



**NIGERIA'S 5th PERIODIC COUNTRY REPORT: - 2011-2014 ON
THE IMPLEMENTATION OF THE AFRICAN CHARTER ON
HUMAN AND PEOPLES' RIGHTS IN NIGERIA**

FEDERAL REPUBLIC OF NIGERIA

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

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PREFACE

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

Efforts have been made within the period under review (2011-14) by Nigeria to improve on her obligation to promote and protect human and peoples' rights by enhancing the capacity and independence of the judiciary, relevant ministries and human rights institutions. This includes direct intervention programmes and projects that seek to impact on the standard of living, quality of life, security and welfare of the individuals and groups within her jurisdiction.

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

It is against this background that this 5th Periodic Country Report seeks to highlight the general and specific measures adopted in the implementation of the African Charter on Human and Peoples' Rights (ACHPR) since 2011. The Report also identifies the progress made and challenges being encountered in the effective promotion and protection of human and peoples' rights guaranteed under the Charter.

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

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

Mr. Mohammed Bello Adoke SAN

The Honourable Attorney General of the Federation and Minister of Justice
Federal Republic of Nigeria, Abuja
June, 2014.

ACRONYMS

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

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

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Constitutional and Judicial Measures

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PART A

SECTION ONE

GENERAL INTRODUCTION

1. Background and Period of Report Coverage.

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

This is the fifth periodic report submitted by the Federal Republic of Nigeria to the African Commission on Human and Peoples' Rights in conformity with Article 62 of the African Charter on Human and Peoples' Rights. It complements the earlier report submitted for the period of 2008 to 2010. It highlights developments that have occurred in Nigeria from 2011 – 2014 in the implementation of the country's obligation under the Charter.

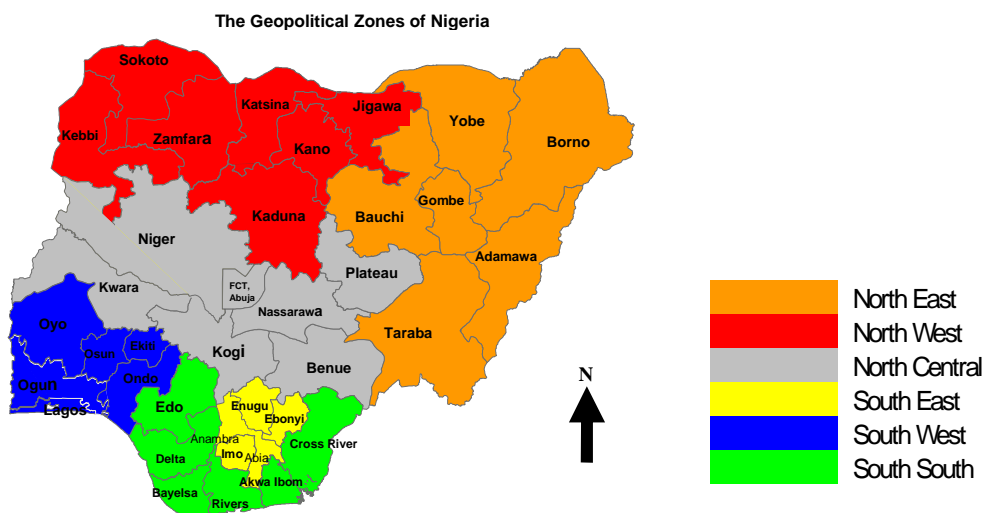
Hence the current report aims at providing progress report on the implementation of the ACHPR in line with the Commission's 2011 concluding observations, concerns, follow-up matters and recommendations.

1.2 Demographic Situation in Nigeria.

1.2.1 Geography and Administrative Structure

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

Figure 1a—Federal Republic of Nigeria: States and Zones



3. Preparatory Process for the 5th Report

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

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

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

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

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

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

SECTION 2

PROGRESS REPORT ON THE IMPLEMENTATION OF THE ACHPR IN NIGERIA

2.1 STEPS TAKEN TO ADDRESS THE PRINCIPAL AREAS OF CONCERN AND THE RECOMMENDATIONS OUTLINED IN THE COMMISSION'S CONCLUDING OBSERVATIONS ON NIGERIA'S 4th COUNTRY PERIODIC REPORT (2008-2010)

