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## Human Rights Council

Working Group on the Universal Periodic Review

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### **Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Human Rights Council resolution 16/21**

#### **Nigeria\***

The present report is a summary of 34 stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

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\* The present document was not edited before being sent to United Nations translations services.

## **I. Information provided by the accredited national human rights institution of the State under review in full compliance with the Paris Principles**

### **A. Background and framework**

1. The National Human Rights Commission of Nigeria (NHRC)<sup>2</sup> stated that since its Universal Period Review (Review), the Federal Republic of Nigeria (Nigeria) has acceded to and/or ratified key human rights instruments. However, most of these treaties were yet to be enacted into domestic legislation.<sup>3</sup>

2. NHRC stated that the bills on the Convention on Elimination of all forms of Discrimination against Women (CEDAW) and the Convention on Persons with Disabilities (CRPD) should be passed without delay.<sup>4</sup>

### **B. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

3. NHRC stated that the police experienced challenges in its work in terms of quality and respect for human rights which was evident from the allegations of torture, extrajudicial killings and shoddy investigations, coupled with obsolete laws and weak oversight.<sup>5</sup>

4. NHRC stated that there was overcrowding in city-based prisons, coupled with poor nutrition, inadequate clothing for inmates, poor sanitation, poor record keeping and derelict physical structures.<sup>6</sup>

5. NHRC stated that administration of justice was challenged by the continued use of outdated legislation, allegations of corruption, poor access to justice and long delays in concluding existing litigations. In addition, the absence of sentencing guidelines resulted in wide disparity or variations in sentences, delays in trials lead to lengthy pre-trial detentions, and the use of outdated court procedures.<sup>7</sup>

6. NHRC stated that there was discrimination of women, much of which emanated from cultural and religious beliefs.<sup>8</sup> Domestic and gender-based violence was endemic with sexual violence being on an increase.<sup>9</sup>

7. NHRC stated that persons with disabilities have limited access to education, health services, housing facilities, political participation, credit facilities, and rehabilitation centres.<sup>10</sup>

8. NHRC stated that persons below the age of 16 years, who constituted about 35 per cent of the population, had poor access to health. Thirty million children were out of school and 20 million children lived on the street. Trafficking of children and child labour were endemic.<sup>11</sup>

9. NHRC stated that the state of compliance with economic, social and cultural rights particularly shelter, food security and education remained in the realm of “progressive realisation” without benchmarks and indicators to measure compliance.<sup>12</sup>

## II. Information provided by other stakeholders

### A. Background and framework

#### 1. Scope of international obligations

10. Joint Submission 9 (JS 9) stated that Nigeria acceded to or ratified some of the international human rights instruments in accordance with those recommendations in paragraph 103.1 of the Report.<sup>13</sup> These instruments included the Optional Protocol to the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the CRPD, and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OP-CRC-SC).<sup>14</sup>

11. Commonwealth Human Rights Institute (CHRI) recommended that Nigeria ratify the optional protocols to the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).<sup>15</sup>

#### 2. Constitutional and legislative framework

12. Human Rights Agenda Network (HRAN) referred to those recommendations in paragraph 103.2 of the Report and stated that a number of human rights bills including the Gender and Equal Opportunities Bill, Violence against Persons Prohibition Bill, Administration of Criminal Justice Bill, Prohibition of Torture and other cruel inhuman and degrading treatment Bill, Police Act (Amendment) Bill, Prison Act (Amendment) Bill, Witness Protection Bill, Victims Compensation Bill, the Legal Practitioners Act (Amendment) Bill, and the Terrorism Act (Amendment) Bill, remained pending before the National Assembly.<sup>16</sup>

13. Amnesty International (AI) stated that economics, social and cultural rights were not guaranteed as fundamental rights in the Constitution and were therefore unenforceable.<sup>17</sup> JS 10 stated that Nigeria should use the ongoing constitutional review to ensure that these rights were entrenched in the Constitution as legally enforceable.<sup>18</sup>

14. Joint Submission 7 (JS 7) stated that all applicable laws should incorporate a definition of child prostitution in line with article 2 of OP-CRC-SC, and should be applicable to all girls and boys under the age of 18 years.<sup>19</sup>

15. Development Dynamics (DD) stated that Nigeria was a party to ICESCR and CEDAW but that those instruments were yet to be incorporated into national law.<sup>20</sup>

16. Joint Submission 11 (JS 11) stated that there was no legal provisions criminalizing torture or providing compensation to victims.<sup>21</sup>

17. Joint Submission 11 (JS 11) stated that Nigeria had ratified the ICCPR, CAT and OP-CAT but that those instruments were yet to be incorporated in the national law.<sup>22</sup>

18. AI called for the amendment of section 12 of the Constitution to allow for easy incorporation of international instruments.<sup>23</sup>

19. JS 7 expressed concern over the lack of definition of the prohibition of child pornography in the legal framework and called for a legal reform process to address this issue.<sup>24</sup>

20. Joint Submission 12 (JS 12) stated that the religious based laws passed in some northern states, popularly referred to as Sharia states, were in violation of the Constitution.<sup>25</sup> JS 13 stated that Nigeria should ensure that policies and practices of individual states were reflective of obligations under the Constitution and international law.<sup>26</sup>

### **3. Institutional and human rights infrastructure and policy measures**

21. JS 4 stated that there was a need for full implementation of the National Human Rights Commission Act, which enabled the NHRC to have greater independence, secured funding and additional investigative and enforcement powers.<sup>27</sup>

22. Partnership for Justice (PJ) stated that the National Action Plan for the Promotion and Protection of Human Rights deposited following pledges made at the Review was yet to be implemented.<sup>28</sup> HRAN stated that there were insufficient financial resources for the implementation of the Plan.<sup>29</sup>

