in any economic activities outside the major sectors of the economy.
 - b) the State shall direct its policy towards ensuring: - the promotion of a planned and balanced economic development; that the material resources of the nation are harnessed and distributed as best as possible to serve the common good; that the economic system is not operated in such a manner as to permit the concentration of wealth or the means of production and exchange in the hands of few individuals or of a group.
 - c) a body shall be set up by an Act of the National Assembly which shall have power - to review, from time to time, the ownership and control of business enterprises operating in Nigeria and make recommendations to the President on same; and to administer any law for the regulation of the ownership and control of such enterprises.
 - d) exploitation of human or natural resources in any form whatsoever for reasons, other than the good of the community, shall be prevented.

To address the above, the Federal Government decided to create in September 2008 a new ministry of the Niger Delta with a view to ensuring effective implementation of a comprehensive master plan, programs and direct intervention projects in the region.

Furthermore, the Federal Government of Nigeria seeks to address the above through NEITI Act 2007: -

- Ensure due process and transparency in the payments made by all extractive industry companies to the federal government and all statutory recipients.
- Monitor and ensure accountability in the revenue receipts of the Federal Government from the extractive industry companies.
- Eliminating all forms of corrupt practices in the determination, payments, receipt to and posing of revenues to the Federal Government from extractive industry companies.
- Ensure transparency and accountability by government in the application of resources from payments received from extractive industry companies.

- Ensure conforming with the principles of extractive industry transparency initiative (EITI) in all activities relating to mining.
- **Nigeria Oil and Gas Industry Content Development Act 2010: -**

The most recent is the Nigeria Oil and Gas Industry Content Development Act 2010 which was signed into law in April, 2010. The Act provides that Nigerian companies must be given primary consideration in the award of oil blocks, oilfield licenses, oil lifting licences and any other contract available in the Nigerian oil industry. It also requires all companies seeking for license in the oil and gas sector to provide a plan for a Nigerian local content in terms of employment, procurement and use of local resources. The Act established the Nigerian Content Development Agency which has the following responsibility of putting in place a framework for continuous growth of Nigerian Content in the Nigerian Economy through a balanced programme of planning, target setting, monitoring, stimulating employment, improving contractor capability and capacity, while ensuring international competitiveness of the materials, equipment and services provided by Nigerian companies.

Chapter 19: - Rights of all Peoples to Economic, Social and Cultural Development: - Article 22

- Though there is no express declaration or guarantee of the above right under the Nigerian Constitution, it is evident that the Constitution obligates the State to ensure the following through its policy measures: -
 - a) the State shall, within the context of the ideals and objectives for which provisions are made in this Constitution: - harness the resources of the nation and promote national prosperity and an efficient, dynamic and self-reliant economy; control the national economy in such manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity; without prejudice to the right of any person to participate in areas of the economy within the major sectors of the economy, protect the right of every citizen to engage in any economic activities outside the major sectors of the economy.
 - b) The State shall direct its policy towards ensuring that- all citizens, without discrimination on any group whatsoever, have the opportunity for securing adequate means of livelihood as well as adequate opportunity to secure suitable employment; conditions of work are just and humane, and that there are adequate facilities for leisure and for social, religious and cultural life; the health, safety and welfare of all persons in employment are safeguarded and not endangered or abused; there are adequate medical and health facilities for all persons; there is equal pay for equal work without discrimination on account of sex, or on any other ground whatsoever; children, young persons and the aged are protected against any exploitation whatsoever, and against moral and material neglect; provision is made for public assistance in deserving cases or other conditions of need; and the evolution and promotion of family life is encouraged.
 - c) The State shall - protect, preserve and promote the Nigerian cultures which enhance human dignity and are consistent with the fundamental objectives as provided in this Chapter two; and encourage development of technological and scientific studies which enhance cultural values.

Chapter 20: - Rights of all Peoples to National and International Peace and Security: - Article 23

- Though there is apparent lack of specific guarantee of the above right in the Nigerian Constitution, it is evident from the combined effect of Sections 14(2)(b), 19 and 23 that the State shall ensure that: -
 - a) The security and welfare of the people shall be the primary purpose of government.
 - b) The foreign policy objectives shall be the promotion and protection of the national interest; promotion of African integration and support for African unity; promotion of international co-operation for the consolidation of universal peace and mutual respect among all nations and elimination of discrimination in all its manifestations; respect for international law and treaty obligations as well as the seeking of settlement of international disputes by negotiation, mediation, conciliation, arbitration and adjudication; and promotion of a just world economic order.
 - c) The national ethics shall be Discipline, Integrity, Dignity of Labour, Social, Justice, Religious Tolerance, Self-reliance and Patriotism.
 - d) Increased awareness on gender issues is part of the measure being used in Nigeria towards the promotion of the advancement of women to ensure their full and effective participation and representation in peace processes including the prevention, resolution, management of conflicts and post-conflict reconstruction in Africa.
 - e) Having ratified the African Union (AU) Constitutive Act, the Protocol on the Establishment of the Peace and Security Council of the African Union and the ECOWAS Protocol on Peace, Security and Conflict Prevention, Management and Resolution, Nigeria as a member of the AU Peace and Security Council has been championing the principles and objectives of the AU towards peace, stability, prosperity and development of the continent. Accordingly and to further strengthen national capacity in the area of conflict prevention, management and resolution as well as post conflict reconstruction and development, the Federal Government of Nigeria through Institutional arrangements has been active both in the sub-region and at the continental levels. On the obligation of peace imperative at the national level, the Federal Government has also established under the Presidency, the Institute for Peace and Conflict Studies which has three (3) women Directors that are peace advocates and security analysts in the departments of Human Rights and Democracy, Governance Security and Conflict assessments.
 - f) Nigeria has excelled in promoting the peaceful settlement of disputes in the ECOWAS region (From Liberia, Sierra Leone, Chad, Niger and Cote d'Ivoire) as well as helping to contain conflicts in several African Countries such as Angola, Chad, Democratic Republic of Congo (DRC), Rwanda, Somalia, Sudan and Zimbabwe to name a few. This track record epitomizes Nigeria's contribution to the liberation movements and the healing of colonial processes which led to the independence of African Countries such as Namibia, Mozambique, Zimbabwe and South Africa. It is equally instructive to note that towards the promotion of peace and coexistence, Nigeria agreed to abide by a

ruling of the International Court of Justice over a long standing dispute with Cameroon on the potentially oil rich Bakassi Peninsula.