CONCLUDING OBSERVATIONS AND RECOMMENDATIONS (4th Country Report)	RESPONSIVE MITIGATION EFFORT (5th Country Report 2011-2013)
<p>69. The Report acknowledges that resource constraints have largely been responsible for Nigeria not being able to meet all of its human rights obligations. However, another major challenge is the problem posed by the sheer size of the country, its population, diverse ethnic and religious mix, having over 167 million inhabitants composed of over 100 ethnic groups subscribing variously to different cultures and different versions of faiths. Such diversity, which could be a strength, unfortunately, has been used by various groups to impose their own ideology, some aspects of which have serious adverse effects, especially on the rights of people. The recent and recurrent conflicts in the Plateau States and in the North are often attributed to religious and ethnic motivations.</p>	<p>Nigeria notes this valid observation and making serious efforts to address the complex causes of such recurrent conflicts. Such efforts include the establishment of Panels of inquiry, inter-faith dialogue committees, amnesty panel and counter-insurgency plans.</p>
<p>70. Takes steps to ratify the Charter on Democracy, Elections and Good Governance.</p>	<p>Ratified on 1st Dec. 2011 as the 14th State Party and came into force in February 2012.</p>
<p>71. Domesticates all the relevant regional and international instruments it has ratified in line with its international obligations.</p>	<p>Nigeria has domesticated the UN CRC and the AU Charter on the Rights and welfare of the Child by a consolidated legislation called the Child Rights Act, 2003, adopted by 22 States of the Federation. In May 2013, its Enforcement. Procedure Rules were promulgated and publicly launched in Abuja. Further, consolidated bill to domesticate both the UN CEDAW and the AU Protocol on the Rights of Women in Africa is currently before the National Assembly Law Makers, titled: - Gender and Equal Opportunities Bill 2010/13. Further, Nigeria is in the process of domesticating the Rome Statute of the ICC. Draft Bill Pending before the NASS since 2012.</p>
<p>72. Makes the declaration under Article 34 (6) of the African Court Protocol, allowing individuals and NGOs with Observer Status before the African</p>	<p>A memo to this effect is currently under due consideration by the Attorney-General/Minister of Justice.</p>

Commission to bring cases before the Court.	
73. Takes the necessary steps to ensure the provision of compulsory and free primary education, for the girl child, within the framework of the Education Act, 2004 and the Strategic Plan of Action.	<p>To continue to address the high rate of girls who are out of school, the construction of Junior girls' Model Secondary School was initiated in 13 States of the Federation. The States are Adamawa, Akwa Ibom, Bayelsa, Cross River, Delta, Ebonyi, Jigawa, Kaduna, Nasarawa, Rivers, Yobe and Zamfara. Some of the schools have been completed while others are in different stages of completion.</p> <p>To boost girl-child Education nationwide, tripartite partnership programme and funding between the Federal and State Governments and UNICEF had been launched since 2011 and has commenced disbursement of funds for the training of female teachers to States Universal Primary Education Boards. Sokoto state, one of the states with poor girl-child education record, trains 800 female teachers (2012-13) with N49.5m granted to 224 school-based management committees as critical components in achieving UBE for all.</p>
74. Ensures the implementation of the 2010 of a Strategic Plan of Action and Operational Guidelines complementing the Almajiri Education Programme and Work Plan for the integration of 400,000 Almajiri Children.	<p>The Almajiri Education Programme was launched in Sokoto as part of the strategy to reduce the number of Out-of-school children. The programme is aimed at mainstreaming the Almajiri System into Basic Education, thereby providing them with the opportunity to develop skills that will make them contribute to national development. Textbooks in eleven (11) subjects have been produced for use in the schools nationwide.</p>
75. Ensures that main line ministries and agencies responsible for the promotion of security, socio-economic welfare and poverty eradication be properly funded so to enable such agencies to implement their Socio, economic, cultural, environmental and developmental programmes.	<p>The Government increased the share of education in budget spending from 6.4% in 2010 to 7.5% in 2011 in order to improve access to education, especially Universal Basic Education. See Table one below for the 1999-2013 Education budgetary allocation.</p> <ul style="list-style-type: none"> • The Government has sought to improve health care system. Health spending in the Federal budget increased from 4% in 2010 to 6.1% in 2011 and 6.5% in 2012. • The Government increased the security and defence budget spending from about 12% in 2010 to 20% in 2011, 18.5% in 2012 and almost 20% in 2013 in order to address the numerous security challenges facing the nation. The Office of the National Security

Adviser (ONSA) has among other initiatives taken action in the following areas in the bid to generally improve security situations in the country: a general review of critical infrastructures throughout the country and consequent arrangement for protection of same; co-ordination of a security awareness programme for Ministers and other functionaries of government; development of counter terrorism strategy for all matters related to counter terrorism etc; in addition to the above, the National Security Adviser on a weekly basis engages the Heads of the various security and intelligence agencies on the need to ensure that the human rights of peoples, especially those arrested in the course of interdicting violent activities, are observed.