23. Joint Submission 10 (JS 10) stated that Nigeria accepted three recommendations with regard to combating corruption.<sup>30</sup> However, the Government has consistently failed to demonstrate political will to tackle corruption by high level officials.<sup>31</sup>

24. JS 4 stated that corruption was on the increase, despite the establishment of anti-corruption agencies. These agencies were under the influence of the Executive; and there were no laws protecting those persons reporting acts of corruption.<sup>32</sup>

25. Human Rights Watch (HRW) state that the effectiveness of the Economic and Financial Crimes Commission (EFCC) was undermined by a weak and overburdened judiciary, executive interference and its own failings.<sup>33</sup>

26. JS 9 stated that Nigeria has not been effective in strengthening its engagement with civil society organisations in accordance with recommendations in paragraph 103.9 of the Report.<sup>34</sup> Stepping Stones Nigeria (SSN) stated that non-governmental organisations and civil society organisations were often side-lined by government officials.<sup>35</sup>

27. IIPJHR stated that disregard for human rights and guarantees provided by the law remained widespread in the Police. In February 2011, ministers holding key portfolios in the government called for reform of the Police and for the establishment of an improved public complaints mechanism.<sup>36</sup> JS 11 stated that there was a lack of adequate human rights training in the police and for officers working in detention facilities.<sup>37</sup>

## **B. Cooperation with human rights mechanisms**

### **1. Cooperation with treaty bodies**

28. JS 9 stated that reporting to treaty bodies has not been expedited in accordance with those recommendations in paragraph 103.8 of the Report.<sup>38</sup>

29. JS 2 expressed concern over Nigeria's failure to implement recommendations made by the CEDAW Committee, the CRC Committee and other treaty monitoring bodies.<sup>39</sup>

### **2. Cooperation with special procedures**

30. CHRI stated that Nigeria accepted the recommendation to extend an open invitation to the Special Procedures of the Human Rights Council. However, no invitation has yet been extended.

## **C. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

### **1. Equality and non-discrimination**

31. JS 2 stated that discrimination and stigmatization of people living with HIV/AIDS was a continuing problem and that workplace stigma and discrimination were persistent.<sup>40</sup>

32. JS 12 stated that discrimination against religious minorities was endemic in at least 16 of the 19 northern states in Nigeria. Religious minorities were denied equal rights, most state jobs and promotions. Christian neighborhoods were frequently overlooked for development or maintenance.<sup>41</sup>

33. JS 13 stated that non-Muslims in Shari'a states often suffered marginalisation, particularly in rural areas.<sup>42</sup> They were rarely permitted to join the military or the public sector.<sup>43</sup> There was discrimination in employment with qualified applicants from minority faiths being disregarded for key positions.<sup>44</sup>

34. Joint Submission 3 (JS 3) stated that Nigeria should amend all laws and policies, and stop practices that discriminated on the basis of sexual orientation and gender identity; and that Nigeria must undertake legislative and policy measures that promote acceptance to homosexual and diverse gender identity.<sup>45</sup>

35. CHRI stated that in November 2012, the House of Representatives unanimously passed a second reading of the Same-Sex Marriage (Prohibition) Bill. If this Bill is passed it would further entrench discrimination against persons based on sexual orientation.<sup>46</sup>

36. JS 3 stated that Nigeria must release all persons imprisoned or detained on the grounds of their sexual orientation or gender identity. Also, Nigeria must end impunity by prosecuting those who allegedly violate the rights of LGBTI persons.<sup>47</sup>

37. JS 3 called on Nigeria to raise public awareness of the diverse sexual orientations and gender identities and provide education programmes. JS 3 also called for the raising of such awareness through national debate, education and training.<sup>48</sup>

### **2 Right to life, liberty and security of the person**

38. JS 9 referred to recommendations in paragraph 103.1 of the Report and stated that Nigeria had not abolished the death penalty.<sup>49</sup> CRIN called for inter alia the abolition of the death penalty.<sup>50</sup> PJ stated that Nigeria has not taken any steps to establish a moratorium on the execution of the death penalty.<sup>51</sup>

39. HRW stated that at the Review, Nigeria accepted to take all practical measures to end extrajudicial executions and to halt torture. Since then, however, government security forces have been implicated in numerous extrajudicial killings, torture and other serious human rights abuses.<sup>52</sup> CHRI stated that although Nigeria accepted recommendations on police accountability and reform, there were alleged cases of disappearances of persons from police custody, extrajudicial killings and torture.<sup>53</sup> Joint Submission 14 (JS 14) stated suspects were tortured to obtain confessions.<sup>54</sup>

40. STP stated that the security forces lacked credibility with residents in northern Nigeria, who feared the deliberate use of violence by the security forces.<sup>55</sup> Four students from Nasarawa University were allegedly killed by soldiers deployed on 25 February 2013, to quell the protest over lack of water on campus.<sup>56</sup>

41. JS 11 raised as issues of concern the systematic torture in police and other centres of detention; inadequate documentation and tracking of all tortured persons upon reception in prison; the lack of an institutionalised mechanism for compulsory autopsy of all deaths in

custody; the lack of a comprehensive database of all places of detention, their locations, addresses and the total number of detainees; inadequate monitoring and oversight of all detention facilities; the torture and inhumane treatment of persons who were mentally disabled within the criminal justice delivery system; the lack of provision of adequate rehabilitation services torture victims; and the lack of reporting and documentation of all cases of torture and extrajudicial killings.<sup>57</sup>