- g) The Institute has intervened in the last four years in a number of ethno-religious and political conflicts in the geo-political zones of Nigeria. It has identified the root causes of such conflicts and has published about five volumes of its conflict assessment report, trained and retrained through workshops and seminars over 100 men and women peace advocates and post-conflict builders.
- h) The government has in the last three years strengthened the human, material, financial, and technical capacity of the Institute for African Peace and Conflict Resolution at the National Defence College Abuja. This has resulted in the training of senior female police, security and armed forces personnel in strategic planning, research and implementation of peace and security principles, enshrined in the AU Constitutive Act and the ECOWAS Protocol.
- i) Furthermore, collaborative activities between notable NGOs, International Committee of the Red Cross (ICRC), the Nigerian Red Cross Society and the National Human Rights Commission have resulted in the conduct of series of workshops in the last four years on peace building and alternative measures to violent conflict across the federation of Nigeria, leading to the training of several human rights and women peace advocates in Peace and Security initiatives.
- j) Nigeria has been consistently committed and constructive in upholding the obligations to national and international Peace and Security Treaties by ensuring that the conduct of the Federal Government is in compliance with treaty obligations and also acting in fair and balanced manner to encourage the same guidance within the ECOWAS sub-region and the Peace and Security Council of the African Union.

Taking cognizance of the nexus between Peace, security and Development, Nigeria is in the vanguard of the pursuit of democratic ideals and principles with a strong commitment to ensuring sustainable culture for rule of law, human rights and constitutional democracy in Africa.

k) **Administrative Measures on Child Soldiers**

- The official age for recruitment into the Nigerian Army is 18 years, thus making it illegal and impossible for children to be directly recruited into the Armed Forces. The child-soldier phenomenon as well as abuse of girl children as wives and sex slaves in violation of their rights is not a manifest problem in Nigeria.
- There are ongoing programmes for the sensitization of the armed forces of the Federal Republic of Nigeria regarding the use of children in war situations, as part of their professional training. Moreover, Nigerian soldiers' participation in international Peace Keeping missions in war-torn countries like Bosnia, Sierra Leone and Liberia has provided opportunity for the Armed Forces Authorities to further understand relevant international laws concerning the rights of children in armed conflict situations.

l) National Policy on Peace in Nigeria 2009

Nigeria is a multicultural, multi-religious and multi-linguistic society; nonetheless its unity and strength lie in its diversities which have continued to propel the country towards cohesion and vibrancy. Such diversities have continued to be managed within the Federation by restructuring its institution and administration in a manner that allows mediation into its sectional politics and ethno-territorial demands and to balance competition over resources, all with the view to promote inclusivity and representation and thus unity, peace and stability of the country.

The diversity and complexity of conflicts in Nigeria require a comprehensive focus on peace building. It also requires a socially inclusive approach to the formulation, adoption, implementation, monitoring and evaluation of the policy designed to achieve this objective in a sustainable manner. Currently, there is widespread agreement that domestic peace and stability are critical to national prosperity as well as subregional and international peace and security. Nigeria is committed to the fundamental principles enshrined in international treaties, charters, protocols and conventions that focus on proactive conflict management and peace building. This provides the justification for the development of this national peace policy which serves as the framework for the country's peace efforts.

The National Peace Policy (NPP) consists of the guiding philosophy, sets of fundamental objectives and principles, as well as strategies for implementation and evaluation for all peace-related activities by Nigerian stakeholders. It is driven primarily by Nigeria's national interest as encapsulated in the Constitution of the Federal Republic of Nigeria (1999). This policy emerged from an all-inclusive multi-stakeholder process involving State and non-State actors across the country.

The NPP is in furtherance of Nigeria's commitment to the fundamental principles of the Economic Community of West African States (ECOWAS) in relation to the "maintenance of regional peace, stability and security through the promotion and strengthening of good neighborliness; and peaceful settlement of disputes among member states, active co-operation between neighbouring countries and promotion of a peaceful environment as a prerequisite for economic development" (ECOWAS Treaty 1993, Article 4 paragraphs e and f). Also, it conforms with the main objective of the African Union (AU) to "promote peace, security and stability on the Continent and the principle of peaceful resolution of conflicts among member states of the union through such appropriate means as may be decided upon by the Assembly" (Article 3, paragraph 3 and Article 4, paragraph e Charter of the OAU 1963; and Article 3, paragraph 4, the Constitutive Act of the AU, 2000).

To this end, the Peace Policy ensures that the opportunities and resources in Nigeria are harnessed in a fair, just and equitable manner, with a view to preventing those tendencies that generate social discord and violence.

Chapter 21: - Rights of all Peoples to Environmental Protection: - Article 24 Legal and Judicial Measures

Under section 20 of the Nigerian Constitution, the State shall protect and improve the environment and safeguard the water, air and land, forest and wild life of Nigeria.

