UPR 3rd Cycle

UNCT Nigeria inputs to UN Compilation

Background

Nigeria was reviewed for the 2nd cycle Universal Periodic Review (UPR) by the Working Group on UPR during its 4th meeting of the seventeenth session on 23 October, 2013.

The current process reviews the extent of fulfilment by Nigeria of its commitments to the Human Rights Council through implementation of voluntary commitments and accepted recommendations in the 2nd cycle UPR.[1]

I. National human rights framework

- Acceptance of international norms

Recommendations A/HRC/25/6/135.1-6 were not implemented.

Since the 2nd cycle UPR in 2013, Nigeria has not signed or ratified any additional international human rights treaties.

- Cooperation with special procedures

Recommendations A/HRC/25/6/135.39-41 were implemented.

Nigeria issued a standing invitation to special procedures mandate holders and has hosted four mandate holders since the 2nd cycle UPR in 2013 namely a joint visit from 18-22 January 2016 by Special Rapporteurs on sale of children, on slavery and on health respectively; and from 23-26 August 2016 by the Special Rapporteur on human rights of IDPs.

- Cooperation with other international mechanisms

Recommendations A/HRC/25/6/135.35-38 were partially implemented.

Nigeria submitted its 7th and 8th periodic report to the CEDAW Committee, which then considered the reports on 14 July 2017. In 2017, Nigeria was reviewed by the Committee on Migrant Workers without a report and delegation. With the exception of CEDAW above, Nigeria has not submitted any reports to the treaties bodies since the 2nd cycle UPR in 2013,

Implementation is ongoing of recommendations A/HRC/25/6/135.42-43.

Nigeria has engaged OHCHR and UN mechanisms on capacity building for its national bodies including strengthening its national human rights institutions and mechanisms for reporting and follow up including participating in initiatives of the Human Rights Council. In 2010, Nigeria established a national working group on treaties reporting, which has benefited from

[1] See Report of the Working Group on the Universal Periodic Review, A/HRC/25/6 of 16 December 2013.

technical assistance from OHCHR. However, the working group has been unable to fully meet its mandate due to resource constraints.

The following information is important in reviewing implementation of the afore-mentioned recommendation:

Nigeria has not developed a successor national action plan since its first National Action Plan for the protection and promotion of human rights (2009-13).

- **Constitutional and legislative framework**

Recommendations A/HRC/25/6/135.8;14-17;19-20, 22-23, 28-29 were partially implemented:

Since the 2nd cycle review, Nigeria adopted the following laws to give effect to its international human rights treaties obligations:

i. The Anti-Torture Act (2017);
ii. The Compulsory Treatment and Care for Victims of Gunshot Wounds Act (2017);
iii. Trafficking in Persons (Prohibition) Law Enforcement and Administration Act (2015);
iv. Administration of Criminal Justice Act, 2015 (ACJA);
v. Violence against Persons (Prohibition) Act (2015).

Implementation ongoing of the following recommendations:

A/HRC/25/6/135.7, 18, 21, 25 and 101-105.
In March, 2016, the 8th Senate rejected the Gender and Equal Opportunities Bill. A revised version of the Bill is currently under consideration by the Senate. The Violence against Persons (Prohibition) Act (2015) prohibits FGM and prescribes punishment for related crimes. 12 of the 36 states have banned FGM.

A/HRC/25/6/135.15.
The 7th national assembly passed legislation to domesticate the Convention on the Rights of Persons with Disabilities. However, this was not signed into law before the dissolution of parliament and therefore lapsed. The 8th parliament is currently considering similar legislation.

A/HRC/25/6/135.27.
Nigeria has not domesticated the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention). There are currently two parallel processes underway –one through the executive and the other through parliament- although the process has been delayed for years.

Recommendations A/HRC/25/6/135.10, 30 have not been implemented.

Nigeria has not domesticated the Rome Statute.

- **Information on national human rights institutions**

Implementation ongoing of recommendations A/HRC/25/6/135.32-34.

The National Human Rights Commission is accredited 'A' status by the International Coordinating Committee of National Human Rights Institutions and has benefited from technical assistance and capacity building initiatives of the UN and donors to enhance its monitoring, reporting and investigation activities.

It has actively engaged the Army and security agencies regarding ongoing counter-insurgency operations through organizing human rights dialogues between the Army and civil society organizations to enhance cooperation. It held public hearings on evictions and violations by law enforcement and also coordinated independent monitoring by NGOs of the mass trial of some Boko Haram detainees. The Commission has also undertaken prison audits and monitored human rights aspects of elections. In 2015, the military authorities granted the Commission access to monitor court-martials of military officers in cases of human rights abuses and violations.