42. Edmund Rice International (ERI) stated that the recommendation in paragraph 103.20 of the Report has not been implemented with the failure of the government at all three levels to prevent politically motivated and sectarian and religious based violence.<sup>58</sup>

43. ERI stated that the recommendations in paragraph 103.31 of the Report concerning religious-based conflict have not been implemented.<sup>59</sup> HRAN stated that the increase in sectarian violence, terrorism and other forms of violence crime between 2009 and 2013 have resulted in upsurge of unlawful killings.<sup>60</sup>

44. HRW stated that inter-communal violence has left several thousand people dead in Kaduna and Plateau states. State and local government policies that discriminate against “non-indigenes” people who cannot trace their ancestry to what is said to be the original inhabitants of the area have exacerbated inter-communal tensions and perpetuated ethnic-based divisions.<sup>61</sup>

45. JS 7 stated that little attention was given to the trafficking of children at the domestic level.<sup>62</sup> While the “Trafficking Act” provided legal safeguards for the protection of children from sex tourism, capacity building of law enforcement agencies was required.<sup>63</sup>

46. HRW stated that there was a campaign of violence by Boko Haram.<sup>64</sup> Society for Threatened People (STP) stated that Boko Haram had widened its terror campaign to include attacks on churches, schools, markets, restaurants, police stations and to engage in suicide bombings as a means of attack.<sup>65</sup>

47. GIEACPC stated that corporal punishment was lawful in the home, schools and alternative care settings. Law reform had not fully prohibited corporal punishment in the penal system.<sup>66</sup>

48. SSN stated that violence against children remained a major problem. There was ineffective implementation of the law and very few incidences of violence against children have been reported to the authorities, with such violence being socially acceptable. There was also a belief that corporal punishment was necessary to discipline children, with little knowledge of a child’s right to be free from violence.<sup>67</sup>

49. JS 2 stated that although the “Child Rights Act”, sets the minimum age of eighteen years for marriage, the rate of early marriages remained high. Forty percent of women were considered married before the age of eighteen years. Among the poorest households this rate increased to 68 percent.<sup>68</sup>

50. JS 2 stated that physical and sexual violence against women and girls was a persistent problem. Rape and sexual violence often went unpunished because of the social stigma placed on the victim. Where victims do attempt to bring charges against their aggressor, they faced laws that were inadequate and outdated.<sup>69</sup>

51. Joint Submission 6 (JS 6) stated that domestic violence was treated as a private affair and largely ignored by the police, leading to impunity and injustice for women.<sup>70</sup> JS 4 stated that violence against women was permissible under national law, such as section 55 of the Penal Code which condoned wife beating in customary law marriages.<sup>71</sup>

52. JS 4 stated that the available laws on sexual violence aided impunity with offenders not prosecuted, particularly as the burden of proof weighed heavily on the women. Also, child victims of sexual violence did not receive legislative protection if they were over the

age of fourteen years, pursuant to the Penal Code (Northern Nigeria). Under the Criminal Code (Southern Nigeria) sexual abuse of children between the ages of thirteen and sixteen years was classified as defilement, with punishment not being as severe as that for rape. In Lagos State sexual abuse of a female child between the ages of eleven and thirteen years was classified as a misdemeanour or indecent treatment.<sup>72</sup>

53. JS 2 stated that while there was no legislation at the federal level prohibiting female genital mutilation or cutting (FGM), a number of states have adopted legislation in this regard. However, enforcement of this legislation has been a challenge.<sup>73</sup> JS 6 called for the enactment of a national law prohibiting FGM.<sup>74</sup>

54. DD stated that Nigeria should consider the establishment of effective mechanisms to prohibit violence against women and girls, and to provide support for survivors and victims of violence.<sup>75</sup>

55. SSN stated that kidnapping of children in order to extort money from their parents was reported to be on an increase.<sup>76</sup>

56. CHRI stated that there were overcrowding, poor sanitation, lack of food and essential medical supplies in prisons.<sup>77</sup>

57. SSN stated that the sale of babies and the practice of ‘baby-farming’, where young girls are kept prisoner in order to produce babies for sale was of particular concern in the South East of Nigeria.<sup>78</sup>

58. SSN stated that the large numbers of children living on the street, particularly in the urban centres of Port Harcourt, Rivers State and Calabar, Cross River state, remained a significant concern.<sup>79</sup>

### 3. Administration of justice, including impunity, and the rule of law

59. HRAN referred to recommendations in paragraph 103.24 of the Report and stated that criminal proceedings for acts of corruption allegedly involving former governors, legislators and ministers remained incomplete. Also, high profile bribery and corruption cases were not effectively prosecuted; and that there was no law protecting whistle blowers.<sup>80</sup>

60. AI stated that widespread corruption and disregard for due process and the rule of law continued to blight the criminal justice system. The police demanded money for release from detention. Court processes were slow and largely distrusted, and court orders were often ignored by police and security forces.<sup>81</sup>

61. JS 11 stated that the arrest and detention practices of the police and the absence of institutional control over these practices were central to the pattern of abuse and impunity. One such practice is the “holding charge” which provides for persons to be remanded in custody without minimal judicial investigation into the charges and without any opportunity for challenging those charges. Since no court is seized of the matter, the police have the unfettered ability to detain such persons indefinitely.<sup>82</sup>

62. STP stated that tens of thousands of arrested suspects were waiting for the completion of their trials for years, in congested prisons, under inhuman conditions, for their trials.<sup>83</sup>

63. JS 9 stated that Nigeria has not taken any steps to bring the alleged perpetrators of extrajudicial killings to justice, pursuant to recommendations in paragraphs 103.14, 103.22 and 103.23 of the Report.<sup>84</sup>

