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Nigeria

The present report is a compilation of the information contained in the reports of treaty bodies and special procedures, including observations and comments by the State concerned, and of the Office of the High Commissioner for Human Rights (OHCHR), and in other relevant official United Nations documents. It is presented in a summarized manner due to word-limit constraints. For the full text, please refer to the document referenced. This report does not contain any opinions, views or suggestions on the part of OHCHR other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

I. Background and framework

A. Scope of international obligations¹

International human rights treaties²

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1967)	OP-CAT (2009)	ICCPR-OP 2
	ICESCR (1993)	OP-CRC-AC (2012)	
	ICCPR (1993)	OP-CRC-SC (2010)	
	CEDAW (1985)	ICRMW (2009)	
	CAT (2001)	CRPD (2010)	
	CRC (1991)	CPED (2009)	
<i>Reservations, declarations and/or understandings</i>		OP-CRC-AC (Declaration, art. 3.2, age of recruitment of 18,2012)	
<i>Complaint procedures, inquiry and urgent action³</i>	OP-CEDAW, art. 8 (2004) CAT, art. 20 (2001)	OP-CRPD, art. 6 (2010)	ICERD, art. 14 OP-ICESCR ICCPR, art. 41 ICCPR-OP 1 CAT, arts. 21 and 22 OP-CRC-IC ICRMW, arts. 76 and 77 CPED, arts. 31 and 32

1. In 2010, the Committee on the Rights of the Child (CRC) urged Nigeria to ratify the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.⁴

2. In 2010, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment noted with satisfaction Nigeria's ratification of OP-CAT and encouraged the Government to promptly establish an independent and effective national preventive mechanism in full accordance with OP-CAT.⁵

Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Palermo Protocol ⁶ 1951 Convention on refugees and stateless persons and its optional protocol ⁷ Geneva Conventions of 12 August 1949 and Additional Protocols I and II ⁸ ILO fundamental conventions ⁹ UNESCO Convention against Discrimination in Education Rome Statute of the International Criminal Court	Convention on the Prevention and Punishment of the Crime of Genocide	ILO Conventions Nos. 169 and 189 ¹⁰ Additional Protocol III to the 1949 Geneva Conventions ¹¹

B. Constitutional and legislative framework

3. In 2012, Nigeria reported in follow-up to the concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW), that the Convention was yet to be incorporated into national law, but that there were ongoing consultative efforts to pave the way for such incorporation.¹² In 2013, in a follow-up letter to the aforementioned report, CEDAW recommended ensuring that the Gender and Equal Opportunities Bill covered all areas of the Convention;¹³ implementation of the recommendations of the Nigerian Law Reform Commission (NLRC) and the repealing of section 55 of the Penal Code of Northern Nigeria, section 55 of chapter 198 of the 1990 Labour Act of Nigeria and section 360 of the Criminal Code;¹⁴ and also repealing section 29, paragraph 4, of the Constitution.¹⁵

4. In 2010, CRC expressed concern that most northern States in Nigeria were yet to incorporate the Child Rights Act (CRA). It recommended that Nigeria include the CRA in the list of legislation within the constitutional review context.¹⁶ Nigeria informed, as follow-up to the concluding observations of CEDAW, that 24 of the 36 States and the Federal Capital Territory had passed the CRA and efforts were ongoing to encourage the remaining 12 States to do so.¹⁷ CEDAW recommended the effective implementation of the CRA.¹⁸

5. CRC recommended that Nigeria ensure that all laws at federal and state levels, including religious and customary law, were in full compliance with the Convention.¹⁹

6. The United Nations High Commission for Refugees (UNHCR) recommended that Nigeria ensure adequate safeguards in the Constitution specifically for foundlings (children who would otherwise be stateless because they are born in State territory to parents who are stateless or unable to transmit their foreign nationality to the child); granting men and women equal rights to obtain nationality through marriage; and ensuring the incorporation of the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness into the legislative framework.²⁰

7. The Special Rapporteur on torture urged the Government to ensure that torture be criminalized as a matter of priority, in accordance with the CAT with penalties

commensurate with the gravity of torture.²¹ He also encouraged the State to abolish all forms of corporal punishment, including sharia-based punishments.²²

C. Institutional and human rights infrastructure and policy measures

8. CRC expressed appreciation for the appointment of a Special Rapporteur on Child Rights in the Nigerian Human Rights Commission (NHRC). It urged the Commission to ensure compliance with the Paris Principles.²³

9. CRC recommended that Nigeria adopt the bill to establish a Child Rights Agency with a coordinating mandate on children's rights.²⁴

10. CRC welcomed the establishment of family courts for juvenile offenders, but expressed regret that those courts were only established in eight states.²⁵ CRC recommended that Nigeria establish family courts in all states.²⁶

11. CRC expressed concern that traditional leaders (Sultans, Emirs and Chiefs) were not sufficiently engaged in the coordination and implementation of child rights policies at the local level.²⁷