Government provides only a quarter of its estimated budget requirements. To fully meet its mandate, the NHRC must be fully funded and capacitated.

In 2009, Nigeria established the National Committee against Torture (NCAT) pursuant to obligations under OPCAT. However, the Committee has been constrained due to lack of resources. It has also struggled to gain access to some detention facilities.

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

A. Cross cutting issues

1. Equality and non-discrimination

Recommendation A/HRC/25/6/ 135.164 has not been implemented.

Despite statutory provisions that aim to enhance national cohesion, the dichotomy between "settlers' and indigenes remains a thorny issue in a country where citizenship and access to services and government goods is fixed to state of origin of ones ancestors.

Recommendations A/HRC/25/6/135.66-67 are being implemented.

Government is supporting initiatives to enhance inter-religious dialogue through facilitating engagement between Christians and Muslims. However, these have lately come under severe pressure, among others, ostensibly due to resource-based conflicts between farmers and herders and which has taken a religious/ethnic connotation, with disproportionate negative impact on the former (mostly Christians) without any effective security response.

2. Development, the environment, and business and human rights

3. Human rights and counter-terrorism

Implementation ongoing of recommendation A/HRC/25/6/135.69.

Over the years, the National Human Rights Commission, the Nigerian Bar Association, the, UNHCR, UNODC, OHCHR and UN CTITF Working Group on Promoting and Protecting Human Rights and the Rule of Law while Countering Terrorism have conducted training workshops for officials of Nigerian Armed Forces on human rights.

UNODC in collaboration with the Nigerian Institute of Advanced Legal Studies have developed a series of human rights training modules specifically tailored to the Nigerian legal framework, which are now being used to conduct training workshops for Nigerian criminal justice officials. Training has been provided to the criminal justice practitioners. However, training needs to be systematized and integrated in training curricula of the various agencies.

The Presidency established an inter-ministerial committee to undertake an audit of those held in relation to counter-terrorism operations and a Complex Case Work Group created in the Office of the Federal Director of Public Prosecutions.

Recommendations A/HRC/25/6/135.70-72 have been partially implemented.

A number of investigations have been undertaken including, on mistaken bombing of the IDP camp in Rann (January 2017), clashes between Islamic Movement in Nigeria (IMN) and soldiers in Zaria (December 2015), the Military Board of Inquiry into allegations of human rights abuses by military personnel as ordered by the President (June 2017) and Presidential Panel on military compliance with human rights and rules of engagement in local conflicts and insurgencies (established August 2017). Notwithstanding, allegations continue to be made of extra-judicial executions, enforced disappearances and excessive use of force by security agencies including in their response to the Indigenous Peoples of Biafra (IPOB). The various investigations and allegations have not led to any prosecutions including where, in the case of the IMN, the judicial panel recommended prosecution of erring soldiers. There are several unresolved cases of disappearances and extra-judicial executions.

Recommendations A/HRC/25/6/135.73-74 have been partially implemented.

The Anti-Torture Bill (2017) criminalizes torture and prescribes redress for victims. However, it is not of national application and requires states to adopt complementary legislation to enforce it. Additionally, rules and regulations for the implementation of the Act are yet to be established. Section 12 of the Act requires the Attorney General and Minister of Justice, with the approval of the President, to make rules and regulations for its implementation. A National Committee against Torture has been established pursuant to OPCAT but lacks the financial independence and capacity to be effective. OHCHR provided some assistance to the Committee which sometimes was denied access to military detention centres.

Implementation ongoing of recommendation A/HRC/25/6/135.75.

Human Rights training has been provided to the security forces by the National Human Rights Commission and other actors and in some cases integrated in training curricula. However, allegations of excessive use of force and impunity continue to be received.

Recommendations A/HRC/25/6/135.79, 121, 170-172 are partially implemented.

Government has implemented some policies ranging from executive pronouncements, presidential orders, acts and policy documents to counter terrorism. These policies include inter alia declaration of a state of emergency, creation of the 7th Division of the Nigerian Army, the relocation of the military command centre to the Northeast, setting up a committee on the proliferation of small arms and light weapons, but these have not yielded the desired results.

In 2015, Government launched the National Counter Terrorism Strategy (NACTEST) after wide consultations with stakeholders drawn from several sectors.