64. AI stated that killings by police and deaths in police custody were rarely adequately investigated and there was often no action to hold police officers to account.<sup>85</sup>

65. JS 5 stated that Nigeria has not vigorously applied the law that was put in place in Akwa Ibom State concerning the situation of alleged child witches in accordance with recommendations in paragraph 103.17 of the Report; and the number of prosecutions for alleged violation of this law remained low.<sup>86</sup>

66. JS 6 called for a working legal aid programme to increase women's access to justice through the provision of support before, during and after trial, in cases where women were victims of violence.<sup>87</sup>

67. Child Rights International Network (CRIN) and Defence for Children International (DCIN) stated that the minimum age of criminal responsibility varied. The Federal Children's Rights Act 2003 did not specify a minimum age of criminal responsibility, but defined a child as being under the age of 18 years. The Children and Young Persons Law, enacted in 1943, defined a child as being under the age of 14 years and a young person as being between the ages of 14 and 16 years. It set the minimum age of criminal responsibility at seven years. The Criminal Procedure Act 1945 defined an infant as being under the age of 7 years, a child as being under the age of 14 years, a young person as being between 14 and 16 years, a juvenile offender as under the age of 17 years, and an adult as being 17 years of age and older. In the northern states, the Penal Code 1960 specifies that 7 years was the minimum age of criminal responsibility and categorises juvenile offenders as those less than 17 years of age. According to the Sharia laws, children may be punished from the age of puberty.<sup>88</sup>

68. DCIN stated that many children appeared in regular courts without adequate legal representation.<sup>89</sup> It called for training for practitioners on the management of juvenile cases.<sup>90</sup>

69. SSN stated that while every child has the rights to legal aid under section 155 of the Child Rights Act, legal aid remained unavailable to children without assistance from non-governmental organisations. Many families could not afford the cost of litigation.<sup>91</sup>

#### **4. Right to privacy**

70. HRW stated that consensual homosexual conduct was criminalised under Nigeria's criminal penal code, punishable by a maximum of 14 years imprisonment. The Sharia penal code which applied to Muslims in many northern states criminalized consensual homosexual conduct, punishable by caning, imprisonment or death by stoning.<sup>92</sup>

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

71. European Centre for Law and Justice (ECLJ) stated Nigeria had neglected to adequately address issues of inter-religious cooperation and the protection of citizens from religiously motivated crimes, in accordance with those recommendations as contained in paragraphs 103.11, 103.18, 103.20 and 103.31 of the Report.<sup>93</sup>

72. ECLJ stated that it was common in the northern states for authorities to effectively ban Christian churches. Permits for the construction or renovation of such churches were frequently denied.<sup>94</sup>

73. JS 12 stated that in January 2012, Christians in Yobe state, particularly in Potiskum and Damaturu were attacked in nightly house-to-house killings, and were targeted solely for their religious identity.<sup>95</sup>

74. STP stated that Boko Haram or its offshoots was targeting and killing people in the northern states of Nigeria based on their Christian religion and ethnicity.<sup>96</sup>



75. JS 13 stated that Boko Haram murdered imams who disagreed with its ideology, as well as Muslim officials and individuals who were deemed to have betrayed or opposed it.<sup>97</sup>

76. JS 13 stated that child abduction and forcible conversion continued to occur, particularly in the remote areas of Shari'a states.<sup>98</sup>

77. CHRI stated that Nigeria accepted recommendations to ensure that freedom of expression was respected and that journalists would be able to work free of harassment and fear.<sup>99</sup> Joint Submission 8 (JS 8) stated that government actors continued to threaten, prosecute and imprison journalists, who also faced threats from Boko Haram.<sup>100</sup> Journalists investigating the conduct of government security forces were exposed to the risk of arbitrary arrests, extrajudicial detentions, and warrantless searches and seizures, particularly from the Joint Task Force.<sup>101</sup>

78. CIVICUS stated that intimidation of members of the press for highlighting corruption and rights violations were matters of serious concern.<sup>102</sup> Human Rights Defenders remained at risk of torture, intimidation and abuse by the Police acting with impunity.<sup>103</sup>

79. Reporters without Borders (RSF) stated that the authorities should adopt concrete measures to ensure the protection of journalists and the security of "news media" buildings and offices.<sup>104</sup>

80. JS 8 stated that the Federal National Broadcasting Commission retained unchecked powers over mandatory licensing and the regulation of content. The Commission's members enjoyed wide discretion in interpreting broad and vague violations to the Broadcasting Code.<sup>105</sup>

81. JS 1 stated that compared to men, rural women had less access to information and new technologies and were therefore disadvantaged. Unless due attention is given to gender, and women have a voice in developing available opportunities, new technologies could serve merely to exacerbate existing inequalities.<sup>106</sup>

82. JS 1 stated that while progress has been made with internet access, the exorbitant cost of internet limited access to information and freedom of expression.<sup>107</sup>

83. JS 9 stated that in the Niger Delta the number of women in elected positions fall below the thirty-five per cent benchmark stipulated in the National Gender Policy promoting the participation of women in public affairs.<sup>108</sup>

## **6. Right to work and to just and favourable conditions of work**

84. CIVICUS called for an environment conducive for members of labour unions to negotiate fair working conditions and embark on their constitutional right to protest for improved employment conditions and increases in wages.<sup>109</sup>

## **7. Right to social security and to an adequate standard of living**

85. SSN stated that children in the Niger Delta suffered violations of their rights to food, water and shelter. High poverty levels were a direct cause of these violations.<sup>110</sup>

86. HRAN stated that in River state, Federal Capital Territory, Lagos state, Edo and other parts of Nigeria, millions of people have been evicted without due process.<sup>111</sup>