12. CRC expressed concern over the insufficient budget allocations for children, as well as the endemic corruption, and recommended mandating a Government body to monitor the use of resources and define budgetary lines for disadvantaged children for critical social sectors.²⁸

13. CRC encouraged Nigeria to strengthen its cooperation with civil society and undertake a review of its involvement in the provision of core social services for children.²⁹

Status of national human rights institutions³⁰

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle³¹</i>
The National Human Rights Commission of Nigeria	B (2007)	A (2011)

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies³²

1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	August 2005	---	---	Nineteenth and twentieth reports overdue since 2008
CESCR	May 2008			Second report overdue since 2000
HR Committee	March 1996			Second report overdue since 1999
CEDAW	July 2008			Combined seventh and eighth reports due in 2014

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CAT				Initial, second and third reports overdue since 2002, 2006 and 2010, respectively
CRC	January 2005	2008		Fifth and sixth reports due. Combined fifth to eight reports due in 2016. Initial OP-CRC-AC report due in 2014. Initial OP-CRC-SC overdue since 2012.
CMW				Initial report overdue since 2010
CRPD				Initial report overdue since 2012
CED				Initial report due in 2012

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
CERD	2006	Discrimination against ethnic groups; violence from law enforcement officials against ethnic groups; and exploitation of natural resources of indigenous peoples. ³³	--
HR Committee	--	--	--
CEDAW	2010	Legal status of the Convention; discriminatory provisions and laws against women; early marriages; and sexual and reproductive health. ³⁴	2012. ³⁵ Dialogue ongoing. ³⁶

Views

<i>Treaty body</i>	<i>Number of views</i>	<i>Status</i>
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Country visits and/or inquiries by treaty bodies

<i>Treaty body</i>	<i>Date</i>	<i>Subject matter</i>
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B. Cooperation with special procedures³⁷

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	No	No
<i>Visits undertaken</i>	Freedom of religion or belief (1-10 March 2005); Human rights defenders (3-12 May 2005)	
	Extrajudicial, summary or arbitrary executions (27 June-8 July 2005)	
	Torture (4-10 March 2007)	
<i>Visits agreed to in principle</i>	Independence of judges and lawyers	Independence of judges and lawyers
	Trafficking in persons	Internally Displaced Persons
	Internally displaced persons	Trafficking in persons
		Adequate housing
<i>Visits requested</i>	Adequate housing requested in 2005	Minorities (Request (R) in 2009)
		Sale of children (R in 2009)
		Water and sanitation (R in February 2010)
		Counter-terrorism (R in 2010, reminder in 2011 and 2012)
		Violence against women (R in 2013)
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review 28 communications were sent. The Government replied to six communications.	
<i>Follow-up reports and missions</i>	Special Rapporteur on Torture ³⁸	

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

14. CRC welcomed the fact that the Anti-Discrimination Bill was about to be passed by the National Assembly, but remained concerned about de facto discrimination of children.³⁹

15. In 2012, Nigeria reported in follow-up to the concluding observations of the CEDAW that, despite the socio-cultural practices and discriminatory policies against women, proactive measures had been taken to ensure the progressive realization of improved access to health care and social services.⁴⁰

B. Right to life, liberty and security of the person

16. In 2013, the Special Rapporteur on extrajudicial, summary or arbitrary executions strongly condemned the four executions that allegedly took place on 24 June in the State of Edo. He noted that, prior to these executions, the last official execution of the death penalty in Nigeria was in 2006 and that that capital punishment appeared to have been imposed without due process safeguards, in violation of the International Covenant on Civil and Political Rights (ICCPR). The Special Rapporteur stated that the executions undermined previous trends leading towards abolishing the death penalty, both in law and practice. In this regard, he recalled that in 2009, Nigeria had reaffirmed its commitment to a de facto moratorium on the death penalty during the Universal Periodic Review. He called on Nigeria to refrain from further executions of the death penalty and to return to the moratorium on the use of death penalty.⁴¹

17. In 2012, Special Rapporteur on freedom of religion or belief, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the promotion and protection of human rights, while countering terrorism, sent a communication on alleged religious and ethnic-based violence by Boko Haram in northern Nigeria. They referred to information received which indicated that Boko Haram had engaged in a series of attacks and bombings targeting churches and the security forces since Christmas Day 2011. These attacks had reportedly resulted in the death of more than 200 people. In a reply to this communication, Nigeria provided, *inter alia*, further information on the attacks, and on measures or counter-terrorism policies adopted to ensure the security of the population and provide the victims with a remedy.⁴²

18. In 2010, the Committee on the Elimination of Racial Discrimination (CERD) – alarmed by attacks and killings as a result of tensions between ethno-religious groups near the city of Jos in the Plateau State in January and March 2010, as well as the recurring ethnic and religious violence – considered the situation under its early warning and urgent action procedure, and called on all local, regional and national authorities to address all underlying causes of these tensions.⁴³