More recently, Justice C.V. Nwokorie of the Federal High Court Benin City of Nigeria in *Jonah Gbemre v. Shell PDC Ltd and Ors (2005)* Suit No. FHC/B/CS/53/05 granted leave to the applicant to institute these proceedings in a representative capacity for himself and for each and every member of the Iweherekan Community in Delta State of Nigeria, and to apply for an order enforcing or securing the enforcement of their fundamental human rights to life and human dignity as provided by sections 33 (1) and 34(1) of the 1999 Constitution of Nigeria, and reinforced by Articles 4, 16 and 24 of the African Charter on Human and Peoples' Right Cap. A9 Vol. 1, LFN 2004. The Court held that these constitutionally guaranteed rights inevitably includes the rights to clean, poison and pollution-free healthy environment. The Judge further declared that the actions of the respondents (Shell PDC and NNPC) in continuing to flare gas in the course of their oil exploration and production activities in the Applicant's Community is a violation of their fundamental rights. Furthermore, the judge ruled that the failure of the companies to carry out an Environmental Impact Assessment in the said community concerning the effects of their gas flaring activities is a clear violation of the E.I.A. Act and has contributed to a further violation of the said environmental rights. The judge's order restrained the respondents from further gas flaring and to take immediate steps to stop the further flaring of gas in the community. That the Attorney General should ensure the speedy amendment, after due consultation with the Federal Executive Council, the Associated Gas Re-Injection Act to be in line with Cap.4 of the Constitution on Fundamental Human Rights. But the Judge made no award of damages, costs or compensation whatsoever.

This is a landmark judgment in the sense of application of fundamental human rights to an environmental case for the first time in Nigeria, consistent with the trend in other jurisdictions.

National Environmental Standards and Regulations Enforcement Agency (Establishment) Act, 2007 No. 25, provides for the establishment of the national environmental standards and regulations enforcement agency charged with the responsibilities for the protection and development of the environment in Nigeria; and for related matters

Under section 2 of the NESREA Act, the Agency, shall, subject to the provisions of this Act, have responsibility for the protection and development of the environment, biodiversity conservation and sustainable development of Nigeria's natural resources in general and environmental technology including coordination and liaison with relevant stakeholders within and outside Nigeria on matters of enforcement of environmental standards, regulations, rules, laws, policies and guidelines.

2 Policy Measures: - National Policy on Environment, 1999

Nigeria is committed to a national environmental policy that will ensure sustainable development based on proper management of the environment. This demands positive and realistic planning that balances human needs against the carrying capacity of the environment. This requires that a number of complementary policies, strategies and management approaches are put in place which should ensure, among others that;

- Environmental concerns are integrated into major economic decision – making processes;

- Environmental remediation costs are built into major development projects;
- Economic instructions are employed in the management of natural resources;
- Environmentally friendly technologies are applied;
- Environmental Impact Assessment is mandatory before any major development project is embarked upon;
- Environmental monitoring and auditing of existing major development project are routinely carried out.

The actions envisaged will establish and or strengthen legal, institutional, regulatory, research monitoring evaluation, public information and other relevant mechanisms for ensuring attainment of the specific goals and targets of the policy.

It is also expected that these strategies will lead to:

- a. improvement in the quality of life of the people;
- b. the establishment of adequate environmental standards as well as the monitoring and evaluation of changes in the environment and the adoption of appropriate restorative measures;
- c. the acquisition and publication of up-to-date environmental data and the dissemination of relevant environment information;
- d. prior environmental assessment of proposed activities which may impact the environment or the use of a natural resource.
 - Pursuant to government efforts to promote and protect the right to a healthy environment, the Federal Capital Territory Administration (FCTA) recently published a report that it has prosecuted 5,989 persons for various environmental offences between December 9, 2010 and January 5, 2011 in the Federal Capital Territory, Abuja.

3. Federal Capital Territory Administration (FCTA) Prosecute 6000 Persons for Environmental Offences

Recently, the Abuja Environmental Protection Board (AEPB) disclosed that out of the 5,989 persons prosecuted, 182 cases were discharged and 181 persons were imprisoned.

The Board further revealed that during the period under review, 741 warrants of arrest were issued while 659 Seal up Orders were also executed.

The Abuja Environmental Protection Board during the period also inspected 1,550 premises comprising hospitals, residential, hospitality industries, parks, markets and public conveniences to ensure that high standard of sanitary condition is achieved in the Territory.

A total of 1,279.9 tonnes of special waste was evacuated from 334 healthcare facilities in the FCT; while 22,349 tonnes of municipal waste was also evacuated and deposited at the waste disposal sites within the period.

4. NATIONAL ROADMAP FOR IMPROVED WATER SUPPLY

The Federal Government, recently launched the 2011 roadmap for the water sector in Nigeria which basically highlights three major approaches that are expected to enable the country realize the target of potable water supply by 2015 in line with the United Nation Millennium Development Goals' target.

With the expectation of hitting a target of 75 percent portable coverage by 2015, the Federal Government would require the sum of N575 billion annually to make this a reality.

The roadmap is basically hinged on three strategic plans, the short, medium and long term measures have the potential of ensuring 100 percent total potable water delivery to the Nigerian populace by 2025.

PART SEVEN: - DUTIES OF INDIVIDUALS: - ARTICLES 27-29

Chapter 22: - Individual Duties to Family, Society and State

Under section 24 of the 1999 Nigerian constitution, it shall be the duty of every citizen to –

- a) abide by this Constitution, respect its ideals and its institutions, the National Flag, the National Anthem, the National Pledge, and legitimate authorities;
- b) help to enhance the power, prestige and good name of Nigeria, defend Nigeria and render such national service as may be required;
- c) respect the dignity of other citizens and the rights and legitimate interests of others and live in unity and harmony and in the spirit of common brotherhood;
- d) make positive and useful contribution to the advancement, progress and well-being of the community where he resides;
- e) render assistance to appropriate and lawful agencies in the maintenance of law and order; and
- f) declare his income honestly to appropriate and lawful agencies and pay his tax promptly.