87. SSN stated that forced evictions resulting from the demolition of slum areas has severely displaced large numbers of children and negatively impacted on their right to shelter and an adequate standard of living.<sup>112</sup>

88. JS 10 stated that safe treated pipe-borne water remained unavailable to millions of people, with less than 30 per cent of the population having access to clean drinking water.<sup>113</sup>

## **8. Rights to health**

89. HRAN referred to recommendations in paragraph 103.28 of the Report and stated that the budgetary allocation for health services continued to be reduced; that there was a lack of basic medical supplies; and that there were no functional health insurance schemes.<sup>114</sup>

90. JS 10 stated that the health sector was grossly under-funded and mismanaged. Many hospitals lacked basic facilities with patients being asked to buy medical supplies.<sup>115</sup>

91. JS 2 stated that Nigeria had one of the highest maternal mortality ratios in the world with with 630 maternal deaths per 100,000 live births.<sup>116</sup>

92. JS 2 stated that Nigeria continued to criminalise abortion, with the exception of abortions to save a woman's life. The high rate of unwanted or unplanned pregnancies increased the number of abortions and exposure to unsafe abortions.<sup>117</sup>

93. JS 2 stated that of the 3.4 million Nigerians living with HIV, only 26 percent of the adults received antiretroviral therapy, and only 7 percent of children received such therapy.<sup>118</sup> It stated that Nigeria should take concrete steps to prevent further spread of HIV/AIDS.<sup>119</sup>

94. JS 2 stated that Nigeria's family planning services faced challenges including fear caused by misinformation that contraceptives would render users infertile, and the withholding of relevant information from adolescents due to traditional and socio-cultural beliefs.<sup>120</sup>

95. JS 10 stated that there was a widespread problem of children suffering from malnutrition.<sup>121</sup>

## **9. Right to education**

96. Marist International Solidarity Foundation (FMSI) stated that Nigeria implemented the Universal Basic Education Policy that provided free basic education for children from the beginning of primary school through to the first three years of secondary education.<sup>122</sup> SSN stated that education was only free in theory, while in practice parents had to pay for books and uniforms, making education unaffordable for families living in poverty.<sup>123</sup>

97. FMSI stated that children were deterred from attending school for reasons including the poor quality of education, the long distances travelled to school and the financial burden on their poor families.<sup>124</sup>

98. DCIN stated the education in public schools were sub-standard.<sup>125</sup> SSN stated that the quality of education was undermined by poor resources and infrastructure, and unqualified teachers; and further compounded by strikes in schools.<sup>126</sup>

99. FMSI stated that most public schools were in a severely dilapidated state and required immediate maintenance and repairs. Toilet facilities were non-existent in some schools.<sup>127</sup> Libraries and science laboratories were almost non-existent and where they did exist, the facilities did not provide the necessary materials and equipment for teaching and learning.<sup>128</sup> Also, there was no access to safe drinking water.<sup>129</sup>

100. FMSI stated that children with disabilities face several challenges when it came to education which included a lack of funding to ensure the availability of educational materials, facilities and equipment.<sup>130</sup>

101. JS 13 stated that in Kano State girls attending public school have been required to wear the hijab as part of their school uniform, regardless of their religious affiliation. Also, most private schools were required to have compulsory lessons of Islam and to employ Muslim clerics.<sup>131</sup>

102. JS 13 stated that in several states, children in public schools were obliged to perform Muslim prayers regardless of religious backgrounds. Also, in some Shari'a states, children were obliged to change their name to a Muslim name and adopt Muslim practices, including worship, in order to receive a state education, risking expulsion if discovered not to be Muslim.<sup>132</sup>

#### **10. Persons with disabilities**

103. FMSI stated that children with disabilities were often neglected and discriminated against. They were left to fend for themselves, and resorted to begging on the streets.<sup>133</sup>

104. HRAN stated that there was no improvement in access to services for persons with disabilities. The Special Persons Bill was passed by the National Assembly but was not signed into law; and the Mental Health Bill remained pending before the National Assembly.<sup>134</sup>

#### **11. Minorities and indigenous peoples**

105. ERI stated that most of the recommendations on minority rights and vulnerable groups in paragraph 103.30 of the Report have not been implemented, which suggested a widespread failure to accept minority groups as part of the Nigerian society, and to ensure the exercise of individual as well as collective rights.<sup>135</sup>

106. JS 5 stated that progress has been made as regards the political participation of ethnic minority groups, in accordance with the recommendations in paragraph 103.30 of the Report. However, other aspects of those recommendations, particularly in relation to the loss of land, property and resources of the ethnic minority groups have not been implemented.<sup>136</sup> No action has been taken with regard to the provision of constitutional and legislative protection for minorities and Indigenous peoples,<sup>137</sup> and no effort made to address the growing incidence of poverty amongst the minority and indigenous communities in the Niger Delta region.<sup>138</sup>

107. JS 5 stated that some existing policies and programmes, such as the National Policy on Education, reinforced discrimination against minorities and indigenous communities.<sup>139</sup>

108. STP stated that the indiscriminate approach of state security services against Biafran activists has caused outrage and renewed tensions among the Igbo population.<sup>140</sup>

#### **12. Internally displaced persons**

109. IDMC-NRC stated that internal displacement has affected most of Nigeria's 36 states.<sup>141</sup> It was caused by protracted inter-communal conflicts fuelled by religious, regional or ethnic divisions;<sup>142</sup> by forced evictions;<sup>143</sup> and by natural disasters.<sup>144</sup> IDMC-NRC stated that response on the ground has been uncoordinated and ad-hoc, leading to both shortfalls and duplication.<sup>145</sup>