19. In his observations, the Special Rapporteur on racism welcomed the steps taken by Nigeria to arrest the alleged perpetrators, and remained concerned by Boko Haram's continuing deplorable acts of violence incited by religious hatred and discrimination on ethnic origin.⁴⁴ The Special Rapporteur reiterated the importance of comprehensive measures to be undertaken by a broad range of actors to prevent and eliminate racism, racial discrimination, and religious intolerance and hatred, and to promote tolerance and harmony.⁴⁵ In 2012, the Special Rapporteur on summary executions sent a communication with regard to reports that, since 2009, and as a tactic of response to combat Boko Haram, Nigerian Security Forces performed extrajudicial executions, enforced disappearance, torture and detention without trial against persons known to be members of Boko Haram and those suspected of helping or sympathizing with the group. Nigeria acknowledged receipt of this communication.⁴⁶

20. CERD deplored the recurring attacks and massacres between different ethno-religious groups and urged Nigeria to stop the ethnic violence, protect and provide redress to the victims, and investigate the massacres and bring to justice those responsible.⁴⁷

21. CRC expressed concern over the impact of the political violence, intercommunal and interreligious unrest and the armed conflict in the Niger Delta on children, and that children were among the victims in the massacres in Jos in March 2010.⁴⁸ It urged Nigeria to prevent any violation of the right to life, to ensure the survival and development of children, and to develop recovery and reintegration activities for their social reintegration.⁴⁹

22. CRC expressed concern about prisoners reportedly on death row for crimes committed when they were below 18 years of age, as well as the mandatory death penalty for offences in the sharia penal codes which could be imposed on children in states under sharia jurisdiction.⁵⁰ It recommended that Nigeria ensure that neither the death penalty nor the life sentence would be imposed for offences committed by persons who were below 18 years of age.⁵¹
23. CRC expressed concern over widespread torture and other forms of ill-treatment in police custody. It urged Nigeria to outlaw torture, to establish independent monitoring of detention places and a complaints system, and to promptly investigate allegations of torture.⁵²
24. The Special Rapporteur on torture noted with concern the continuing allegations of torture against the police. He also expressed concern over the fact that corporal punishment remained lawful in parts of the country.⁵³
25. CRC expressed concerns over the high percentage of women who had undergone female genital mutilation (FGM). It urged Nigeria to enact legislation to prohibit FGM, and to conduct awareness-raising programmes for parents, women and girls, religious leaders and traditional dignitaries.⁵⁴
26. CRC remained concerned at the widespread stigmatization of children believed to be associated with witchcraft. These children were tortured, abused, abandoned or killed. Also, certain churches and the film industry promoted the belief in child witchcraft. CRC urged Nigeria to (a) combat the belief in witchcraft involving children; (b) criminalize such accusations; (c) prosecute the authors of crimes committed on the basis of this belief; (d) undertake awareness-raising programmes; and (e) regulate those religious institutions found to have engaged in such practices.⁵⁵
27. In 2010, the special rapporteurs on torture and summary executions sent a communication regarding allegations of torture and killing of children suspected of witchcraft in Akwa Ibom State, and the death threats against the coordinator of a local non-governmental organization that cared for children accused of witchcraft.⁵⁶
28. CRC expressed concern about violence against children, especially gender-based violence. It recommended that Nigeria prohibit all forms of violence against children, ensure accountability and end impunity for this violence.⁵⁷
29. CRC urged Nigeria to put in place a monitoring system to monitor violence, abuse and neglect of children, and to establish a coordination mechanism between the authorities to receive and investigate child abuse.⁵⁸
30. CRC expressed concern at the high number of children having experienced sexual abuse, including in schools, and that young girls, children in street situations and orphans were forced into prostitution. It recommended that Nigeria address this phenomenon.⁵⁹
31. CRC remained concerned at widespread child trafficking, with the overwhelming majority of victims being girls who were trafficked for purposes of sexual exploitation. It urged Nigeria to (a) protect children from trafficking and sale; (b) improve the situation of children who were at risk, especially girls; and (c) investigate and prosecute alleged perpetrators.⁶⁰
32. CRC urged Nigeria to (a) prohibit corporal punishment in all settings, including under sharia law; (b) ensure that the use of alternative forms of discipline were consistent with human dignity; and (c) seek the assistance of the traditional and religious leaders in this regard.⁶¹
33. CRC remained concerned at the very high number of children engaged in forced child labour, and urged Nigeria to eliminate exploitative child labour.⁶²

34. CRC was alarmed by the increase of children in street situations. It recommended that Nigeria develop a national strategy in this regard and to provide those children with nutrition, clothing, housing, health care and educational opportunities. It also recommended that Nigeria abrogate laws criminalizing vagrancy, truancy or wandering, and other “status offences” for children.⁶³

C. Administration of justice, including impunity, and the rule of law

35. The Special Rapporteur on torture expressed worry over the lack of accountability for alleged perpetrators of torture. He emphasized the need for prompt and thorough investigations of all allegations of torture by an independent authority, and noted with concern that the majority of investigations were conducted internally by the Nigerian Police Force, contributing to a persisting culture of impunity in police institutions.⁶⁴

