

REPORT ON THE HUMAN RIGHTS SITUATION IN NIGERIA

SUBMITTED TO

**THE OFFICE OF THE UN HUMAN RIGHTS COUNCIL IN GENEVA DURING THE
31ST SESSION OF THE UPR WORKING GROUP**

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BY

PARTNERSHIP FOR JUSTICE

PROGRAMME OFFICER

Ivy Basil-Ofli,

Partnership for Justice

2 Tunde Gafar Close,

Off Adeniji Jones, Ikeja Lagos

Nigeria

ivyodia@yahoo.com

partners@pjnigeria.org

www.pjnigeria.org

+234 812 5152 683

Established in 2006

Recommendations on the Human Rights Situation in Nigeria
Submitted to the Office of the UN Human rights Council in Geneva for the
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INTRODUCTION

1. Partnership for Justice (PJ) is a non-profit organization of professionals who share a commitment to equality, justice and globalization of human rights standards.

PJ works at all levels to offer services to victims of human rights violations and create linkages for the promotion and protection of human rights in Nigeria.

2. Mission:

To impact public policy and social change and provide innovative range of services to achieve equality and justice

3. On March 4th and July 22nd, 2013, CSOs and the Nigerian government submitted to the Office of the UN High Commissioner for Human Rights a report on the human rights record in Nigeria, in accordance with the UN Human Rights Council's Universal Periodic Review (UPR) process.

4. The report's submission leads to a formal presentation by the Nigerian government to the UN Human Rights Council in Geneva on 25th October, 2013. At the end of the presentation which was made by Nigerian delegates head by the Hon. Attorney General and Minister Of Justice Mohamed Adoke, about 172 recommendations on the promotion and protection of human rights were made by various State Parties. Some of the 172 recommendations that enjoyed the support and acceptance by Nigeria are:

5. "Intensify efforts to improve the status of women and girls, including enhanced reproductive health measures, the fight against sexual and gender-based violence and harmful traditional practices, the domestication of the CEDAW Convention and to include women in decision-making at all levels (Norway);

6. "End domestic and sexual violence against women and girls, by enacting laws and creating awareness in communities to end the social stigmatization relating to it (Maldives);

7. "Take further measures to implement the 2010 recommendations by the Committee on the Rights of the Child, especially related to the domestication of the CRC; the right of the child to education, nutrition and health, and protecting girls from early marriage (Finland);

8. "Accelerate the adoption and full implementation at the federal, state and local levels of the Gender and Equal Opportunities Bill, and the Violence against Persons Prohibition Bill, in compliance with CEDAW provisions (Republic of Moldova)

9. These and several other recommendations were made by Nigeria. Some of these commitments pledged by Nigeria in the Note to the President of the General Assembly of the United Nations amongst others include to give full cooperation to the Human Rights Council, submit to the

Universal Periodic Review Mechanism and to cooperate with treaty monitoring bodies of the council including through submission of timely periodic reports and the implementation of concluding observations and recommendations and reaffirmed its preparedness to welcome human rights inspectors, special rapporteurs and representatives to visit Nigeria in order to carry out their respective mandates without interference.

The following are the Partnership for Justice concern on the ongoing human rights violations against women and children in Nigeria based on the pervious recommendations.

10. Domestication of CEDAW

The Government of Nigeria ratified the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW) in the year 1985. There have been efforts to domesticate it through the enactment of the Gender and Equal Opportunities Bill that incorporates its provisions. Despite the efforts, to date only Lagos State and Edo State have made effort for the bill to pass the first reading in the houses of assembly. Presently, the number of low representation of women in decision making bodies has reduced. At the National Assembly out of 360 house of representative members, 24 are women while the senate has total number of senators are 109, women occupy only 8 seats. There is need for the government to ensure the 35% affirmative action for women.

- **Recommendations**
- *Nigeria should also accelerate efforts towards the implementation of the recommendations of the Convention on the Elimination of Discrimination Against Women (CEDAW) at all levels, both state and federal.*
- *The Federal Government should ensure the domestication of CEDAW through the passage of the GEO bill and implementation processes should be put in place.*
- *There should be an increase in representation of women in decision making.*
- *To ensure that Nigeria incorporate in national legislations the international human rights legal instruments that has being ratified.*
- *The Independent National Electoral Commission (INEC) should be empowered to influence gender policies of political parties.*

11 Female Genital Mutilation (FGM)

Though all the states in the Niger Delta have passed laws prohibiting the practice of FGM (Female Genital Mutilation Law), it is disheartening to note that the laws are not implemented and so there has been low prosecution against the perpetrators.

- **Recommendation**
- *The Government should enforce the implementation of FGM law in the states.*

12 Maternal Health

Maternal Health has also become a major challenge for community women in the Niger Delta. Community women depend on traditional birth attendants for maternity services. Pregnancy related complications such as miscarriages, stillbirth, and urinary tract infections are high among community women. Other diseases such as malaria, anaemia, worm infestations, and heart diseases are also on the increase. Ibeno which is a riverine and oil producing community lacks access to quality health care services.