#### **13. Right to development and environmental issues**

110. JS 10 stated that high level of corruption by officials has become an obstacle to economic development in Nigeria.<sup>146</sup>

111. JS 4 stated that in the Niger Delta the gas flaring from the activities of the oil companies has caused life threatening diseases and environmental hazards affecting the right to life, health, food water and sustainable livelihoods.<sup>147</sup>

112. AI stated that since 2009 hundreds of oil spills have occurred, with devastating impact on the economic, social and cultural rights of people living in the Niger Delta. Oil pollution has destroyed fisheries and farm land, and drinking water has been contaminated.<sup>148</sup>

#### 14. Human rights and counter-terrorism

113. IDMC-NRC stated that counter-terrorist operations had often resulted in human rights violations committed by the security forces.<sup>149</sup>

114. IHRC stated that the security forces had inflicted serious human rights abuses in their campaign against Boko Haram following the claim that Boko Haram was responsible for the bomb blast at the United Nations office in Abuja and the attack at St. Theresa Catholic Church in Madalla.<sup>150</sup>

#### Notes

<sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org). (One asterisk denotes a national human rights institution with “A” status)

##### *Civil society*

JS 1	Fantsuam Foundation, Paradigm Initiative Nigeria and the Association for Progressive Communications (Joint Submission 1);
JS 2	Centre for Reproductive Rights, New York, USA; and Women Advocates Research and Documentation Centre, Nigeria (Joint Submission 2);
JS 3	International Centre for Advocacy on Rights to Health, Abuja, Nigeria; Women’s Health and Equal Rights, Abuja, Nigeria; Improved Youth Health Initiative, Edo States, Nigeria; and The Initiative for Equal Rights, Lagos, Nigeria (Joint submission 3);
JS 4	Coalition of Nigeria Human Rights CSOs on UPR, comprising of: Partnership for Justice (South West); LEDAP (South West); Echoes of women (South West/South South); Action Aid Nigeria (South South); FENRAD (South East); Rural Integrated (North); National Human rights Commission; Centre for citizens with disabilities (South West); Development Dynamics (South East); Legal Resource Consortium (South West); and Open society Justice initiative (North) (Joint Submission 4);
JS 5	Civil Society Coalition on Minority Protection, Indigenous Peoples Issues and Children’s Rights comprising of The Movement for the Survival of the Ogoni People, African Network for Prevention and Protection Against Child Abuse and Neglect and Health for the Society, Justice and Peace Initiative, Nigeria (Joint Submission 5);
JS 6	Women’s International League for Peace and Freedom – Nigeria, Kudirat Initiative for Democracy and Alliances for Africa (Joint Submission 6);
JS 7	Women Consortium of Nigeria and ECPAT International (Joint Submission 7);
JS 8	PEN International, PEN Nigeria, Committee to Protect Journalists and International Publishers Association (Joint Submission 8);
JS 9	The Niger Delta UPR Coalition comprised of: Kebetkache Women Development and Resource Centre, Reforms Support Group, Save

	Earth Nigeria(SEN), Living Earth Nigeria Foundation(LENF), Centre for the Protection of Ogbogolo People (CENPOP),Stakeholder Democracy Network (SDN), NIDEREF, Community Environment and Development Network (CEDEN), Lokiaka Community Development Centre (LCDC),Host Communities Network (HOCON), Centre for Environment, Human Rights and Development (CEHRD),Peoples' Right to Life Foundation (PERLDEF),Media for Good Governance and Accountability , Greenleaf Foundation The Movement for the Survival of the Ogoni People (MOSOP),Council for the Liberation of Ikwerre People (COLIP) and Gender and Development Action (GADA) (Joint Submission 9);
JS 10	World Evangelical Alliance, New York, USA and Socio-Economic Rights and Accountability Project, Lagos, Nigeria (Joint Submission 10);
JS 11	Prisoners' Rehabilitation and Welfare Action and Network on Police Reform in Nigeria (Joint Submission 11);
JS 12	Jubilee Campaign; Advocates International, International Institute for Religious Freedom; Institute on Religion and Democracy; Human Rights Law Foundation; Mitchell Firm; Open Doors International; and Union of Councils for Jews in the Former Soviet Union (Joint Submission 12);
JS 13	Christian Solidarity Worldwide (CSW), CSW USA, CSW Nigeria and Stefanus Alliance International (Joint Submission 13)
JS 14	UPR Coalition Southeast Nigeria comprising of: Better Community Life Initiative, Owerri; National Human Rights Commission; Legal Redress and Justice Centre; Foundation for Environmental Rights and Development; Ikeoha Foundation; Int'l Federation of Women Lawyers, FIDA Anambra; Int'l Federation of Women Lawyers, FIDA Ebonyi; Human Rights and Conflict Resolution Centre, Abakaliki; and Civil Resource Development and Documentation Centre, Enugu (Joint Submission 14);
AI	Amnesty International, London, UK;
CHRI	Commonwealth Human Rights Initiative, New Delhi, India;
CIVICUS	CIVICUS: World Alliance for Citizen Participation,
CRIN	Child Rights International Network;
DCIN	Defence for Children International Nigeria, Lagos, Nigeria;
DD	Development Dynamics,
ECLJ	European Centre for Law and Justice, Strasbourg, France;
ERI	Edmund Rice Foundation;
FMSI	Marist International Solidarity Foundation;
GIEACPC	Global Initiative to End All Corporal Punishment of Children, Geneva, Switzerland;
HRAN	Human Rights Agenda Network, Abuja, Nigeria (Joint Submission);
HRW	Human Rights Watch, Geneva, Switzerland;
IDMC-NRC	Internal Displacement Monitoring Centre of the Norwegian Refugee Council;
IHRC	Islamic Human Rights Commission;
IIPJHR	Institut International Pour La Paix La Justice et Droits de l' Homme ;
PJ	Partnership for Justice, Lagos, Nigeria;
RSF	Reporters Without Borders/Reporters sans frontiers;
SSN	Stepping Stones Nigeria, UK;
STP	Society for Threatened People, Göttingen, Germany.