Following the clashes between the Nigerian Army and members of the Islamic Movement in Nigeria (IMN) in Zaria, Kaduna State from 12-14 December 2015, in which hundreds were killed, the Government of Kaduna State established a Judicial Commission of Inquiry and subsequently a White Paper on the findings of the Commission was issued in August 2016. These acknowledged the use of excessive force by the military and recommended prosecution of the culprits.

In August 2017, the Government established the Presidential Investigation Panel to Review Compliance of the Armed Forces with Human Rights Obligations and Rules of Engagement in local conflicts and insurgencies. The panel has submitted its report but it is yet to be made public. There are several cases of unresolved extrajudicial killings around the country.

A Complex Case Work Group has been established in the Office of the DPP to prosecute terrorist cases. In October, 2017 the first mass trial of Boko Haram detainees took place and continued in February 2018 with several hundreds' released and some convicted. The trials are expected to continue of several others some of whom have been detained since 2012/13.

Over the years, the National Human Rights Commission, the Nigerian Bar Association, the, UNHCR, UNODC, OHCHR, UN CTITF Working Group on Promoting and Protecting Human Rights and the Rule of Law while Countering Terrorism has conducted training workshops for officials of Nigerian Armed Forces on human rights. However, training needs to be systematized and mainstreamed in training curricula of the various agencies.

Investigations into allegations of extrajudicial killings, disappearances, unlawful detentions and use of excessive force are sometimes not thoroughly conducted, and where done, outcomes of such investigations were not made public and hardly has anyone been held accountable. Concerns about the quality of investigations and lack of prosecution including where specifically recommended have led some to question government's sincerity in curbing the excesses of the security forces and putting an end to violations.

B. Civil and political rights

1. Right to life, liberty and security of person

Recommendations not implemented:

A/HRC/25/6/135.106
In 2017, Nigerians accused the Police of harboring a killer unit known as the Special Anti-Robbery Squad (SARS) which tortured detainees in custody as a means of extracting

confessions and bribes. NGOs led a campaign EndSARS which revealed extra judicial killings across several police formations. The Inspector General of Police responded by announcing plans to reorganize SARS but has not followed through.

The military is detaining thousands of individuals on suspicion of terrorism. These individuals have not been charged with a crime and have no legal representation. Some prosecutions have started and a few hundred detainees have been released. The mass trial of Boko Haram detainees, gave credence to allegations of arbitrary and prolonged detention by the military as most of those prosecuted had been in detention for prolonged periods going back to 2012/13 without appearing before a judge.

Rehabilitation centres in the North East have been accused of being de facto internment camps. Here too, children are being detained with parents. Release, especially of children, is done in an ad hoc manner with no follow-up.

A/HRC/25/6/ 135.107
Prison conditions remain harsh and life threatening characterized by overcrowding, inadequate medical care, food and water. These have sometimes resulted in deaths. Several detainees depend on their families for basic services including food and medical assistance.

A/HRC/25/6/135.108
The NCAT was established in 2009 but lack the independence and financial resources to implement its mandate.

A/HRC/25/6/135.109
The ACJA (2015) provides for the registration of arrested persons and immediate information to their families upon arrest but these provisions are yet to be implemented. Thousands remain in detention without contact with their families.

A/HRC/25/6/135.113
Despite inclusion in the Nigerian Constitution and the Legal Aid Act (2011), the Legal Aid Council has been unable to provide free legal representation to those who need it due to funding and staffing deficiencies.

Recommendation A/HRC/25/6/135.112 has been partially implemented.

There is a monitoring system under the mandate on children and armed conflict through which UNICEF and the Nigeria Country Task Force on Monitoring and Reporting has gained access to detention centres. However, the NCAT has on occasion been denied access to military detention centres in the north. With UN support the National Human Rights Commission established some monitoring presence but this is ad hoc and requires resources to be systematized.

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

Recommendation A/HRC/25/6/135.9 is partially implemented.

Government formulated a National Anti-Corruption Strategy Document. The National Assembly is considering the Proceeds of Crime Bill. An earlier bill passed by the preceding Assembly was not assented to and lapsed. Government also adopted a Whistle Blower Policy to incentivize reports of acts and proceeds of crime and a Treasury Single Account Policy, which eschews multiple banking arrangements to enhance transparency and deter diversion of funds.

Since 2015, the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices Commission (ICPC) which hitherto focused on low and middle level officials launched investigations and brought charges against some active and former senior Government officials. The pursuit of corruption by EFCC have sometimes proceeded without due process safeguards and in some cases disregarding court orders creating an impression of selectivity.

Implementation ongoing of recommendations A/HRC/25/6/135.79-80.