36. The Special Rapporteur on torture expressed concern over the prolonged pretrial detention and that the ability to challenge the lawfulness of such detention was dependent on the financial capacity of detainees. He reiterated that the power to order an arrest should be vested solely with independent courts. The Special Rapporteur welcomed the reviews of criminal procedure laws in some States to increase the use of non-custodial measures.⁶⁵ The Special Rapporteur called upon the Government to ensure that all detainees be granted the ability to challenge the lawfulness of the detention before an independent court and that the period of holding detainees in police custody not exceed 48 hours.⁶⁶

37. CRC expressed concern that there was no minimum age for criminal responsibility and children below the age of 18 years could be tried and deprived of their liberty. It also expressed concern over the ill-treatment of those children in police custody and the absence of penal procedural rules regulating trials before the family courts. CRC recommended that Nigeria bring the juvenile justice system in line with relevant standards.⁶⁷

D. Right to privacy, marriage and family life

38. CRC expressed concern at low birth registrations, especially in rural areas, and (a) the non-registration of children born outside hospital; (b) the tribal markings or other tattoos put on a child’s body as a method of identification; and (c) the provision of prescribed fees in the Birth, Death (Compulsory Registration) Act No. 69 (1992), where registration occurred after 60 days and within 12 months of birth. It recommended that Nigeria ensure free and compulsory birth registration and easy access to registration in rural areas, and in this regard amended Act No. 69.⁶⁸

39. CRC expressed concern about the extremely high rate of early marriages among girls in the northern states, and urged Nigeria to address such practice. It also urged Nigeria to incorporate in state legislation the prohibition of early marriages for all children under the 18 years of age, and to undertake awareness-raising programmes on the negative implications of early marriage on the rights of girls with regard to health, education and development, targeting traditional and religious leaders, parents and state parliamentarians.⁶⁹

40. CRC expressed concern over the alarmingly high number of orphans and vulnerable children, and the placement of orphans in remand homes, together with adults and children in conflict with the law. It urged Nigeria to provide alternative child care options and adopt legislation on the alternative care of orphans and vulnerable children.⁷⁰

41. CRC expressed concern that inter-country adoption remained unregulated, and at reports of “baby farms”, where children were sold to prospective adoptive persons. It

encouraged Nigeria to harmonize national laws on domestic adoption with CRA and to eradicate “baby farms”.⁷¹

E. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

42. CRC was concerned by tensions between religious communities, which created a climate of fear. In certain regions, conversion to another religion was considered an offence with severe penalties. It recommended that Nigeria ensure respect for the right of all children to the freedom of religion and belief.⁷²

43. The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that, while self-regulatory mechanisms for the media existed, such as the Nigerian Press Council and the Nigerian Guild of Editors, those mechanisms remained weak.⁷³ It recommended development of those mechanisms.⁷⁴

44. UNESCO stated that, between 2008 and 2012, it condemned the killing of five journalists and media workers and called for investigations of these deaths.⁷⁵ It stated that Nigeria must ensure that journalists and media workers were able to work in a free and safe environment.⁷⁶

45. In 2011, the special rapporteurs on freedom of expression, freedom of peaceful assembly and of association, health, and human rights defenders sent a communication regarding alleged restrictions on the rights to freedom of association and of peaceful assembly of groups defending lesbian, gay, bisexual and transgender (LGBT) rights. They referred to reports that, Nigeria’s Senate had passed the “Same-Gender Marriage” Bill on 29 November 2011. If adopted, the Bill could put a wide range of people at risk of criminal sanctions. It could be used to prevent LGBT individuals, as well as those perceived as belonging to any of these groups, and those that bring support to them, from associating or assembling freely.⁷⁷

46. In his observations, the Special Rapporteur on freedom of peaceful assembly recommended that Nigeria revise the “Same-Gender Marriage” Bill to ensure it complied with international human rights law.⁷⁸ In 2013, the Special Rapporteur on human rights defenders stressed that the new law would have profoundly negative consequences for the work of human rights defenders working on issues related to sexual orientation and gender identity, as well as the ones engaged in the promotion and protection of the right to health.⁷⁹

47. CRC remained concerned about the limited participation of children in matters affecting them and urged Nigeria to strengthen the Children’s Parliaments and to implement the right of a child to be heard in all proceedings.⁸⁰

F. Right to work and to just and favourable conditions of work

48. The International Labour Organization Committee of Experts (ILO Committee) noted that section 11 of the Trade Union Act denied the right to organize to employees in the Customs and Excise Department, the Immigration Department, the Prison Services, the Nigerian Security Printing and Minting Company Limited, the Central Bank of Nigeria, and Nigeria Telecommunications. The ILO Committee noted that this section was not amended by the Trade Union (Amendment) Act.⁸¹ The ILO Committee therefore urged Nigeria to take the necessary measures to amend section 11 of the Trade Union Act, so as to ensure conformity with the Convention.⁸²