*National human rights institution*

NHRC National Human Rights Commission of Nigeria, Abuja, Nigeria.

<sup>2</sup> NHRC has also participated in joint submissions which appear below under Section II as Joint Submission 4 and Joint Submission 14.

- <sup>3</sup> NHRC, p. 3, para. 4.1. NHRC made recommendations (para. 4.1).  
<sup>4</sup> NHRC, p. 3, para. 3.1.  
<sup>5</sup> NHRC, p. 4. NHRC made recommendations (p. 5, para. 6.1).  
<sup>6</sup> NHRC, p. 4, para. 5. NHRC made recommendations (p. 5, para. 5.1).  
<sup>7</sup> NHRC, p. 4, para. 5. NHRC made recommendations (p. 5, para. 5.1).  
<sup>8</sup> NHRC, p. 6, para. 7.  
<sup>9</sup> NHRC, p. 6, para. 7. NHRC made recommendations (p. 7, para. 7.1).  
<sup>10</sup> NHRC, p. 6, para. 8. NHRC made recommendations (p. 6, para. 8.1).  
<sup>11</sup> NHRC, p. 6, para. 9. NHRC made recommendations (p. 7, para. 9.1).  
<sup>12</sup> NHRC, p. 7, para. 10. NHRC made recommendations (p. 8, para. 10.1).  
<sup>13</sup> Report of the Working Group on the Universal Periodic Review, A/HRC/11/26 (Report).  
<sup>14</sup> JS 9, p. 1. JS 9 made recommendations (p. 2).  
<sup>15</sup> CHRI, p. 2, para. 10.  
<sup>16</sup> HRAN, p. 2. See also JS 14, pp. 1 and 2. JS 14 made recommendations (pp. 1 and 2).  
<sup>17</sup> AI, p. 2. See also JS 10, p. 1, para. 5. JS 10 made recommendations (p. 3, para. 18).  
<sup>18</sup> JS 10, p. 3, para. 18(b). See also AI, p. 4.  
<sup>19</sup> JS 7, pp. 5-6.  
<sup>20</sup> DD, p. 2, paras. 1.1 – 1.3; and 2.1. See also JS 2, p. 10.  
<sup>21</sup> JS 11, p. 3.  
<sup>22</sup> JS 11, p. 2.  
<sup>23</sup> AI, p. 2 and p. 4.  
<sup>24</sup> JS 7, p. 6. JS 7 also made recommendations (p. 6).  
<sup>25</sup> JS 12, p. 1, para. 2. See also JS 13, para. 2.  
<sup>26</sup> JS 13, para. 8.  
<sup>27</sup> JS 4, p. 7. JS 4 made recommendations (p. 7). See also HRAN, p. 8.  
<sup>28</sup> PJ, p. 1. PJ made recommendations (p. 6).  
<sup>29</sup> HRAN, p. 3.  
<sup>30</sup> JS 10, p. 1, para. 3.  
<sup>31</sup> JS 10, p. 3, para. 14.  
<sup>32</sup> JS 4, pp. 3-4. JS 4 made recommendations (p. 4).  
<sup>33</sup> JS 4, pp. 3-4. JS 4 made recommendations (p. 4). See also HRW, p. 3. HRW made recommendations (p. 5); and JS 9, p. 15. JS 9 made recommendations (p. 15).  
<sup>34</sup> JS 9, p. 2.  
<sup>35</sup> SSN, p. 2, paras. 1.1 – 1.3. SSN made recommendations (p. 2, para. 1.4). See also HRAN, p. 3.  
<sup>36</sup> IIPJHR, p. 3.  
<sup>37</sup> JS 11, p. 5.  
<sup>38</sup> JS 9, p. 2.  
<sup>39</sup> JS 2, p. 9.  
<sup>40</sup> JS 2, p. 6.  
<sup>41</sup> JS 12, p. 2, paras. 1-3 and 8.  
<sup>42</sup> JS 13, p. 31.  
<sup>43</sup> JS 13, para. 32.  
<sup>44</sup> JS 13, para. 33.  
<sup>45</sup> JS 3, p. 11, para. 30 (a) and (c).  
<sup>46</sup> CHRI, p. 5, paras. 41 and 42. CHRI made recommendations (p. 6, para. 48).  
<sup>47</sup> JS 3, p. 11, para. 30 (b).  
<sup>48</sup> JS 3, p. 11, para. 30 (d).  
<sup>49</sup> JS 9, pp. 1-2. See also AI, p. 3. AI made a recommendation (p. 5).  
<sup>50</sup> CRIN, p. 4.  
<sup>51</sup> PJ, p. 2. See also HRAN, p. 4.  
<sup>52</sup> HRW, p. 2. HRW made recommendations (p. 5).  
<sup>53</sup> CHRI, p. 3, paras. 18, 19. CHRI made recommendations (p. 3, para. 22).  
<sup>54</sup> JS 14, p. 3.  
<sup>55</sup> STP, pp. 1-2, paras. 1.1 – 1.3 and 2.2.  
<sup>56</sup> STP, p. 2, para. 2.2.  
<sup>57</sup> JS 11, p. 4. JS 11 made recommendations (pp. 6-8).