- Between 2011 and 2013 reasonable budgetary allocations were made to the following ministries: a) Federal Ministry of Environment: ₦11.0 billion, ₦10.5 bn and ₦9.25 bn (2011, 2012 and 2013 respectively); b) Federal Ministry of Justice: ₦7.3bn, 4.161 bn and 4.12 bn (for 2010, 2011 and 2012 respectively); c)
- The Federal Government alone earmarked USD 250 million (N40 billion) in 2011 for social safety net programme. These include a scheme that makes monthly cash transfers to extremely poor households, community-based programmes, school feeding and health programmes, a National Emergency Management Programme for Communities faced with natural disasters and conflicts and programmes for orphans and vulnerable children.
- In 2012, the Federal Government also released the total sum of N180 billion (USD 1.2bn) to the Petroleum Subsidy Reinvestment Programme (SURE-P) for intervention in some critical sectors of the economy that would touch the lives of Nigerians. The money was spent on major road construction, rehabilitation of rail lines, investment in maternal and child healthcare services, job creation for teeming unemployed youths/graduates. Out of the 63,000 applications from unemployed graduates taking part in the SURE-P, about 3,000 are now in private companies for skills acquisition/internship. On youth unemployment, the SURE-P targets 5,000 youths per state annually under its women and youth empowerment scheme at the states level.
- In 2012/13, the Growing Girls and Women in Nigeria

(G-WIN) Initiative led by the President and the Minister of Finance, is working at how five key pilot ministries: - agriculture, communication, health, water and works can deliver results for girls and women that are very poor and hard to reach in Nigeria.

Effective Human Capital and Social Development

Human capital development, particularly education and health, remain very critical to the achievement of the Transformation Agenda. The Government developed a 4-Year Education Development Plan 2011-2015, to address the challenges in that sector. In the same vein, other sectors have developed their national strategic plans to accelerate the achievement of the government's objectives. In education access to affordable and quality education is being addressed through a number of programmes including Early Childhood Care Development and Education (ECCDE); Almajiri Education Programme; National Campaign on Access; Girls' Education Programme and the establishment of 12 New Federal Universities.

Similarly, several initiatives are being implemented in the health sector to support the Transformation Agenda and National Strategic Health Development Plan (NSHDP)'s goals. One of such initiatives is a vision to save one million lives by 2015, which was articulated. This represents a major paradigm shift in the approach to service delivery in the health sector.

Nigeria equally made significant progress in the achievement of the human capital-related MDGs in the last 2 years. Remarkable increase has been achieved in the area of net enrolment ratio and net attendance ratio in primary education, up from 62.1 percent in 2008 to 70.1 percent in 2012. Appreciable progress was made in the reduction of under-five mortality (per 1,000 live births) from 157 in 2008 to 141 in 2011. Nigeria has surpassed the target in the reduction of the maternal mortality rate (per 100,000 live births) which dropped from 545 in 2008 to 487 in 2011. In the area of poverty reduction, progress has been made through

conditional cash transfers to 39,567 households, employment of 2,260 new village health workers, building and renovation of 742 classroom blocks, and procurement of 1,214,271 textbooks, amongst others in 2011.

A significant achievement has also been made in the area of women development. In particular, there was an increase in women's representation in governance and attainment of 33 percent affirmative action in federal appointments at the executive level. With the appointment of 13 female Ministers out of 42, representing 31 percent and 4 Special Advisers out of 18, representing 23 percent. Mr. President has set a good example and is signalling his commitment to women's empowerment and gender sensitive policies.

The environment sector has witnessed improvements in the areas of the development of a National Green House Gas Inventory System and purchase of green gas measurement equipment. Other are the establishment of a 1500km Great Green Wall initiative to check desertification in the frontline States; the establishment of procedures for the Clean Development Mechanism (CDM) and the generation of 20 CDM projects in 2012, among others.

In the area of labour and productivity, the Government established relations with 10 international agencies globally for collaboration on labour and industrial relation matters.

To measure the impact of the Government's own procurement on **job creation**, all MDAs have been mandated to indicate in all FEC contracts the local **employment content**. In addition, 96 of the 213 trade disputes during the period have been resolved. A number of new programmes, specifically targeting the youths evolved in this period, some of which are the **YouMin programme and Graduate Internship programme**.

In the Niger Delta region there has been a visible improvement in the provision of infrastructure in the

form of roads, housing, potable water supply, electrification, etc. The Construction and rehabilitation of roads are currently in progress in the region, to enhance the movement of people, goods and services.