Government has responded by adopting the Terrorism Prevention Act (2013), National Counter-Terrorism Strategy (2015), ACJA (2015) and a National Policy on Justice (2017). The Nigerian Army has adopted a human rights policy, human rights compliant rules of engagement and code of conduct and established a human rights desk. However, trainings undertaken by the national Human Rights Commission have revealed knowledge gaps in human rights, international humanitarian law and above policy and operational documents that must be addressed.

While the kidnapping for ransom has decreased as well as insurgency in the Niger Delta, Boko Haram continues to be a menace with increasing use of improvised explosive devices and suicide bombings. It also recently carried out a mass abduction in a secondary school. Clashes between herders and farmers have emerged as a serious national challenge with attacks against farming communities accounting for most fatalities -901 victims- exceeding Boko Haram during the first quarter of 2018 and resulting in the national assembly passing a vote of no confidence on the heads of security agencies.

Recommendation A/HRC/25/6/135.81 is being partially implemented.

Government has focused on the Boko Haram insurgency, militancy in the Niger Delta, and restiveness in the South east. Efforts at addressing the menace of herdsmen attacking farming communities nationwide especially in the Middle Belt has not yielded the desired results. Commentators have argued that Government inaction in this regard has enabled the attacks and a retired Chief of Army Staff and Minister of Defence has alleged complicity of the Army in the attacks. This allegation has been denied.

Recommendation A/HRC/25/6/135.82 not implemented.

A recent study by Open Doors found systematic targeting of Christian communities in the Middle Belt by herdsmen. With Christians constituting 70% to 88% of the attack victims, the study concluded among others that the attacks were linked to Islamic radicalization and an attempt to change the demographic composition of the region.

Implementation ongoing of recommendations A/HRC/25/6/135.116-119.

Government approved the ACJA (2015), a comprehensive reform of the criminal justice system enhancing speedy dispensation of justice and removing arbitrariness in the arrest, prosecution and trial of suspected criminals. However, it applies only in federal institutions and the 13 states that have adopted implementing legislation. Additionally, a National Policy on Justice (2017) was adopted to guide the overall process of justice reform and delivery following a nationwide consultative process.

Despite these efforts, prosecuting agencies continue to go to Magistrate courts to obtain warrants which allow holding the detainees beyond the time stated in the Constitution. Concerns also remain regarding the high number of remand detainees constituting in some cases about 81 per cent of the overall prison population.

Recommendations A/HRC/25/6/135.122-128 being implemented.

Government established a committee on Inter-religious dialogue to ensure lasting peace among religious groups in the country. The committee is co-chaired by the Sultan of Sokoto, as the religious leader of Muslims and the President of the Christian Association of Nigeria. The National Assembly is also considering a private member's Bill aimed at criminalizing hate speech and incitement to religious and/or ethnic violence. However, this initiative is generating controversy as it is seen as a move to restrain free speech in Nigeria.

Government efforts at facilitating inter-religious dialogue and harmony appears to be undermined by the suspicion linked to perception by Christians that they are under siege in light of silence in the face of attacks on largely Christian communities by herdsmen and militia associated with them.

Matters have also not been helped by recent efforts to change the education curriculum to reduce the Christian religion content thereof, which has raised the ire of the Christian Council of Nigeria.

C. Economic, Social and Cultural Rights

Recommendation A/HRC/25/6/135.129 being implemented.

Government developed a Social Safety Net Programme with several elements: creation of 500,000 teaching assistant jobs for qualified teachers for a period of 12 to 24 months; training of 100,000 artisans and the provision of soft loans for them to commence business activities; conditional cash transfer to pay the sum of NGN 5,000.00 to one million Nigerians across the country; micro-credit scheme for more than 1.5 million Nigerians; NGN 50,000 education support grant for 100,000 students in tertiary institutions, undergoing courses in Science Technology, Engineering, Mathematics and Education; National Home Grown School Feeding Scheme targeted at 24 million pupils in 18 pilot states. The overall objectives of the programme are to reduce poverty and unemployment, empower the people economically, encourage school enrolment, build capacity, equip the less educated people with the skills to be self-employed and promote scholarship in the areas of science Technology, Engineering, Mathematics and

Education. However, the process of enrolment into these schemes has been criticized as not being open, transparent and is subject to the manipulation.

4. Right to health

Implementation ongoing of recommendations A/HRC/25/6/135.135; 135.137-139; 135.158.