49. The ILO Committee stated that the definition of “essential services” in the Trade Disputes Act (1990) to restrict participation in a strike was overly broad. It called for an

amendment of the definition of “essential services”, without prejudice to the possibility of establishing a system of minimum service in services of public utility.⁸³

50. The ILO Committee considered that sections 118–128 of the Nigeria Police Regulations, which provided special recruitment requirements and conditions of service applying to women, were discriminatory on the basis of sex.⁸⁴

G. Right to social security and to an adequate standard of living

51. In 2012, the Special Rapporteur on adequate housing sent a communication regarding the alleged forced eviction and demolition of an informal settlement in Lagos. According to the information received, on 16 July 2012, the Lagos State Government commenced the demolition of the Makoko Waterfront. Between 16 and 21 July, the Lagos State demolition squad, backed by heavily armed policemen, reportedly destroyed the homes and properties of the Makoko residents. At the time of the communication, over 30,000 residents – including women, children and the elderly – had allegedly lost their homes, and over 120,000 people faced imminent displacement.⁸⁵

H. Right to health

52. While welcoming the National Strategic Health Development Plan (2010), CRC remained concerned at (a) the high infant, child and maternal mortality rates; (b) the high incidences of preventable diseases such as malaria, HIV/AIDS and diarrhoea; and (c) the geographical disparity between the northern and southern regions. It urged Nigeria to (a) strengthen the decentralized health care system and the coverage of the National Immunization Programmes, especially in rural areas; (b) consider nutrition as a national priority; (c) combat maternal mortality, to empower women in decision-making on health care; (d) adopt the National Health Bill; (e) provide free maternal and child health services; and (f) ensure nationwide implementation of the National Health Insurance Scheme.⁸⁶ In the framework of the follow-up to CEDAW concluding observations, in 2012, Nigeria reportedly informed that there remained a need to ensure budgetary allocations for gender-oriented intervention programmes and activities, particularly for combating maternal deaths.⁸⁷

53. CRC expressed concern at (a) the deaths of girls resulting from unsafe abortions; (b) the lack of access to reproductive health services for adolescents; (c) the restrictive abortion law; and (d) the prevalence of HIV and sexually transmitted diseases. It recommended that Nigeria (a) increase access to health-care services for adolescent girls, including reproductive health services, and other measures to prevent unwanted pregnancies; (b) ensure free contraceptives for adolescents; (c) introduce sex education in the school curricula and undertake sensitization programmes at community level on reproductive health and rights; and (d) amend the abortion laws.⁸⁸ CEDAW recommended improving affordability of sexual and reproductive health services, and giving consideration to reforming or modifying its abortion law.⁸⁹

54. While recognizing Nigeria’s efforts in addressing the HIV/AIDS epidemic, CRC expressed concern about the high number of children orphaned by HIV/AIDS. It recommended that Nigeria strengthen its policies to provide care and support for children infected or affected by HIV/AIDS, particularly those orphaned, and strengthen awareness of HIV/AIDS prevention among adolescents.⁹⁰

55. In 2012, the Special Rapporteurs on the rights to health and toxic waste sent a communication regarding the alleged ongoing lead contamination and poisoning in Zamfara State. According to the information received, artisanal gold mines were found

throughout Zamfara State in north-western Nigeria. The high levels of lead found in the earth, coupled with the use of rudimentary mining methods, reportedly resulted in a lead poisoning epidemic among children. Nigeria acknowledged receipt of this communication.⁹¹

I. Right to education

56. UNESCO stated that Nigeria had made limited progress towards achieving universal basic education. With the financial crisis, there was a real risk that the already underfunded education sector would be starved of resources, thus reducing access to education.⁹²

57. CRC encouraged Nigeria to ensure access to education for girls and prevent early school dropout, including by reinforcing the Federal Government of Nigeria Gender Education Project.⁹³

58. UNESCO called for measures to combat discrimination in education and to promote gender equality in education. It also called for an elaboration of existing legislation to enhance respect, protection and fulfilment of the right to education.⁹⁴

59. CRC remained concerned about (a) the high percentage of the population of primary school age not enrolled in schools; (b) the very low national primary school completion rate and the low net secondary school enrolment rate; (c) the wide geographical disparities of enrolment rates and educational facilities; and (d) the gender inequalities in enrolment and retention rates in the northern states. It urged Nigeria to (a) ensure free and compulsory primary education, by abolishing school fees and incorporating a right in this regard in the Constitution; (b) address gender and regional disparities regarding the right to education; (c) integrate religious learning institutions, including the *alamajiri* schools, into the formal school system; (d) ensure equal access to secondary education, especially in rural areas and in the north-western and north-eastern regions; and (e) ensure vocational training opportunities for all children, with a priority to children from vulnerable groups.⁹⁵

60. UNESCO stated that the Adult Education Programme had been encouraging from its inception, with many adults seeing this as an opportunity to learn and be literate.⁹⁶