Power

- Stability in electricity generation and distribution. Power generation increased from 3,514MW in 2011 to 4,500MW as at December, 2012. Substantial progress has been made towards an optimal electricity generation mix.
- The Power Sector Roadmap is being implemented leading to the following:
 - Unbundling of the PHCN into six Generating Companies (GenCos), one Transmission Company and 11 Distribution companies (DisCos);
 - Licensing of 34 IPPs, of which three (AES Barge Limited, Okpai and Afam VI) have commenced operation;
 - Establishment of the Nigerian Bulk Electricity Trading (NBET) Plc with its Board inaugurated;
- Sustained implementation of Road map on power leading to the privatization of the generation and distribution aspects of the power sector. In particular, Payment of the 25 percent bid price for the Generation and Distribution companies have been made by the preferred bidders and the various power companies transfer to their new owners.
- There has also been an increase in the average hours of power availability in 10 major cities from a low of less than 9 hours in 2011 to 13 percent between January and September 2012 with a peak of 15.2 hours in August 2012.
- Construction of 10MW wind energy generation companies in Katsina State to add to the nations' energy mix.
- Review of the electricity Multi-Year Tariff Order (MYTO) with a view to making the electricity tariff cost reflective to attract private sector investment

- Establishment of a N30 billion Power and Aviation Intervention Fund (PAIF) by the CBN to provide concessionary long term credit to power and aviation projects.
- Granting Management Contract for the management of the Transmission Company of Nigeria (TCN) to a private provider in 2012.

Transportation: Rail, Road, Sea and Inland Waterways, and Aviation

- Rehabilitation of the main western line: Lagos-Kano, 1,124km completed and functional, while the eastern line, Port-Harcourt- Maiduguri is expected to be completed before the end of 2013
- A total of 651km of roads was paved with bitumine in 2012 including, Apapa-Oshodi Expressway; Benin-Ore-Shagamu highway; Abuja-Abaji-lokoja dualisation; Kano-Maiduguri dualization; Onitsha- Owerri Expressway; Vom-Manchok road (Plateau State)
- Movement of 1,200 tonnes of cargo from Lokoja to Onitsha by inland waterways
- Developing aerotropolis classified investment opportunities into seven (7) business clusters within the aerotropolis model. This is aimed at creating 500,000 direct and indirect job opportunities.
- Remodelling of four strategic international airports in Abuja, Kano, Lagos and Port Harcourt.
- Installation and upgrade of infrastructure at various airports to ensure the safety of goods, security of passengers and enhance night operations;
- Installation of several automated devices and equipment, such as Terminal Radar Approach Control (TRACON) and the Aeronautical Information Service (AIS).
- Provision of total Very High Frequency Radio Coverage; Control Tower Modernization; World Geodetic Survey-84; and other navigational aids; ICT enhancement and mobile control tower.

<p>76. Embarks on a policy of job creation, targeting young people and college graduates.</p>	<p>The government and private groups tried over many years to create employment opportunities for youth. The National Directorate of Employment and School to Land and Skill Acquisition programmes have youth employment as the primary goal. The National Employment Policy, approved in 2002, aimed at achieving full youth employment and encouraging more private job creation. The policy emphasized linking education to the needs of the labour market. Entrepreneurship was made compulsory on the curriculum of all Nigerian Universities. But youth unemployment continues to rise. There remains a skills-mismatch for the labour market, including for university and college graduates.</p> <p>The Central Bank started Entrepreneurship Development Centres (EDCs) in the country's six main geographical zones. There is entrepreneurship training for unemployed university, polytechnics, college and secondary school leavers. By January 2011, EDCs had trained and counseled over 34 000 graduates, created about 2 800 jobs and enabled about 1 000 graduates to access NGN 171 million (USD 1.1 million) for their activities.</p> <p>President Jonathan introduced the "Youth Enterprise With Innovation In Nigeria" (YouWin) programme in 2010 aiming to encourage and support youth business ideas. The Nigerian Youth Entrepreneurship Development Programme, launched by the Ministry of Youth Development, also seeks to enhance skills and experience and provide access to finance for youth entrepreneurs. The programme is expected to benefit 10 000 people aged between 18 and 35.</p> <p>Oil companies have also helped employment efforts. In 2004, Shell Petroleum Development Company (SPDC) launched a youth development programme to provide skills for self-employment. It has trained more than 1,900 people in entrepreneurship, leadership development, conflict management and industrial vocational skills. Nigerian Liquefied Natural Gas (NLNG) launched</p>
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	<p>the Youth Empowerment Scheme (NLNG YES) in 2004 targeted at youths from over 100 rural communities. By 2011, more than 660 people had been trained.</p>
<p>77. Takes measures to conclude the over one thousand cases of corruption currently in the courts.</p>	<p>Two measures have been introduced to address such cases since October 2012 by the new leadership of the National Judicial Council, the Chief Justice of Nigeria:</p> <ol style="list-style-type: none"> 1) Judicial practice direction for all courts in Nigeria to fast-track trials of offences involving corruption, money laundering, terrorism, human trafficking and related matters; 2) Annual Nigerian Judicial Performance Evaluation report which aims at weeding out corrupt and indolent judges who contribute to unnecessary delay in the administration of justice and to reward the hardworking and transparently honest judges.
<p>78. Investigates all allegations of corruption within the judiciary, make public its findings and prosecute where it has enough evidence.</p>	<p>Justice Mukhtar led NJC to deepen its offensive against corruption by asking President Goodluck Jonathan on February 28, 2013 to compulsorily retire Justice Charles Archibong of the Federal High Court. The council added that the Plateau State Governor, Jonah Jang, should retire Justice T. D. Naron of the High Court of Justice, Plateau State. The council also set up a 'fact finding' committee to investigate the allegations leveled against Justice Abubakar Talba of the FCT High Court in the Police Pension case of the EFCC vs. Mr. John Yusuf & Ors. President Jonathan retired Archibong on February 28, 2013. The judge's troubles started last year when two petitions were written against him to the NJC.</p> <p>And on April 26, 2013, NJC suspended Justice Talba from office for a period of 12 months without pay sequel to the council's findings that he did not exercise his discretion judicially and judiciously with regard to the sentences he passed on Mr. John Yakubu Yusuf who was convicted for stealing N1.3 billion meant for payment of pension and gratuities of retired policemen. The council issued a warning against Justice Okechukwu Okeke of the Federal High Court in Lagos who is to retire from service on</p>