Some indicators of progress include, 25% drop in under-five mortality from 162/1000 to 120/1000 between 2008 and 2016. During the same period, infant mortality rate dropped by 18.6% from 93/1000 to 70/1000. In 2016, 69.1% of children under-five slept under an insecticide treated net as opposed to 3.5% in 2007.[2] Ownership of long lasting insecticide treated nets (LLIN) also rose significantly from 42% in 2010 to 76% in 2015. Access to malaria medicines increased from 4.8% in 2011 to 20.6% in 2016.[3] Between 2010 and 2015, the number of children with symptoms of malaria being tested rose from 5% to 13% and the percentage of children taking ACT for malaria treatment increased from 12% to 38%.[4] The proportion of infants under 6 months exclusively breast-fed increased from 11.7% to 23.7%.[5] Between 2003 and 2016, there was a marginal increase in antenatal coverage by 7% from 58% to 65%. Delivery by skilled birth attendant slightly increased from 35% in 2003 to 42% in 2016.[6] Marginal increase of contraceptive prevalence rate (CPR) with modern methods from 10% in 2008 to 13.4% in 2016. The number of people ever tested for HIV has increased to 26.3% in 2016 from 14% in 2009. In 2016, there were 3.2 million people living with HIV, among whom 30% (19%-42%) were accessing treatment, up from 5% a decade ago. Decentralization of PMTCT services to PHC level has led to increase in coverage rate from 21% in 2010 to 46% with 32% of the HIV pregnant women receiving ART to prevent infection in their children, through 7,265 health facilities. TB treatment success reached 86% in 2013, surpassing the national target of 85% set for 2015. A second National Strategic Health Development Plan has been developed for 2017-2021, building on the achievements of the 2010-2015 plan.

With respect to HIV, the number of people ever tested increased to 26.3% in 2016 from 14% in 2009. In 2016, there were 3.2 million people living with HIV, among whom 30% (19%-42%) were accessing treatment, up from 5% a decade ago. Decentralization of PMTCT services to PHC level has led to increase in coverage rate from 21% in 2010 to 46% with 32% of the HIV pregnant women receiving ART to prevent infection in their children, through 7,265 health facilities. Annual AIDS deaths dropped by 22% from 2010-2016 (205,317 to 158,925 deaths).

Recommendations A/HRC/25/6/135.136; 135.141-142 partially achieved.

[2] National Bureau of Statistics (NBS) and United Nations Children's Fund (UNICEF). 2017. *Multiple Indicator Cluster Survey 2016-17, Survey Findings Report*. Abuja, Nigeria: National Bureau of Statistics and United Nations Children's Fund.

[3] Malaria Indicator Survey

[4] National Bureau of Statistics (NBS) and United Nations Children's Fund (UNICEF). 2017. *Multiple Indicator Cluster Survey 2016-17, Survey Findings Report*. Abuja, Nigeria: National Bureau of Statistics and United Nations Children's Fund.

[5] Ibid

[6] Ibid

The National Strategic Plan for the development of health for the period 2010-2015 was partially achieved as evidenced by the indicators under 135.135. A National Civic registration and vital statistics strategy was developed in 2016 and an attempt to align with the health sector is ongoing.

Recommendations A/HRC/25/6/135.140 and 135.143 achieved.

The number of wild polio viruses reduced from 122 in 2012 to 0 in 2015. In 2016, there was a resurgence in Borno state where four cases were confirmed from previously inaccessible areas. No cases have been reported since August 2016. The following constitute reforms to facilitate improvements in health care service delivery, the National Health Policy 2016, National Health Act 2014, National Health Strategic Development Plan 2017-2021 and the ongoing implementation of the Basic Health Care Provision Plan.

5. Right to education

Recommendation A/HRC/25/6/135.149 partially achieved.

Despite progress towards the realization of the right to education, some gaps remain linked to the size of the country, its diversity, religious beliefs, poverty, patriarchy, gender and social norms. There are about 10.5 million children and youth out of school and more than 40 million adult illiterates in Nigeria. There are also substantial challenges to equality in education in Nigeria. 30% of girls aged 15 to 19 are married and only 14% of poorest females complete primary, while 27% of the poorest males do so. The attendance rate among 3 to 4 years old was 80% in Nigeria for the richest children and no more than 10% for the poorest (UNESCO Global Education Monitoring Report 2017/8). Insecurity in the north forced the exploration of non-formal pathways to education and UNESCO provided technical support through a project Revitalizing Adult and Youth Literacy in Nigeria (2012-2016), which targeted 4 to 5 million beneficiaries.

UNESCO is also supporting the Government in implementing an early childhood care and education project (ECCE) entitled *"A China-Africa Collaboration Project for Building a Peaceful and Sustainable Future: Play and Resilience aimed at using play to build children's resilience"*. This complements existing efforts by Government and non-government players to support selected communities underserved with quality ECCE by building their human resource capacity and materials production to provide quality services to children.