J. Cultural rights

61. UNESCO stated that culture was yet to be given adequate recognition and consideration in Government planning. Also, the legal framework and policies that governed the safeguarding of intangible cultural heritage could benefit from revision and better coordination among Government agencies and entities responsible for safeguarding Nigeria's intangible cultural heritage.⁹⁷

K. Persons with disabilities

62. CRC was concerned at the lack of a comprehensive policy on children with disabilities and the use of offensive definitions and categories when referring to children with disabilities. It recommended that Nigeria (a) adopt a national policy on children with disabilities; (b) establish a coordinating body to help focus on the special needs of children with disabilities; and (c) ensure access to education and health services for all children with disabilities in all states, particularly addressing geographical disparities with regard to social services.⁹⁸

L. Minorities and indigenous peoples

63. In the framework of the early warning and urgent action procedure, CERD recalled its concern about (a) prejudices and hostility among some ethnic groups, including active discrimination by people considering themselves to be the original inhabitants of their region against persons from other states whom they identify as settlers; (b) inter-ethnic, inter-communal and interreligious violence; and (c) disputes over commercial interest and control of resources. CERD recommended that Nigeria encourage dialogue and improve relations between the different ethnic communities with a view to promoting tolerance.⁹⁹

64. CRC was concerned (a) by discrimination against ethnic minorities; (b) by the fact that provisions of the National Policy on Education conferring special status on the three major languages (Hausa, Igbo and Yoruba) might be interpreted as discriminatory; and (c) that no strategies had been developed to ensure appropriate curricula for minorities. It urged Nigeria to ensure that children of minority groups have equal access to education, and introduce curricula recognizing their right to use and receive education in their own language.¹⁰⁰

M. Migrants, refugees and asylum seekers

65. The United Nations High Commissioner for Refugees (UNHCR) expressed concern at the time-frame for processing asylum claims at the first instance, which ranged from six to nine months. It made recommendations including the allocation of sufficient resources to the National Commission for Refugees.¹⁰¹

66. UNHCR stated that undocumented aliens were detained and deported in response to the challenging security situation in Nigeria. Newly arrived asylum-seekers who had not yet registered with UNHCR and the National Commission for Refugees were at risk of *refoulement*. UNHCR made recommendations including the *non-refoulement* of all persons in need of international protection.¹⁰²

67. UNHCR expressed concern that refugee children did not benefit from the national child protection scheme and were not represented in forums developed to promote the rights of the child. It made recommendations *inter alia* to include refugee children in the national child protection system.¹⁰³

68. While acknowledging that Nigeria hosted a number of refugees and asylum-seekers, the majority of which were children and women, CRC was concerned that refugee children did not benefit from the national child protection scheme. It urged Nigeria to (a) include refugee children in the national child protection system; (b) protect refugee children; (c) strengthen the resources allocated to the National Commission for Refugees; and (d) undertake legislative changes to ensure that the recruitment or use in hostilities of children constituted grounds for the granting of refugee status and *non-refoulement*.¹⁰⁴

N. Internally displaced persons

69. CRC remained concerned at the absence of a comprehensive legislative and policy framework on internally displaced persons (IDPs) to address the situation of IDP children. It urged Nigeria to (a) guarantee the rights of internally displaced children; (b) adopt a comprehensive national policy on IDPs; and (c) ensure resources to the National Commission for Refugees and the Nigerian Red Cross.¹⁰⁵

70. UNHCR stated that the absence of a legal and policy framework for the protection of IDPs was a key challenge in emergency management and the protection of IDPs.

UNHCR made recommendations including the adoption of legislation, as well as a national policy for effective coordination.¹⁰⁶

O. Right to development and environmental issues

71. CRC was concerned at the environmental degradation and widespread pollution in the Niger Delta resulting from the oil industry. It recommended that Nigeria reduces pollution and environmental degradation in the Niger Delta, by including independent oversight bodies to assess the safety operations of the petroleum industry and developing standards on environmental and social responsibility of the business sector.¹⁰⁷

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Nigeria from the previous cycle (A/HRC/WG.6/4/NGA/2).

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CPED	International Convention for the Protection of All Persons from Enforced Disappearance

³ Individual complaints: ICCPR-OP 1, art 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art.5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and CPED, art. 31; Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; CPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13; Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; CPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12; Urgent action: CPED, art. 30.

⁴ CRC/C/NGA/CO/3-4, 21 June 2010, paras. 53 and 87.

⁵ A/HRC/13/39/Add.6, para. 62.