	<p>May 18, 2013; the council considered his responses and decided to warn him.</p> <p>Thus far, here are no less than 60 petitions undergoing consideration and awaiting responses of the judicial officials, while fresh ones are pouring in from time to time. But it is also significant to note that it is not all kinds of petitions against judicial officers that the CJN is prepared to welcome. For instance, out of 337 petitions, she demanded responses of judges to only 60 and threw the rest into the dust bin.</p>
<p>79. Takes all necessary steps to ensure that companies in the extractive industry live up to the high standards of human rights. It could, for example, revoke the licence of companies that fail to live up to such standards.</p>	<p>To address this valid recommendation, the Federal Government has promulgated a law establishing the Nigeria Extractive Industries Transparency Initiative (NEITI) Act, 2007. Since inception the NEITI has published 32 cumulative audit reports on extractive industries (1999-2004; 2005-9; and 2009-11) in the oil and gas and solid minerals sectors. NEITI is empowered by the cumulative effect of sections 3, 4 and 16 of the above Act to promote due process, transparency and accountability in extractive industries and to prosecute defaulters of the NEITI Act.</p> <p>On July 29, 2013, NEITI presented to the public its Audit Reports for the Oil and Gas sector, 2009-2011 and the Audit Reports for the 2007-2010, revealing how Nigeria Crude Oil theft representing 7.7% of the total revenue accrued to the federation. It excludes an additional laws of 10 million barrels of oil valued at \$894 million US Dollars to pipeline vandalism in the downstream operations within the same period.</p> <p>Greater political will and NEITI staff capacity building are the twin challenges much needed to be addressed for NEITI to perform creditably in this regard.</p>
<p>80. Considers a moratorium on the death penalty, in all the states, with a view to its total abolition.</p>	<p>Death penalty remains constitutional in Nigeria. A position affirmed and repeatedly upheld by the Supreme Court in several cases between 1998 and 2013. In a Constitutional Federalism like ours, dialogue is being strengthened as part of the justice sector reform, on cross-cutting justice issues through the meetings of Body of Attorneys-General</p>

	including adoption of a harmonized system of administration of criminal justice and moratorium on death penalty.
81. In its next report provide the number of persons on death row.	As at July 2013 there are about 1,000 inmates on death row nationwide. This figure is however not static.
82. Enacts before the next reporting period a law criminalizing torture.	While torture, inhuman or degrading treatment is constitutionally prohibited, being violative of the fundamental human right provision of section 34(1)(a), 1999 Constitution, a Special Working Group established by the Attorney-General of the Federation is currently reviewing all ratified human rights treaties for possible domestication in Nigeria.
83. Prioritize the proposed reforms of the criminal justice system and bring them into line with Nigeria's international obligations.	Consistent with Nigeria's treaty obligations, the reform of the criminal justice system has already been prioritized as Strategic objectives 1 and 2 by the Federal Ministry of Justice 2011 Strategic Framework for the implementation of Justice Sector Reforms in Nigeria. The aim of this prioritized reform, among others, is to promote the harmonization of our criminal procedure laws, reduce delays in the administration of criminal justice and provide for more humane treatment of suspects, by ensuring the speedy passage of the Bill on the Administration of criminal Justice. This Bill is currently receiving attention at the National Legislative Assembly.
84. Invites the UN Subcommittee on Prevention of Torture to advise and assist the FRN in strengthening the National Committee on Torture.	A memo to this effect is being considered by the Attorney-General of the Federation.
85. Appoints a commission to investigate all extrajudicial executions, enforced disappearances and torture by the police and make public its findings.	The Independent National Human Rights Commission has already initiated a fair, thorough and impartial investigation of all cases of extra-judicial killings, unlawful arrest and torture, with the power to summon/subpoena and institute action against any person for alleged human rights violations.
86. Provides adequate resources for an under resourced criminal justice system.	In an effort to address this valid recommendation, the Federal Government has ensured a fairly incremental rate of budgetary allocations to the principal organs in the administration of criminal justice with a view to realizing the 2011 Strategic framework for the Implementation of the Justice Sector Reform (2011-2015) which aims at realizing the following strategic objectives, among others: -