Chapter 23: - CONCLUSION

It is evident from the analysis contained in Part 1 of this Report that with the return to democratic governance in Nigeria in May 1999, concerted efforts have been made to evolve a comprehensive legal, policy and institutional frameworks for the promotion and protection of human rights in Nigeria.

Information contained in **Parts 2, 3, 4, 5 & 6** of this Report indicates clearly that there are various socio-cultural religious economic, political and legal impediments to the promotion and protection of human and peoples' rights in Nigeria.

However, the analysis of steps taken to promote civil and political rights confirm the commitment of all the levels of government in Nigeria to ensuring that the majority of Nigerians, particularly women and children and the disabled/other vulnerable groups no longer suffer from discrimination.

The health and welfare of Nigerians remain major areas for intervention for survival, optimal development and achievement of full potential in life. The programmes and strategies outlined above are the main areas of focus by the government in collaboration with development partners, especially UNICEF, ILO, WHO, NGOs and the private sector.

Although a lot of human and material resources have gone into the health and welfare sectors, more still needs to be done. The large population, vast area of coverage, high disease burden, high level of illiteracy and poverty are compounding factors which militate against attainment of the goals of the National Health and Social Development Policies.

The statistical figures, trends, volume and analysis contained in Parts 1 - 7 of this report reveal a measure of inadequacies in budgeting, management, planning, monitoring and evaluation in the implementation process of the above core rights guaranteed to women, children and other vulnerable groups. The data disaggregated indicates that the Federal Republic of Nigeria demonstrated fairly, her willingness to discharge her obligations through putting in place such policies, programmes, and institutional infrastructure including principal legislative and administrative measures for the realization of the provisions of the Charter.

Finally, government's success in the critical areas recorded in this report is essentially due to the collaborative and cooperative efforts of development partners, donor agencies and the aggressive and sustained campaigns/initiatives embarked upon and being organized by the Civil Society Groups nationwide, and it is hoped that this will be sustained in moving the nation forward on the realization of human and peoples' rights in Nigeria.

ANNEXURES

ANNEX 1: WORKPLAN FOR THE REPORT WRITING PROCESS: 2010-2011

Activity	Date	Status
Activity 1: - Draft Framework for the Writing of Nigeria's 3 rd Country Report.	Nov. 2 – Nov. 30	Completed
Activity 2: - Presentation of Framework by the Consultant to the Federal Ministry of Justice for input.	Dec. 1 – 3	Completed
Activity 3: - Newspaper adverts for publicity and call for memoranda / inputs to the Country Report.	Dec. 3 – 5	Completed
Activity 4: - Collection of relevant materials and data in the light of the Framework under Activity 1.	Nov. 30 – Dec. 30	Completed
Activity 5: - Submission of 1 st Draft Report to the FMJ.	Feb. 10, 2011	Completed
Activity 6: - One-day Peer-Review Workshop.	March 2, 2011	Completed
Activity 7: - One-day Stakeholders' Validation Workshop.	March 3, 2011	Completed
Activity 8 - Submission of the Revised Draft to FMJ.	March 23, 2011	Completed
Activity 9: - Adoption of the Revised Draft by the Inter-ministerial Meeting; Memo to the Federal Executive Council on the Report	March 31 to August, 2011	Completed
Activity 10: - Hard and soft copies of Report to the AU Commission on Human Rights in Banjul, the Gambia.	August, 2011	Sent

ANNEX 2: CALL FOR INPUT



FEDERAL MINISTRY OF JUSTICE, ABUJA

CALL FOR INPUTS

Daily Trust Wednesday February 23, 2011, page 26 and ThisDay February 24, 2011 at page 32

The Federal Ministry of Justice, as the focal point for the Committee on the African Commission on Human and Peoples' Rights (ACHPR), is compiling Nigeria's Periodic Report on Human Rights incidences/Interventions for submission to the ACHPR Secretariat in preparation for the 49th Session scheduled to hold from 28 April – 11 May, 2011.

This advert is to invite Federal, state and Local Government Establishments, Academic Institutions, Development Agencies, media Organizations, Corporate Organizations, Non-Governmental Organizations (NGOs), Civil Society Groups, Individuals and the General Public to forward their inputs on the implementation of African Charter on Human and Peoples' Rights in Nigeria to the address provided below.

Such should include reports, statistics, data and impact assessment of programmes; positive and negative outcomes of interventions, social reforms, legislation and projects undertaken since 2008-2010. The focus of the submissions should cover the under-listed articles/issues as contained in the African Charter Document:

Submission of reports on innovations and best practices that have positively enhanced the situation and well being of individuals/citizens at the National, State or Community Level are welcome and could be forwarded.

All submissions must be typed doubled-spaced and forward by hand, postal or Electronic mail not later than 31st January, 2011, to reach:

ACHPR COMMITTEE SECRETARIAT,
*% The Director, International & Comparative Law (ICL) Department,
Federal Ministry of Justice, FMJ Complex,
Off Shehu Shagari Way,
Maitama District, Abuja, Nigeria.
E-mail: achpr.committee@ymail.com*

Further clarifications and inquiries can be obtained by phone on:
0803 590 0864, 0805 080 4070, 08059093415

Collated inputs shall be reviewed at a Stakeholders' Validation Workshop to be convened on 3rd March 2011.