Some state governments partnered with the British Department for International Development (DFID) through the Voices for Change Programme (V4C) to encourage girl child school enrolment. Some states in the North are making some efforts to discourage early marriage albeit severely constrained by cultural practices and Islamic belief.

The Government has institutionalized 'quota" and 'federal character' as criteria for access to Government owned secondary and tertiary institutions and which ensures preferential treatment to indigenes of some states designated as educationally disadvantaged. However, this

practice was recently declared unconstitutional and discriminatory by the Federal High Court but Government has continued to implement the policy.

The Gender and Equal Opportunities Bill[7] was voted down by the Senate on the grounds that some of the sections were alien to Nigerian culture and Muslim personal law.

Recommendation A/HRC/25/6/135.153 partially implemented.

The Government has embarked on human right**s** education targeting some security agencies, including police and the army. However, the trainings are sporadic, donor/fund driven and does not cover all parts of the country.
The National Human Rights Commission with among others UN support conducts training and research on human rights awareness for security personnel, children and youths. The Nigerian Association of Law teachers is collaborating with the UN to develop curriculum for human rights education in universities. These initiatives will bolster efforts to modify traditional practises that are inconsistent with human rights.

The implementation of this recommendation is ongoing: Undertake measures, including through human rights education and training, to modify traditional practices that are in conflict with human rights standards which guarantee equality between men and women, A/HRC/25/6/135.45

International development partners and civil society, women's groups, including the Ministries of Women Affairs across Nigeria have continued efforts at sensitizing the public, especially religious and traditional rulers in various communities to end harmful traditional practices. Realizing the fact that some of these practices are entrenched in the culture and religion of the people, Government and the civil societies collaborates with faith-based organizations to push for eradication of harmful practices.

D. Rights of specific persons or groups

1. Women

Implementation ongoing of recommendations A/HRC/25/6/135.21,46, 58, 64 and 97-105.

The Violence against Persons (Prohibition) Act (2015) has been enacted and among others addresses sexual, physical, socio-economic, psychological violence and harmful traditional practices. The law prohibits FGM/C and imposes penalties. However, it lacks national application.

CEDAW and the African Charter's Protocol on the Rights of Women have not been domesticated although the national assembly is considering a gender equality bill.

The Constitution (section 42) prohibits discrimination on grounds of sex. However, section 42(3) imposes restrictions with respect of political appointments to any office, including in

[7] This Bill sought to incorporate into domestic legislation aspects of the United Nations Convention on Elimination of All Forms of Discrimination Against Women (CEDAW); and the African Charter's on Human and Peoples Right Protocol on the Rights of Women in Africa (2003). Both treaties have been ratified without reservations by Nigeria.

recruitment as a member of the armed forces or of the Nigeria Police Forces. Consequently, several provisions of Police Act and regulation discriminate against women. For example, police regulation – s. 124- requires a female police officer to apply for permission to marry. Under the Police Act (s.52/2-3), a female candidate seeking for an appointment of cadet- sub-inspector shall be unmarried. The Police Act and Regulations restrict deployment of women police officers to duties connected with women and children.

Nigeria mentioned in the 2013 report that it established the Women Fund for Economic Empowerment. However, the operation and disbursement of this Fund is shrouded in secrecy and the rate of poverty is still high, especially amongst the female gender.

Although Nigeria has, through the Federal Ministry of Women Affairs and Social Development, been involved in continuous advocacy to lawmakers, policy makers and other stakeholders to pass the relevant legislations that would eradicate Female Genital Mutilation of which some states have responded, the practice is still prevalent in some parts. Nigeria has the third highest absolute number of women and girls (19.9 million) who have undergone FGM/C worldwide. Child marriage is still prevalent, especially in the northern States and some rural communities in the south.

The National Agency against Trafficking in Persons (NAPTIP) has done a lot to stem the tide of human trafficking. The Agency has engaged in sustained awareness campaigns to enlighten Nigerians on the dangers of human trafficking. NAPTIP has successfully prosecuted over 300 cases and secured convictions of traffickers.

A 2014 Report issued by the National Bureau of Statistics shows that the proportion of women victimized as a result of physical violence irrespective of the perpetrator increased among ages 25-29 and 30-39.

Implementation ongoing of recommendations 135.55-60 and 62-65.