	<ul style="list-style-type: none"> • Establishment of case management systems across justice institutions to address the problem of delay in the trial of cases; • Establishment of coordination mechanism amongst the agencies of the criminal justice system to improve the sharing of information, management of data and intelligence, investigation of criminal cases and centralization of the prosecutorial powers of the Attorney-General of the Federation to review and audit the Prison decongestion project with a view to developing a more proactive policy on awaiting trial inmates. <p>See for example, the Prison Service allocation under item 87 below.</p>
<p>87. Ensures that the Nigerian Prison Service and individual prison directors get adequate resources, including funding to improve living conditions and access to health care in Nigerian prisons and places of detention.</p>	<p>A fairly incremental rate of budgetary allocation for Prison Service in Nigeria: 2011 – N52,566,736.850; 2012 – N56,730,786.582; 2013 – N49,113,322.567 to address some of the shortcomings in the discharge of their functions.</p> <p>The Nigerian Prisons Service has undergone very tremendous changes in the last few years. These changes are designed to ensure that prisoners are held in as humane a condition as is possible under our circumstances. This has been achieved by the building of new prisons, the expansion of old ones, the design of new cells that are not suffocating, the building of prisons clinics and hospitals and the stocking with drugs.</p> <p>There are two areas of tough challenges. The first is in the dominance of pre trial detainees. The present reforms in our judicial system have however, started to address the issue and the results are beginning to be seen. The Government has set in motion, mechanism to upgrade the escort duty fleet of the Prisons by 75 percent. This will help ensure faster trials as those pre trial detainees and Awaiting trial prisoners will have unimpeded access to the courts. The Awaiting trial congestion still remains a challenge.</p> <p>In spite of that, however, the Nigerian Prisons Services has continued to make progress in the effort to ensure that prisoners' rights are protected. In order to speed up the trial process of these pre-</p>

trial prisoners, the Nigerian Prisons Service had collaborated with the Legal Aid Council and the National Human Rights Commission by deploying trained Prisons lawyers to the prisons to ensure that pre-trial and other detainees attend to courts and have access to legal representation.

This robust collaboration has led to a systematic audit of all prisoners which now makes it easy for the status of each prisoner to be known simultaneously to these three agencies and had led to the reduction of time spent on pre-trial. This has also been made possible by the new Legal Aid Act which has expanded the horizon of the operations of the Agency.

Policies and programmes have also been put in place to ensure that convicted prisoners are trained and reformed to lead useful lives after serving their terms. Most of these trainings are vocation-based leading to acquisition of skills by prisoners. Those who successfully acquire these skills are set up on their own through the instrumentality of the Aftercare scheme and supervised afterwards in an attempt to ensure they do not relapse into crime again.

The other is on the area of feeding. Prisoners are fed with N200 per day. Given the present day realities, this is very small. The Government has addressed this issue and by year 2014, prisoners feeding will be scaled up.

The Nigerian Prisons Service has ventured into the area of food production both for the prisoners and the Nation at large by ensuring that the 14 mechanized Agric Farms spread across the food belts of Nigeria and belonging to the Nigerian Prisons Service are to be energized by the cooperation with the private sector under the PPP programme

The farms with an average of 1,000 hectares of land with machineries and labour of the prisoners under this PPP scheme are set to radically improve the food situation in the country in the years ahead

88. Adheres to Article 7(1)(d) of the African Charter and other international instruments to which Nigeria is a party to bringing promptly before a judge arrested persons. Such persons must be tried within a reasonable period of time. These legal provisions should be enforced to prevent arbitrary arrests and detention, and to safeguard the right to liberty of all persons. It will also enable the courts to determine if pre-trial detention is necessary and permit the suspect to challenge the legality of his arrest and detention.