FEDERAL MINISTRY OF JUSTICE, ABUJA: ANNOUNCER

ANNEX 3: Inventory of Human rights related CSOs in Nigeria

- **List of CSO Coalition for Poverty Eradication (CISCOPE): -**
 - i. Shelter Rights Initiative, Lagos
 - ii. Centre for Women & Adolescent Empowerment, Yola
 - iii. Development Exchange Centre (DEXCENTER), Bauchi
 - iv. Centre for Enterprise Development and Action Research (CEDAR), Ibadan
 - v. Civil Resource Development & Documentation (CIRDDOC), Enugu
 - vi. Project AGAPE, Lafia, Nassarawa
 - vii. Women Empowerment & Poverty Alleviation (WEPA), Kaduna
 - viii. Environmental Rights Action (ERA), Benin City
 - ix. Akpabuyo Bakassi Green Movement (ABGREMO), Cross River
 - x. Rural Women and Youth Development (RUWOYD), Sokoto
 - xi. Women's Right Advancement & protection Alternative (WRAPA), Katsina
 - xii. National Association of Nigerian Traders (NANTS), Lagos
 - xiii. Congress of Small Scale Association of Nigeria, Lagos
 - xiv. National Association of Industries, Mines and Agriculture, Lagos
 - xv. All Farmers Apex Association of Nigeria, Abuja
 - xvi. Manufacturers Association of Nigeria, Abuja
 - xvii. Nigeria Labour Congress, Abuja
 - xviii. CISCOPE Desk, Abuja
 - xix. Women's Support & Development Initiatives (WOSDI), Sokoto
 - xx. Peace and development Organisation (PEDO), Zamfara
 - xxi. Child Foundation, Zamfara
 - xxii. SILA-SETECHO Social Organisation
 - xxiii. Centre for Sustainable Development & Youth Organisation, Katsina
 - xxiv. Maigatari Development Association, Jigawa
 - xxv. Jigawa State Youth Aids project (JSYAO)
 - xxvi. Adamawa Water Development Association Water, Yola
 - xxvii. Mbela Multi-Purpose Coop Society, Yola
 - xxviii. Yola Educational Progressive Association
 - xxix. Albarka Women Association, Adamawa
 - xxx. International centre for Youth Development (ICYD), Abia State
 - xxxi. Friendly Environment and Human Development Foundation (FEHD), Imo State
 - xxxii. Civil Rights Concern (CRC), Enugu
 - xxxiii. Volunteer Societies of Nigeria Organisations on AIDS (VOSONOA) Enugu
 - xxxiv. Methodist Diocese of Enugu, Enugu
 - xxxv. Youth Resource Development Education and Leadership Centre for Africa (YORDEL, Africa), Enugu.
 - xxxvi. Man and Water Survival project, Bayelsa State
 - xxxvii. Education as a Vaccine Against AIDS (EVA), Abuja
 - xxxviii. Osa Foundation, Benue State
 - xxxix. CBD-NGO Forum, Jos
 - xl. Child To Child Health Development Agency, Niger State
 - xli. Young Men's Christian Association (YMCA), Lafia

- xlii. Centre for Communication & Reproduction Health Services (CCRHS), Niger State
- xlili. Loving – Care – Central, Jos
- xliv. Christian Rural and urban Development Association of Nigeria (CRUDAN), Plateau State
- xlv. Otia development Foundation, Benue State
- xlvi. Care and Action Research (CaRE-NGO), Kaduna
- xlvii. Liberty Now
- xlviii. Centre for Appropriate Technology for Rural Women
- xliv. African Network for Environmental & Economic Justice (ANEEJ)
 - I. Practising Farmer Association of Nigeria, Maiduguri
 - ii. Organisation for Sustainable Community Development (OSCD)
 - lii. Nigerian Farmers, Taraba State
 - liii. Jigawa Youth Aids project
 - liv. Centre for Rural Info & Community Development, Asaba
 - lv. Women Survival & Development Association
 - lvi. International Women Com. Centre, Kwara State
 - lvii. Community Education project (CEP), Borno
 - lviii. Farmers Development Union (FADU)
 - lix. Women for Development (WODOF)
 - lx. N.C.W.S. Ekiti State
 - lxi. Grassroots Empowerment Network (GEN)
 - lxii. Rights and Development Centre (RIDEC)
 - lxiii. NGO Coalition for Environment (NGOCE)
 - lxiv. Development and learning Centre (DLC) Makurdi
 - lxv. Community Women and Development COWAD- Nigeria
 - lxvi. J.D.P.C. Ijebu-Ode
 - lxvii. Country Women Association of Nigeria (COWAN)
 - lxviii. Oilwatch Africa

● **List of CSO Coalition for Legislative Advocacy on Violence Against Women (LACVAW): -**

- i. FIDA Rivers State Zone
- ii. Center for Women and Advancement Empowerment (CWAE)
- iii. Girls' Power Initiative (GPI)
- iv. Legal Defence and Assistance Project (LEDAP)
- v. Civil Resource Development and Documentation Centre (CIRDDOC)
- vi. Women's Aid Collective (WACOL)
- vii. Legal Research Initiative- (LRI)
- viii. Women Opinion Leasers Forum (WOLF)
- ix. Nigeria Association of Women Journalists (NAWOJ)
- x. Poverty Alleviation and Development Centre (PADEC) – Kaduna
- xi. Constitutional Rights Project (CRP)
- xii. Women, Law and Development Centre (WOLDCN)
- xiii. Women's Rights and Development Centre (WORDEC)
- xiv. Women's Consortium of Nigeria (WOCON)
- xv. Christian Care for Widows/Widowers and the Aged
- xvi. FIDA, Kaduna
- xvii. Legal Watch, Kaduna