In 2013, Government established the Women Political Trust Fund to provide support for female political aspirants. The Fund was set up to encourage women aspirants to pick forms for political party primaries. However, women are still underrepresented in government at all levels. Despite the fact that most political parties waive several fees for women, the high cost of running for elections in Nigeria discourages women participation in politics.

Nigeria government is reported to be in collaboration with the Bank of Industry to establish the Business Development Fund for Women (BUDFOW). The Fund provides low-interest credit facilities for women entrepreneurs who cannot obtain such loans from conventional banks. Similarly, the Subsidy Reinvestment Programme (SURE-P) of the previous administration was focused on women entrepreneurs.

Nigeria has recorded an increase in the number of female air force pilots, naval officers and regular army officers/recruits. The military have graduated several female combatants. However, laws and policies still exist that discriminate against women in the security sector.

Some Nigerian women have played prominent roles in restoring peace within the troubled Northeast and have been involved in several negotiations to end the conflict. A woman, who is also a member of the Presidential Task Force on the N/E is instrumental to some major interface with the Boko Haram Sect.

The Government encourages equal opportunity employment in Nigeria. There is no discrimination for school enrolment and for employments in government establishments across the country.

Recommendation A/HRC/25/6/135.61 being implemented.

Nigeria has acceded to the Convention on the Rights of Persons with Disabilities. It is also a signatory to the Optional Protocol on the Right of Persons with Disabilities.

The Gender and Equal Opportunities Bill (GEOB) previously rejected by the National Assembly have been reintroduced. However, there is a slow pace of legislative action on the bill.

For the first time, the office of the Special Adviser to the President on disability matters has been created to coordinates all the interventions and projects of the Government for persons with disabilities.

2. Children

Implementation ongoing of recommendations, A/HRC/25/6/135.12; 135.49; 135.52; 135.83-89; 135.92-96; 135.115; 135.141-142.

The Child Rights Act (2003) domesticates the CRC and applies to the Federal Capital Territory and federal institutions as well as 24 of the 36 states, which have adopted enabling legislation. The enabling legislation adopted by the aforementioned states retains the rights of the child to education, nutrition and health as well as prohibition of early/child marriage. However, the 12 states –all in the north- that are yet to pass the Child Rights Act propose drafts which detract from the CRC including fluid definition of a child and legalisation of child marriage. For instance, the Child Rights Bill (2016) of Kaduna State provides "child" means a person who has not attained the age of 18 years subject to the provision of section 24 (3) of this law regarding marriage. Section 24(3) provide; "…a child who is a Muslim, who has not attained the age of 18 years shall have the right to contract a marriage under Islamic Law and the marriage so contracted shall be valid…". Draft child rights bills of Borno and Gombe have similar provisions. About 1 in every 3 girls in North West Nigeria are married before age 15. Child marriage is prevalent in the north. The Government has engaged religious and traditional leaders emphasizing the health hazards of child marriage.

Nigerian law provides for tuition-free universal basic education for every child of primary and junior secondary school age. However, public funding is insufficient to sustain this with the result that public schools remained sub-standard with unacceptable student-teacher ratio, sometimes as high as 100:1. The 2015 Nigeria Education Data Survey shows that attendance rates in primary schools increased to 68% nationwide with school age boys (91%) more likely than girls (78%) to attend primary school. Secondary enrolment was 88% for boys at 77% for girls. 40% of children of primary school entry age are enrolled in Grade 1. 52% of urban and 33% of rural children of primary school entry age are enrolled in Grade 1. Children in rural areas are three times more likely to be out of school than children in urban areas.

The Borstal Institutions and Remand Centres Act (1962) and Borstal Institutions and Remand Centres Regulations (1962) contradicts provisions of the CRC and Child's Rights Act (2003) among others because they allow imprisonment of children, their detention with adults, use of mechanical restraint, corporal punishment and solitary confinement.

A recent assessment of the situation of children in conflict with the law shows that children were routinely detained with adults in prisons and detention centres and therefore exposed to abuse and violence from adult inmates.

A survey undertaken by UNICEF, US Centers for Disease Control and Prevention and National Population Commission, "Violence against Children Survey (2014)" showed that 60% of Nigerian children suffered some form of violence and less than 5% received help. UNICEF in collaboration with Government and development partners will be implementing a child protection systems strengthening programme to scale up the prevention of and response to violence and abuses against children in some states.

The 2017 Multiple Indicator Cluster Survey 2016-17 shows that 47% of births of children under age 5 are registered – an improvement from the 30% recorded in the 2013, Nigeria Demographic and Health Survey.