- **Recommendations**
- *The Government should train traditional community birth attendance leaders*
- *Improved health care community services within the rural and grassroots communities especially the riverine and arid (neo-Sahelian) areas*

13. Elimination of Child Labour

All the states in the Niger Delta have passed the Child Rights Law. However, there is a huge challenge in the level of implementation. The high level of sexual abuse of children and maltreatment is commensurate to the number of prosecutions within the states.

- **Recommendations**
- *The government should ensure the implementation and enforceability of the Child rights Laws in the state.*
- *Further pursue that its existing legislation at federal, state and local levels fully complies with the Convention on the Rights of the Child*
- *Strengthen laws and policies for effective implementation to end violence against children and ensure the full implementation of the 2003 Child Rights Act*
- *Ensure the protection of children's human rights by reducing and eliminating domestic and international child trafficking, sexual abuse, economic exploitation, "baby farming", widespread homelessness, abuse stemming from belief in child witchcraft, and forced conversions*
- *Urgently address child, early and forced marriage by putting in place legislation that clarifies the legal age for marriage, honoring commitments made in the country's last UPR to prevent and eliminate the practice*

14. Countering Violent Extremism and its effect on Women, girls and children mostly in the IDPs camps

At the heart of those most affected by insurgency in the northeast are women, girls and children. Women and young girls are increasingly been uses as suicide bombers. Within the IDP camps, they are exposed to sexual abuse, drug trafficking, prostitution highlighted by the government of Borno State in north-east Nigeria, coupled with the challenges of inadequate health and sanitary facilities, food and adequate security. Furthermore reports have it that outcomes of some investigative panels set up to look into

allegations of sexual abuse by some camp residents and state security officials is yet to be made public, denying the victims their rights to seek justice for such violations.

- **Recommendations**

- *The prevalence of young female suicide bombers can be nipped in the bud through encouraging the voices of a critical mass of women who have excelled in various fields to mentor young ones in the zone.*
- *Education provides the key to getting out of a vicious cycle of ignorance and poor life chances. Girl-child education should be prioritized as much as children who daily roam the streets as **Almajiris**.¹ While other regions of the country have seen a near gender parity in education for boys and girls, the north still unfortunately lags behind. Un-accessed UBEC funds should access to increase the number of children going back to school.*
- *While the northeast receives a lot of humanitarian intervention, there is the need for adequate care for the IDPs in the various camps. Thus, accountability in ensuring materials get to those in critical need and to punish those found to be involved in acts of corruption in these interventions. In relations to this, monies donated by international development partners must be judiciously spent and to follow up with those who have pledged funds to support humanitarian interventions.*

15. Gender Based Violence against women and girls

Violence against women is endemic and tolerated at every level. Stigma and silence about sexual violence prevents many victims from reporting such violence. Harmful customary or traditional practices such as forced marriage for under aged girls particularly in the northern part of Nigeria, marriage by abduction, female genital mutilation, forced abortion, Trafficking of young girls, Harmful widowhood practice are also on the increase. The available laws on sexual violence which ought to protect the rights of women and girls aids impunity, as offenders are not prosecuted and burden of proof weighs heavily on women and this has led to an increase reported cases of domestic and gender based violence.

While the enforcement of fundamental rights for the purpose of eradicating the blight of Gender Based violence has suffered a great setback.

- **Recommendations**

- *Ensure training of law enforcement agents on how to respond to gender based complaint.*
- *There is the need for broad sector response to enshrine protection of human rights especially in the context of domestic and gender-based violence.*
- *There is the need for other States in the region Osun, Ondo and Oyo to enact similar legislation to offer protection from domestic and sexual violence.*
- *Lagos State Domestic and Sexual Violence Response Team (DSVRT) should be scaled-up and adopted by states that have legislation on prevention of sexual and gender-based violence.*
- *Abuse and violations against women occur regularly with most victims having little or no recourse to justice*
- *Step up efforts aimed at eliminating harmful cultural practices, which hamper the full respect for the human rights of women*

¹“Almajiri” are abandoned children who beg for survival on the streets of mostly northern Nigeria.

- *Continue to enhance gender equality and the empowerment of women*
- *Fully implement its national action plan on the UN Security Council resolution 1325 to meaningfully involve women in peace process and to combat gender-based violence and discrimination*

16. WOMEN'S HUMAN RIGHTS DEFENDERS

Women's Human Rights Defenders come under attack facing harassment, intimidation, ill-treatment, smear campaigns, unlawful detention, under surveillance and sometimes killed just for standing for what is right. Their right to protect is denied and are constantly threatened from exercising their rights to freedom of expression, association and peaceful assembly.

- **Recommendations**

- *Implement and adopt legislation which recognizes and protects HRDs and review legislation that may place obstacles in the way of legitimate activities to promote and defend human rights;*
- *Ensure that justice systems are not misused to target or harass HRD refrain from bringing criminal charges or any other proceedings or administrative measure against them that prevent them from peaceful exercise of their rights;*
- *Investigating human rights violations and abuses against them and bring the suspected perpetrators to justice in fair trials and providing effective remedies and adequate reparations to the victim.*