- xviii. Foundation for Women's Health-FORWARD- Nigeria
- xix. International Association of Educationists for World Peace
- xx. Northern Cross River States Women Association – (NCRSWA)
- xxi. Women in Detention Rights Initiative (WIDRI)
- xxii. FIDA, Abuja Capital Chapter
- xxiii. Gender Advancement and Development Action (GADA), Lagos
- xxiv. Women in Nigeria (WIN)
- xxv. Women's Rights Advancement and Protection Alternative (WRAPA)
- xxvi. Committee for the Defence of Human Rights (CDHR)
- xxvii. Centre for Democracy and Development (CDD)
- xxviii. Project Alert, Lagos
- xxix. Women and Minority Rights Monitors (WAMRM)
- xxx. Democratic Alternative- (DA)
- xxxi. Human Rights Monitor
- xxxii. League of Democratic Women. Nigeria (LEADS)
- xxxiii. BAOBAB for Women's Human Rights
- xxxiv. Civil Liberties Organisation – (CLO)
- xxxv. NAWOJ – Democracy & Governance Project, Kaduna
- xxxvi. Constitutional Watch (CONSWATCH)
- xxxvii. FIDA, Edo
- xxxviii. Adolescent Health and Information Project (AHIP)
- xxxix. Human Rights Law Service-HURI-LAWS
 - xl. NAWOJ Enugu State Chapter
 - xli. Centre for Women Studies and Intervention (CWSI)
 - xlii. National Council for Women societies (NCWS)
 - xlili. Gender Action Team (GAT) Kaduna

● **List of CSO Coalition for Constitutional Reform (CFCR): -**

- i. CDD, Abuja
- ii. Global Rights Initiative, Abuja
- iii. Legal Resources Consortium, Lagos
- iv. PRAWA, Lagos
- v. HURILAWS, Lagos
- vi. Network on Police Reforms in Nigeria (NOPRIN)
- vii. SERAC, Lagos
- viii. SERI, Lagos
- ix. LRRDC, Lagos
- x. WRAPA, Abuja
- xi. WACOL, Enugu
- xii. CLO, Lagos
- xiii. WARDC, Lagos
- xiv. Global Rights Initiative, Abuja
- xv. CRP, Abuja
- xvi. FIDA (International Federation of Women Lawyers) , Abuja-Lagos
- xvii. Center for Women and Advancement Empowerment (CWAE)
- xviii. Girls' Power Initiative (GPI)

- xix. Legal Defence and Assistance Project (LEDAP)
 - xx. Civil Resource Development and Documentation Centre (CIRDDOC)
 - xxi. Women's Aid Collective (WACOL)
 - xxii. Legal Research Initiative- (LRI)
 - xxiii. Women Opinion Leasers Forum (WOLF)
 - xxiv. Nigeria Association of Women Journalists (NAWOJ)
 - xxv. Poverty Alleviation and Development Centre (PADEC) – Kaduna
 - xxvi. Constitutional Rights Project (CRP)
 - xxvii. Women, Law and Development Centre (WOLDCN)
 - xxviii. Women's Rights and Development Centre (WORDEC)
 - xxix. Women's Consortium of Nigeria (WOCON)
 - xxx. Christian Care for Widows/Widowers and the Aged
 - xxxii. Legal Watch, Kaduna
 - xxxiii. Foundation for Women's Health-FORWARD- Nigeria
 - xxxiiii. International Association of Educationists for World Peace
 - xxxv. Northern Cross River States Women Association – (NCRSWA)
 - xxxvi. Women in Detention Rights Initiative (WIDRI)
 - xxxvii. Gender Advancement and Development Action (GADA), Lagos
 - xxxviii. Women in Nigeria (WIN)
 - xxxix. Women's Rights Advancement and Protection Alternative (WRAPA)
 - xl. Committee for the Defence of Human Rights (CDHR)
 - xli. Centre for Democracy and Development (CDD)
 - xlii. Project Alert, Lagos
 - xliii. Women and Minority Rights Monitors (WAMRM)
 - xliv. Democratic Alternative- (DA)
 - xlv. Human Rights Monitor
 - xlvi. League of Democratic Women. Nigeria (LEADS)
 - xlvii. BAOBAB for Women's Human Rights
 - xlviii. Civil Liberties Organisation – (CLO)
 - xlix. NAWOJ – Democracy & Governance Project, Kaduna
 - l. Constitutional Watch (CONSWATCH)
 - I. Adolescent Health and Information Project (AHIP)
 - li. Human Rights Law Service-HURI-LAWS
 - lii. NAWOJ Enugu State Chapter
 - liii. Centre for Women Studies and Intervention (CWSI)
 - liv. National Council for Women societies (NCWS)
 - lv. Gender Action Team (GAT) Kaduna
- **List of CSO Zero Corruption Coalition (ZCC): -**
 - i. Transparency in Nigeria, NGO, initiator & host of the coalition
 - ii. Integrity, Anti-Corruption NGO
 - iii. EMPARC, Reproductive Rights NGO
 - iv. Poverty Alleviation in Nigeria [PAN], CBO
 - v. Gender and Development Action [GADA], Women Rights Ngo
 - vi. NNNGO, Coalition of NGOs
 - vii. Cass, NGO