Adherence to Nigeria's treaty obligations in this regard can be seen reflected in the constitutional guarantee of Section 35(4) Constitution of the arrested/detained person's right to be brought before a court within reasonable time. Reasonable time is defined in the 1999 Constitution as one day where there is a court of competent jurisdiction within 40km radius, and in any other case, two days or such longer period as, in the circumstances, the court may regard as reasonable (subsection 5).

The courts have consistently upheld this right. For instance, in the case of *Augustine Eda v. the C.O.P.* (1982) NCLR 219, the court held inter alia, that when a person is arrested or detained by the police following an allegation of a crime, it is their duty to bring him before a court within one or two days irrespective of the provision of any other law under which they may purport to be acting.

The courts have also held that 'holding charge' often exercised by the Police whereby a suspect is kept in police custody pending investigation is unconstitutional (Cases: - *Enwere v. C.O.P.* (1993) 6 NMLR (Pt. 299) at P.333; and *John Folade v. AG Lagos State* (1981)2 NCLR 771).

The effect of the above provision (Section 35(4)) is that where the accused person is not brought before a magistrate within reasonable time, whatever reasons the police may have for his continued imprisonment, he must be released on bail unconditionally or conditionally, after 2 months or 3 months respectively depending on whether or not he is entitled to bail.

The Supreme Court of Nigeria, in the Case of *Anaekwe v. C.O.P.* (1996)3 NMLR (Pt.436) P.32, allowed all the respective applicants' appeal and granted them bail pending their trial mainly on account of the **inordinate delay** in taking the necessary steps by the prosecution to start the prosecution of the appellants before the various high courts having jurisdiction to try the appellants thereby resulting in prolonged detention of the appellants without trial.

<p>89. Refrains from and prevent forced evictions without the necessary legal guarantees including proper consultation with those affected, prior adequate and reasonable notice and adequate alternative housing and compensation for all losses.</p>	<p>A forced eviction of tenants is illegal under the Recovery of Premises Act: - which prohibits forcible and violent evictions of tenants. It lays down the steps that a landlord has to take to end a tenancy. It vests supervisory jurisdiction over tenancy relations on the courts. The Act frowns at self-help by laying down the length of notice required to properly and effectively terminate periodic tenancies as well as the mode of service of statutory notices. The Act also provides guidelines for the courts on how to proceed in recovery matters.</p> <p>Section 43 of the 1999 Constitution guarantees the right to own land in any part of Nigeria. Section 44 goes further to safeguard both movable and immovable property of citizens and foreigners from expropriation or compulsory acquisition by the State without payment of prompt compensation.</p>
<p>90. Enacts at the Federal level, legislation prohibiting female genital mutilations, violence and other discriminatory practices against women.</p>	<p>Women and gender concerned activists, civil society organizations and women focused NGOs have formed a National Coalition on Affirmative Action in Nigeria to lobby and sensitize on the domestication and progressive implementation of both CEDAW and the Maputo Protocol in Nigeria. Efforts are been made by the NGO Coalition and the Gender Ministry to re-table the Gender and Equal Opportunities Bill 2010/11 and the Violence against Women Bill in 2013 and re-engage the National Assembly Law Makers on their passage.</p> <ul style="list-style-type: none"> • Gender and Equal Opportunities Bill, 2010/13: - An enabling legislation to domesticate the Maputo Protocol and UN CEDAW and other matters connected therewith is being considered by the National Legislative Assembly. <p style="margin-left: 40px;">This Bill seeks to incorporate as part of Nigerian Law the provisions of Articles 1-24 of the Maputo Protocol under its sections 2-41 with a view to ending gender discriminatory practices, policies and programmes.</p> • Violence Against Persons (Prohibition) Bill, 2013: - A Bill for an Act to eliminate violence in private and public life; prohibit all forms of violence including physical, sexual, psychological, domestic, harmful traditional practices;