⁶ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁷ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

- ⁸ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.
- ⁹ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- ¹⁰ International Labour Organization Convention No.169, concerning Indigenous and Tribal Peoples in Independent Countries and Convention No.189 concerning Decent Work for Domestic Workers.
- ¹¹ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.
- ¹² CEDAW/C/NGA/CO/6/Add.1, p. 16 (para. 65).
- ¹³ Letter dated 19 March 2013 from CEDAW to the Permanent Mission of Nigeria in Geneva, p. 1, available at http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAWfollow-up_Nigeria.pdf (accessed on 5 August 2013).
- ¹⁴ Letter dated 19 March 2013 from CEDAW to the Permanent Mission of Nigeria in Geneva, p. 2, available at http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAWfollow-up_Nigeria.pdf (accessed on 5 August 2013).
- ¹⁵ Letter dated 19 March 2013 from CEDAW to the Permanent Mission of Nigeria in Geneva, p. 3, available at http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAWfollow-up_Nigeria.pdf (accessed on 5 August 2013).
- ¹⁶ CRC/C/NGA/CO/3-4, 21 June 2010, paras. 7-8. See also *Ibid.*, para. 3(a).
- ¹⁷ CEDAW/C/NGA/CO/6/Add.1, p. 8 (para. 31). See also Letter dated 19 March 2013 from CEDAW to the Permanent Mission of Nigeria in Geneva, p. 3, available at http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAWfollow-up_Nigeria.pdf (accessed on 5 August 2013).
- ¹⁸ Letter dated 19 March 2013 from CEDAW to the Permanent Mission of Nigeria in Geneva, p. 3, available at http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAWfollow-up_Nigeria.pdf (accessed on 5 August 2013).
- ¹⁹ CRC/C/NGA/CO/3-4, 21 June 2010, paras. 7-8.
- ²⁰ UNHCR submission to the UPR of Nigeria, p. 5.
- ²¹ A/HRC/19/61/Add.3, para. 86.

- ²² *Ibid.*, para. 90.
- ²³ CRC/C/NGA/CO/3-4, paras. 14-15.
- ²⁴ *Ibid.*, para. 11.
- ²⁵ See also CEDAW/C/NGA/CO/6/Add.1, paras. 33 and 34.
- ²⁶ CRC/C/NGA/CO/3-4, para. 91 (k).
- ²⁷ *Ibid.*, para. 10.
- ²⁸ *Ibid.*, paras. 16-17.
- ²⁹ *Ibid.*, paras. 24-25.
- ³⁰ According to article 5 of the rules of procedure for the International Coordination Committee (ICC) Sub-Committee on Accreditation, the different classifications for accreditation used by the Sub-Committee are: A: Voting Member (fully in compliance with each of the Paris Principles); B: Non-Voting Member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); C: No Status (not in compliance with the Paris Principles).
- ³¹ For the list of national human rights institutions with accreditation status granted by the International Coordination Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/23/28, annex.
- ³² The following abbreviations have been used for this document:
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| CERD | Committee on the Elimination of Racial Discrimination |
| CESCR | Committee on Economic, Social and Cultural Rights |
| HR Committee | Human Rights Committee |
| CEDAW | Committee on the Elimination of Discrimination against Women |
| CAT | Committee against Torture |
| CRC | Committee on the Rights of the Child |
| CMW | Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families |
| CRPD | Committee on the Rights of Persons with Disabilities |
| CED | Committee on Enforced Disappearances |
- ³³ CERD/C/NGA/CO/18, 27 March 2007, para. 31.
- ³⁴ CEDAW/C/NGA/CO/6, 8 July 2008, para. 44.
- ³⁵ CEDAW/C/NGA/CO/6/Add.1.
- ³⁶ Letter dated 19 March 2013 from CEDAW to the Permanent Mission of Nigeria in Geneva, available at http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAWfollow-up_Nigeria.pdf (accessed on 5 August 2013).
- ³⁷ For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.
- ³⁸ A/HRC/13/39/Add.6 and A/HRC/19/61/Add.3.
- ³⁹ CRC/C/NGA/CO/3-4, para. 28.
- ⁴⁰ CEDAW/C/NGA/CO/6/Add.1, para. 66.
- ⁴¹ Press release, Nigeria: UN expert on arbitrary executions calls for immediate halt to further executions at:
<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13487&LangID=E> (accessed on 5 August 2013). Also A/HRC/19/61/Add.3, para. 90.
- ⁴² A/HRC/21/49, p.68. Also A/HRC/20/33/Add.2, para. 22.
- ⁴³ A/65/18, p. 6, para. 14, decision 1 (76) on Nigeria.
- ⁴⁴ A/HRC/20/33/Add.2, para. 23.
- ⁴⁵ *Ibid.*, para. 24.
- ⁴⁶ A/HRC/23/51, p. 21. Also A/HRC/23/47/Add.5, paras. 72 (b) and 73-4.
- ⁴⁷ CERD/C/NGA/DEC/1, paras. 4-6. See also A/65/18, p. 6, para. 14, decision 1 (76) on Nigeria.
- ⁴⁸ CRC/C/NGA/CO/3-4, , para. 79. See also CRC/C/NGA/CO/3-4, para. 32.
- ⁴⁹ *Ibid.*, paras. 80-81.
- ⁵⁰ *Ibid.*, paras. 32 and 90. See also *Ibid.*, paras. 26-27.
- ⁵¹ *Ibid.*, paras. 33 and 91.
- ⁵² *Ibid.*, paras. 38-39.
- ⁵³ A/HRC/13/39/Add.6, para. 59.
- ⁵⁴ CRC/C/NGA/CO/3-4, paras. 65-66.
- ⁵⁵ *Ibid.*, paras. 67-68.