- 58 ERI, p. 2, para. 13. ERI made recommendations (p. 3).  
59 ERI, p. 3, para. 15. ERI made recommendations (p. 3).  
60 HRAN, p. 9.  
61 HRW, p. 2. HRW made recommendations (p. 5). See also STP, p. 2, para. 2.1.  
62 JS 7, p. 7. See also JS 5, p. 9, para. 4 (e).  
63 JS 7, p. 8.  
64 HRW, p. 1. HRW made recommendations (p. 4).  
65 STP, p. 1, para. 1.1.  
66 GIEACPC, pp. 2-3, paras. 1.3 and 2.1 – 2.10.  
67 SSN, p. 3, paras. 3.1 and 3.2. SSN made recommendations (p. 3, para. 3.3).  
68 JS 2, p. 8.  
69 JS 2, p. 7. See also PJ p. 3. PJ made recommendations (p. 5).  
70 JS 6, p. 1.  
71 JS 4, p. 8. JS 4 made recommendations (p. 8). See also HRAN, p. 5.  
72 JS 4, p. 8. JS 4 made recommendations (p. 8).  
73 JS 2, p. 8. See also JS 9 p. 12; JS 5, p. 3; FMSI, p. 6, paras. 24-26.  
74 JS 6, p. 1.  
75 DD, p. 4, para. 3.3.  
76 SSN, p. 6, para. 7.2.  
77 CHRI, p. 3, para. 24. CHRI made recommendations (p. 4, para. 28).  
78 SSN, p. 6, para. 7.2.  
79 SSN, p. 4, para. 4.5.  
80 HRAN, pp. 6 – 7.  
81 AI, p. 3. AI made recommendations (pp. 2 -3).  
82 JS 11, p. 6.  
83 STP, p. 3, para. 3.1.  
84 JS 9, p. 5.  
85 AI, p. 3. AI made recommendations, pp. 4-5.  
86 JS 5, p. 3.  
87 JS 6, p. 1.  
88 CRIN, p. 1 and DCIN, p. 4.  
89 DCIN, p. 5.  
90 DCIN, p. 6.  
91 SSN, p. 6, para. 8.1. SSN made recommendations (p. 7, para. 8.3).  
92 HRW, p. 4. HRW made recommendations (p. 5).  
93 ECLJ, p. 1, para. 2 and fn. 1.  
94 ECLJ, p. 2, para. 3. See also JS 12, p. 3, para. 10; JS 13, para. 9.  
95 JS 12, p. 4, para. 3.  
96 STP, p. 2, para. 1.3.  
97 JS 13, para. 12.  
98 JS 13, para. 15.  
99 CHRI, p. 4, para. 32.  
100 JS 8, p. 2, para. 6. JS 8 made recommendations (p. 7, para. 37).  
101 JS 8, p. 2, para. 10. JS 8 made recommendations (p. 7, para. 37).  
102 CIVICUS, p. 3, para. 3.1. CIVICUS made recommendations (p. 6, para. 5.3).  
103 CIVICUS, p. 3, para. 2.1. CIVICUS made recommendations (p. 5, paras. 5.1 and 5.2.)  
104 RSF, p. 2.  
105 JS 8, p. 5, para. 26.  
106 JS 1, para. 14. JS 1 made recommendations (para. 26).  
107 JS 1, para. 22. JS 1 made recommendations (para. 26).  
108 JS 9, p. 11.  
109 CIVICUS, p. 6, para. 5.4.  
110 SSN, p. 3, para. 4.1.  
111 HRAN, p. 7. See also AI p. 3. AI made recommendations (p. 5).  
112 SSN, p. 3, para. 4.3. SSN made recommendations (p. 4).  
113 JS 10, p. 2, para. 10.

- 114 HRAN, p. 8.  
115 JS 10, p. 2, para. 9.  
116 JS 2, p. 10.  
117 JS 2, p. 5.  
118 JS 1, p. 6.  
119 JS 2, p. 11.  
120 JS 2, pp. 4-5.  
121 JS 10, p. 2, para. 11.  
122 FMSI, p. 2, para. 7; DCIN, p. 3.  
123 SSN, p. 5, para. 5.4. SSN made recommendations (p. 5, para. 5.5).  
124 FMSI, p. 2, para. 7; DCIN, p. 3.  
125 DCIN, p. 4.  
126 SSN, p. 4, para. 5.4.  
127 FNSI, p. 3, para. 15.  
128 FMSI, p. 3, para. 16.  
129 FMSI, p. 4, para. 17.  
130 FMSI, p. 2, para. 10.  
131 JS 13, para. 40.  
132 JS 13, para. 42.  
133 FMSI, p. 2, para. 11.  
134 HRAN, p. 8.  
135 ERI, p. 2, para. 14. ERI made recommendations (p. 3).  
136 JS 5, p. 4.  
137 JS 5, p. 4.  
138 JS 5, p. 4.  
139 JS 5, p. 6. JS 5 made recommendations (p. 10).  
140 STP, p. 3, paras. 4.1 and 4.2.  
141 IDMC-NRC, p. 2, para. 2.  
142 IDMD-NRC, page. 2, para. 4.  
143 IDMD-NRC, p. 3, para. 9.  
144 IDMC-NRC p. 3, paras. 10 and 11.  
145 IDMC-NRC, p. 5. It made recommendations (pp. 5-6).  
146 JS 10, p. 2, para. 8.  
147 JS 4, p. 4. JS 4 made recommendations (p. 5). See also STP, pp. 3-4, paras. 5.1 and 5.2.  
148 AI, p. 4. AI made recommendations (p. 5).  
149 IDMC-NRC, p. 5, para. 20.  
150 IHRC, p. 4.
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