- viii. CRD, NGO
- ix. National Democratic Institute, NGO
- x. Kano Chapter of Commerce, Organized Private Sector
- xi. CHD, NGO
- xii. JDPC, NGO
- xiii. Center for Democracy & Development [CDD], NGO
- xiv. Mass Movement, CBO
- xv. Nigerian Labour Congress, Trade Union
- xvi. Nigerian Union of Journalist, Trade Union
- xvii. NACCIMA, Organized Private Sector
- xviii. BAOBAB, NGO
- xix. National Consumer Council, Organized Private Sector
- xx. IHRLG, Human Right
- xxi. National Association of Democratic Lawyers-NADL, Human Right
- xxii. Media Rights Agenda-MRA, Media, NGO
- xxiii. CLEEN Foundation Human Right, NGO
- xxiv. WARDC, Women's Right, NGO
- xxv. Centre for the Development of Civil Society-CDCS, NGO
- xxvi. SERI, NGO
- xxvii. Community Action for Popular Participation, NGO/CBO
- xxviii. HEDA, NGO
- xxix. Committee for the Defence of Human Rights-CDHR, NGO
- xxx. Borno Coalition for Democracy & Progress-BOCODEC, NGO/CBO
- xxxi. Citizens Centre, NGO
- xxxii. Centre for Rule of Law, NGO
- xxxiii. Your Environment and Health, Health NGO
- xxxiv. Our Roots Foundation, Culture NGO
- xxxv. Women's Right to education project-WREP, Education NGO
- xxxvi. NYEN, NGO
- xxxvii. Women's Environmental Program Women's Right, NGO
- xxxviii. Electoral Reform Project-Ern, Coalition of NGO
- xxxix. Ajegunle Community Project, CBO
 - xl. Probity in Nigeria, Anti-Corruption NGO
 - xli. Independent Advocacy Project, NGO
 - xlii. International Federation of Women Lawyers- FIDA, Professional Group-NGO
 - xlili. Peculiar People Foundation, CBO For Disabled
 - xliv. Restructuring Group, CBO
 - xlv. Audit Alert, NGO
 - xlvi. Leadership Watch, NGO
 - xlvii. Campaign for Democracy [CD], Human Right NGO
 - xlviii. Women in Banking, Professional, NGO
 - xliv. Center for Law & Social Action, NGO
 - I. Guidance & Counselling Association, Ngo
 - li. Pan African Vision for the Environment [PAVE], Environmental, NGO
 - lii. Association for Democratic Citizens, CBO
 - liii. Community Development and Welfare Agenda, CBO

- liv. Peoples Institute for Sustainable Development
- lv. Civil Society Forum, NGO
- lvi. Taraba Youth Progressive Association, Youth NGO
- lvii. Human Right & Political Awareness [HURPA], Maiduguri
- lviii. Gender Environment & Rural Development Initiative[GEARDI], Maidugiri
- lix. Community Health & Youth Friendly Association
- lx. Centre for Public Education & Mobilization for Development in Nigeria, Yola.
- lxi. Toungo Youth Development Association, Yola
- lxii. Women for Development & Child Labour.
- lxiii. Wurno Kowanaka Community Development, Development Association.
- lxiv. Forward in Action for Education, Poverty & Malnutrition [FACE-PAM], Bauchi.
- lxv. Council for Democracy & Environmental Action
- lxvi. New breed Democratic Promoters Association of Nigeria, Gombe
- lxvii. Breakthrough Initiative & Community Development Centre. Gombe.
- lxviii. Guidance & Counselling Development Association, Gombe.
- lxix. Rahama Women Development Programme.
- lxx. Voice of Taraba Women
- lxxi. Association of Youth for Peace & Development.
- lxxii. Women right Initiative
- lxxiii. Female Role Model Initiative, Damaturu.
- lxxiv. Rommy Mom, Lawyer Alert
- lxxv. Community Dev. & Welfare Agenda CODWA, Organization
- lxxvi. Human Right & Political Awareness[HURPA]
- lxxvii. Gender Environment & Rural Development Initiative. [HURPA]
- lxxviii. Centre for Public Education & Mobilization for Development
- lxxix. Female Role Models Initiative
- lxxx. Public & Private Development Centre (PPDC), NGO

● **List of CSO Coalition on Women and Children's Rights: -**

- i. Legal Resources Consortium, Lagos
- ii. PRAWA, Lagos
- iii. HURILAWS, Lagos
- iv. Network on Police Reforms in Nigeria (NOPRIN)
- v. SERAC, Lagos
- vi. SERI, Lagos
- vii. LRRDC, Lagos
- viii. WRAPA, Abuja
- ix. WACOL, Enugu
- x. CLO, Lagos
- xi. WARDC, Lagos
- xii. Global Rights Initiative, Abuja
- xiii. CRP, Abuja
- xiv. FIDA (International Federation of Women Lawyers) , Abuja-Lagos
- xv. Center for Women and Advancement Empowerment (CWAE)
- xvi. Girls' Power Initiative (GPI)
- xvii. Legal Defence and Assistance Project (LEDAP)