Children have been most affected by the Boko Haram conflict in Northeast Nigeria. Of 1.8 million persons displaced in the 6 Northeast states, children constitute 56% with 48% of them under age five. According to UNICEF, Boko Haram has abducted over 1,000 children since 2013 and destroyed 1,400 schools since the insurgency began. Children have been forced out of school or forcibly married and/or recruited, in some cases used as human bombs. In 2014, Boko Haram was listed in the annex of the 14th Secretary General's Annual Report to the UN Security Council on Children and Armed Conflict for widespread killing and maiming of children and for attacks against schools and hospitals. In 2016, Civilian Joint Task Force (CJTF) was also listed for recruitment and use of children. Following both listings, an in-country monitoring and reporting mechanism (MRM) on grave violations has been established. In order to address abuses and violations against children an Action Plan has been agreed with CJTF to stop the recruitment and use of children. UNICEF and CJTF have agreed on a joint verification of discharge of recruited children as part of measures to secure delisting of CJTF from the Secretary General's Annual Report.

3. Persons with disabilities

Recommendation A/HRC/25/6/135.156 not implemented.

Implementation ongoing of the following recommendations A/HRC/25/6/135.157-163.

The national assembly is considering a National Disability Bill to establish the legal framework for the protection of persons with disabilities including a national disabilities commission. The National Human Rights Commission in collaboration with UN agencies continued to encourage educational institutions for persons with disabilities and recently partnered with one of those in preparing the braille version of the UDHR.

4. Minorities and indigenous peoples

Recommendation A/HRC/25/6/135.160 partially implemented.

Nigeria has not domesticated Kampala Convention.

Recently, a minority/indigenous group in the Eastern part of Nigeria was hounded and clamped down by the Government for seeking to exercise their right to self-determination. The Government, relying on the Terrorism Prevention Act, pronounced the group as a terrorist organization and declared their activities illegal across the country. The international community in the country has however rejected tagging Independent People of Biafra (IPOB) a terrorist organization.

The Same Sex Marriage (Prohibition) Act 2013, imposes penalties of up to 14 years jail for several LGBTI activities. Persons of different sexual orientation from the majority are usually harassed, intimidated and sometimes, physically attacked.

The activities of the Nigeria Association of Women Journalists (NAWOJ) seem to have encouraged and supported the development of participation of women in journalism. However, journalists in Nigeria are often threatened, subjected to physical violence, or denied access to information by government officials, police, and sometimes the public itself. According to the 2017 World Press Freedom ranking compiled by "Reporters Without Borders", Nigeria's record of press freedom came down from 111 in 2016 to 122 in 2017, out of 180 countries graded. There are cases of arbitrary arrests and detention of bloggers and journalists and one case of disappearance of a journalist, arrested in 2015.

In 2017, the UN reported that a large number of children, about 1,252 were detained as a result of counter-insurgency efforts due to their alleged association and/or parents' alleged association with Boko Haram.

Recommendation A/HRC/25/6/135.164 not implemented.

5. Migrants, refugees, asylum seekers and internally displaced persons

Recommendation A/HRC/25/6/135.27 not implemented.

Despite having signed and ratified the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), Nigeria has not domesticated it, as is required by its Article 3 (2) (a). There are currently two parallel processes underway that would domesticate the provisions of the Kampala Convention and ensure better protection of Internally Displaced Persons, one through the executive and one through Parliament, although the process has been delayed for numerous years.

E. Death Penalty

Nigeria undertook to examine recommendations A/HRC/25/6/137.1-5; 137.7; 137.10—25; 137.28-30 in relation to the death penalty and provide responses to the Human Rights Council.

The following information is relevant relating to capital punishment.

Nigerian laws and Constitution permits the imposition of capital punishment for certain crimes namely, murder, treason, armed robbery and perjury where it results in the conviction and execution of an innocent person. With the official adoption, since 2002, of Shari'ah Penal Code by some states in the north, the scope of capital offences has expanded and now includes adultery, lesbianism, and sodomy. Recently, kidnapping has been added to the list of capital offences in some southern states like, Lagos, Abia, Imo, Akwa Ibom, Anambra, Ebonyi, Enugu and Edo States.

Nigeria imposed 621 death sentences in 2017 and had 2,285 persons on death row at the end of 2017. There have been no executions since 2006 except in 2013 and 2016, when Edo state executed four and three convicts respectively. In December 2014, 54 soldiers were sentenced to death for conspiracy to commit mutiny.

Contributions were received from the following agencies

UN Women, UNODC, UNOCHA, UNICEF, UNHCR, WHO, UNESCO, WFP, UNFPA and UNDP.