- ⁵⁶ A/HRC/18/51, p. 20. Also, A/HRC/19/61/Add.4, para 120.
- ⁵⁷ CRC/C/NGA/CO/3-4, paras. 42-43.
- ⁵⁸ *Ibid.*, paras. 54-55.
- ⁵⁹ *Ibid.*, paras. 88-89.
- ⁶⁰ *Ibid.*, paras. 86-87. See also *ibid.*, para. 88.
- ⁶¹ *Ibid.*, paras. 40-41.
- ⁶² *Ibid.*, paras. 82-83.
- ⁶³ *Ibid.*, paras. 84-85.
- ⁶⁴ A/HRC/13/39/Add.6, para. 60.
- ⁶⁵ *Ibid.*, para. 61.
- ⁶⁶ *Ibid.*, para. 89.
- ⁶⁷ CRC/C/NGA/CO/3-4, paras. 90-91.
- ⁶⁸ *Ibid.*, paras. 36-37. See also UNHCR submission to the UPR of Nigeria, p. 5.
- ⁶⁹ CRC/C/NGA/CO/3-4, paras. 65-66. See also *ibid.*, para. 26.
- ⁷⁰ *Ibid.*, paras. 50-51.
- ⁷¹ *Ibid.*, paras. 52-53.
- ⁷² *Ibid.*, paras. 44-45.
- ⁷³ UNESCO submission to the UPR of Nigeria, p. 11, para. 48.
- ⁷⁴ *Ibid.*, p. 14, para. 65.
- ⁷⁵ *Ibid.*, p. 11, para. 49.
- ⁷⁶ *Ibid.*, p. 14, para. 67.
- ⁷⁷ A/HRC/20/30, p. 23.
- ⁷⁸ A/HRC/20/27/Add.3, para. 230.
- ⁷⁹ A/HRC/22/47/Add.4, para. 312.
- ⁸⁰ CRC/C/NGA/CO/3-4, paras. 34-35.
- ⁸¹ ILO Committee of Experts on the Application of Conventions and Recommendations, ILO, Report of the Committee of Experts on the Application of Conventions and Recommendations, General Report and observations concerning particular countries, International Labour Conference, 101st Session, 2012, ILC.101/III1A, p. 205, available at http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_174843.pdf.
- ⁸² *Ibid.*
- ⁸³ *Ibid.*, p. 206.
- ⁸⁴ *Ibid.*, p. 553.
- ⁸⁵ A/HRC/22/67, p. 63.
- ⁸⁶ CRC/C/NGA/CO/3-4, paras. 58-60. See also Letter dated 19 March 2013 from CEDAW to the Permanent Mission of Nigeria in Geneva, p. 4, available at http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAWfollow-up_Nigeria.pdf (accessed on 5 August 2013).
- ⁸⁷ CEDAW/C/NGA/CO/6/Add.1, p.18 (para. 67).
- ⁸⁸ CRC/C/NGA/CO/3-4, paras. 61-62. Letter dated 19 March 2013 from CEDAW to the Permanent Mission of Nigeria in Geneva, p. 4, available at http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAWfollow-up_Nigeria.pdf (accessed on 12 June 2013).
- ⁸⁹ Letter dated 19 March 2013 from CEDAW to the Permanent Mission of Nigeria in Geneva, p. 4, available at http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAWfollow-up_Nigeria.pdf (accessed on 5 August 2013).
- ⁹⁰ CRC/C/NGA/CO/3-4, 21 June 2010, paras. 69-70.
- ⁹¹ A/HRC/23/51, p. 30.
- ⁹² UNESCO submission to the UPR of Nigeria, p. 7, para. 29.
- ⁹³ CRC/C/NGA/CO/3-4, para. 29.
- ⁹⁴ UNESCO submission to the UPR of Nigeria, p. 14, paras. 63 and 64.
- ⁹⁵ CRC/C/NGA/CO/3-4, paras. 71-72.
- ⁹⁶ UNESCO submission to the UPR of Nigeria, p. 10, para. 38.
- ⁹⁷ *Ibid.*, p. 15, para. 69.
- ⁹⁸ CRC/C/NGA/CO/3-4, paras. 56-57.
- ⁹⁹ A/65/18, p. 6, para. 14, decision 1 (76) on Nigeria.

- ¹⁰⁰ CRC/C/NGA/CO/3-4, paras. 77-78.
¹⁰¹ UNHCR submission to the UPR of Nigeria, pp. 2-3.
¹⁰² *Ibid.*, p. 3.
¹⁰³ *Ibid.*, p. 4.
¹⁰⁴ CRC/C/NGA/CO/3-4, paras. 73-74.
¹⁰⁵ *Ibid.*, paras. 75-76.
¹⁰⁶ UNHCR submission to the UPR of Nigeria, p. 6.
¹⁰⁷ CRC/C/NGA/CO/3-4, paras. 46-47.
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