- xviii. Civil Resource Development and Documentation Centre (CIRDDOC)
- xix. Women's Aid Collective (WACOL)
- xx. Legal Research Initiative- (LRI)
- xxi. Women Opinion Leasers Forum (WOLF)
- xxii. Nigeria Association of Women Journalists (NAWOJ)
- xxiii. Poverty Alleviation and Development Centre (PADEC) – Kaduna
- xxiv. Constitutional Rights Project (CRP)
- xxv. Women, Law and Development Centre (WOLDCN)
- xxvi. Women's Rights and Development Centre (WORDEC)
- xxvii. Women's Consortium of Nigeria (WOCON)
- xxviii. Christian Care for Widows/Widowers and the Aged
- xxix. Legal Watch, Kaduna
- xxx. Foundation for Women's Health-FORWARD- Nigeria
- xxxi. International Association of Educationists for World Peace
- xxxii. Northern Cross River States Women Association – (NCRSWA)
- xxxiii. Women in Detention Rights Initiative (WIDRI)
- xxxiv. Gender Advancement and Development Action (GADA), Lagos
- xxxv. Women in Nigeria (WIN)
- xxxvi. Women's Rights Advancement and Protection Alternative (WRAPA)
- xxxvii. Committee for the Defence of Human Rights (CDHR)
- xxxviii. Centre for Democracy and Development (CDD)
- xxxix. Project Alert, Lagos
 - xl. Women and Minority Rights Monitors (WAMRM)
 - xli. Democratic Alternative- (DA)
 - xlii. Human Rights Monitor
 - xliii. League of Democratic Women. Nigeria (LEADS)
 - xliv. BAOBAB for Women's Human Rights
 - xlv. Civil Liberties Organisation – (CLO)
 - xlvi. NAWOJ – Democracy & Governance Project, Kaduna
 - xlvii. Constitutional Watch (CONSWATCH)
 - xlviii. Adolescent Health and Information Project (AHIP)
 - xliv. Human Rights Law Service-HURI-LAWS
 - I. NAWOJ Enugu State Chapter
 - ii. Centre for Women Studies and Intervention (CWSI)
 - lii. National Council for Women societies (NCWS)
 - liii. Gender Action Team (GAT) Kaduna

- **List of CSO Coalition on Penal, Police and Prison Reforms: -**
 - i. LEADAP, Lagos
 - ii. CLO Lagos
 - iii. HURILAWS, Lagos
 - iv. Legal Resources Consortium, Lagos
 - v. PRAWA, Lagos
 - vi. Network on Police Reform in Nigeria (NOPRIN)
- **List of CSO Coalition on ECOSOC Rights: -**
 - i. SERAC, Lagos

- ii. SERI, Lagos
- iii. LRRDC, Lagos
- iv. WRAPA, Abuja
- v. WACOL, Enugu
- vi. CIRDOC, Enugu
- vii. CLO, Lagos
- viii. WRDC, Lagos
- ix. Global Rights Initiative, Abuja
- x. LEADS, Kaduna
- xi. CRP, Abuja

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1. Central Bank of Nigeria Annual Report 2008-9
2. MDG Nigeria Report 2010 (Office of the SSA to the President on MDG, The Presidency, Abuja).
3. Federal Republic of Nigeria, National Bureau of Statistics, Abuja: GDP 2009-2010.
4. Lists of Laws and policies cited, in the Report

Laws:

- Incorporation as part of Nigerian Law of the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act Cap.A9 Laws of the Federation of Nigeria 2004.
- The National Human Rights Commission (Amendment) Act 2011
- Employees/Workmen's Compensation Act 2011
- National Almajiri Child Education Policy 2010
- The Constitution of the Federal Republic of Nigeria (1999)
- Niger Delta Development Commission Act 2000
- National Environmental Standards, Regulations and Enforcement Agency (Est.) Act 2007.
- National Agency for the Control of HIV-AIDS (Establishment) Act 2007.
- Electoral Act 2010
- Child's Rights Act No. 26 2003
- Trafficking in Persons (Prohibition) Law Enforcement and Administration Acts, 2003 and as amended in 2005
- National Commission for Refugees Act (Cap N21, Laws of the Federation of Nigeria 2004)
- Universal Basic Education (UBE) Act 2003 (Amended in 2005)
- National Agency for Food & Drug Administration and Control Act Cap. N1 LFN 2004
- Criminal Codes (Federal and States) Act Cap. C.38 LFN 2004
- National Human Rights Commission Act Cap.N46 Laws of the Federation of Nigeria 2004.
- The on-going legislative and justice sector reform exercise aims at amending the following existing laws in order to ensure effective promotion and protection of human rights, access to justice, safety and security in Nigeria: a) Legal Aid Act (Amendment) Bill 2007; b) Legal practitioners Act (Amendment) Bill 2007; c) Parole System in Nigeria Bill 2008; d) Nigeria Police Act (Amendment) Bill, 2007; e) Prisons reform Bill, 2007.
- The 2009 Fundamental Rights (Enforcement Procedure) Rules which abolishes the locus standing and statutes of limitations in fundamental rights enforcement in Nigeria.
- The National Minimum Wage (Amendment) Act 2011

Policies

- National Human Rights Commission Action Plan 2009-2013
- National Peace Policy **2009**
- National Policy on Internally Displaced Persons (IDPs) **2008-9**.
- National Policy on Migration **2008-9**.
- National HIV-AIDS Prevention Plan **2007 (2007-9)**.
- National Health Policy **2004**
- National Strategic Health Development Plan **2010 (2010-15)**
- National Implementation Plan of Nigeria's Vision 20:20-20 **(2010-13) 2010**.
- National Gender Policy on Education, **2008**
- National Teacher's Policy on Education, **2008**
- National Policy on HIV AIDS Education, **2008**
- National Gender Policy, **2007**
- National Child Policy of 2007 and its Strategic plan of Action/implementation framework **2007/2008**
- National Plan of Action on OVC and its Guidelines and Standard of Practice, **2007**.
- National Policy on Environment, **1999**.
- National Policy on Malaria Control **(2005)**
- National Guidelines on Micronutrients Deficiencies control in Nigeria **(2005)**
- National Guidelines and Strategies for Malaria Prevention Control During Pregnancy **(2005)**
- National Policy on Education **2004**
- Integrated Rural Development Policy **2001**

- National Policy on Poverty Eradication 2001
 - National Housing Policy for Nigeria.
 - National Policy on the Elimination of Female Genital Mutilation (FGM) 2002.
 - National Environmental Sanitation Policy 2005.
 - National Strategic Framework and Plan for VVF Eradication in Nigeria (2005-2010)
 - National Reproductive Health and Strategic Framework and Plan (2002- 2006)
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