	<p>Discrimination against persons and to provide maximum protection and effective remedies for victims and punishment of offenders.</p> <ul style="list-style-type: none"> • See item 2.3.1 for other legislative measures at both Federal and State levels. <p>Sections 4, 7 and 8 of the Gender and Equal Opportunities Bill 2010/13 prohibit FGM, all forms of violence and discrimination against women in Nigeria.</p> <p>Similarly, the Violence Against Persons (Prohibition) Bill, 2013 seeks to eliminate violence in society, including FGM, and to provide for effective remedies for victims and punishment for offenders.</p>
91. Takes measures that give women the same inheritance rights and equal access to land.	<p>For detail response on measures taken in this regard see item 2.3.2 below.</p> <p>Section 7(vi-vii) of the Gender and Equal Opportunities Bill, 2010/13 guarantees such rights to women.</p>
92. Takes measures to ensure female participation at all levels of Government, including considering enacting a law on affirmative action.	<p>For detail response on measures taken in this regard see items 2.3.1 to 2.3.3 below.</p> <p>Section 8 of the Gender and Equal Opportunities Bill guarantees such rights to women.</p>
93. Provides adequate and comprehensive maternal facilities for women, including ensuring that unsafe out of hospital abortions are prevented.	<p>See chapter 14 of this report on the right to health under Article 16 for detail response in this regard.</p> <p>Section 12(c) of the Gender and Equal Opportunities Bill, guarantees such rights to women.</p>
94. Takes measures that will ensure that women have access to micro-credits that will help them establish small businesses.	<p>See item 2.3.4 (i and iii) below for measures taken in this regard.</p> <p>Section 13 of the Gender Bill, guarantees such rights of women.</p>
95. Takes measures to ensure that more women enter the employment market.	<p>For measures taken in this regard see item 2.3.4 (i and iii) below.</p> <p>Section 10 of the above Gender Bill guarantees such rights of women.</p>
96. Takes effective measures to stop the illegal sale of babies.	<p>Section 21 of the Anti-Human Trafficking Act provides a 14 year prison sentence for any person who is convicted for the offence of selling any</p>

	<p>person, including babies. Child's Rights Act 2003 and Child Rights Laws of the various States also criminalize sale of babies without the proviso 'for immoral purpose' as contained in the TIP Act. The Agency collaborates with other Law Enforcement Agencies including the Nigeria Police Force and the Department of State Services in fighting this heinous crime of sale of babies. The Agency is currently prosecuting some Medical personnel including Medical Doctors and owners of Herbal & Maternity Homes involved in sale of babies. The Anti-Human Trafficking Agency (NAPTIP) is fully operational in the country and has been making efforts to check this menace.</p> <p>As at May 2013, over 20 motherless babies homes and clinics have been closed down nationwide and suspects being investigated for possible prosecution.</p> <p>One accused person has been successfully convicted in illegal sale of babies by a North Central/Benue State Chief Magistrate Court in case of <i>COP v. Aladi Abah</i> Case No. CMCO/30/2012 (12 July, 2012 date of conviction).</p>
<p>97. Contributes its aggressive drive to further reduce infant and maternal mortality.</p>	<p>Initiatives to reduce infant and maternal mortality in Nigeria:</p> <ul style="list-style-type: none"> • The Save One Million Lives Initiative was launched in 2012 by the president of Nigeria. This initiative is focused on evidence-based, cost effective interventions that are proven – and address the leading causes of morbidity and mortality. The Initiative comprises several components which will contribute to saving one million lives. The components include: <ul style="list-style-type: none"> a. Improving Maternal, Newborn and Child Health: through delivering an integrated package of interventions at thousands of primary health care clinics with referral links, including access to a skilled healthcare provider. b. Improving routine immunization coverage and eradicating poliomyelitis. c. Prevention of Mother to Child Transmission of HIV; through increased access to quality HIV

testing and counseling to mothers; treatment of infected mothers; and exploring feasibility of universal access to HIV treatment to all those infected.

- d. Scaling up access to essential medicines
- e. Malaria control; through an increased utilization of treated bed nets and effective anti-malarial medicines;
- f. improving child nutrition;
- g. strengthening logistics and supply chain management and
- h. promoting innovation and use of technology.

In 2011, a target was set to save 800,000 lives by December, 21, 2014 and one million lives by 2015. Using the list tool, we have estimated a total lives saved of between 207,917 – 218,579 in 2012 alone, for the Save One Million Lives pillars/interventions using conservative assumptions and 2012 coverage rates. This demonstrates that we are on track to save more than one million lives by 2015

- Human Resources for Health

Midwifery Service Scheme (MSS) – The sector had engaged, deployed and retained a total of 4,000 midwives and 1,000 Community Health Workers in over 1,000 Primary healthcare facilities. The Scheme which has been in operation ensures that women in rural and hard-to-reach areas are being attended to by skilled birth attendants during childbirth. Maternal Mortality ratio has reduced from 545/100,000 live births in 2008 to 487/100,000 in 2011 (Lancet 2011). This Scheme is now the largest single health human resource intervention of its kind anywhere on the African continent.

- Financing For Health

Community Based Health Insurance – The National Health Insurance Scheme (NHIS) has been successfully established in the formal sector and is in operation across the country. In addition, under the Transformation Agenda of President Goodluck Jonathan, activities under the NHIS have been scaled

	<p>up significantly in order to ensure that more Nigerians sign on to the scheme so that out-of-pocket expenses on health will reduce, thereby freeing up resources for other important things.</p> <p>The Federal Government on May 13, 2013 officially began paying women to attend antenatal clinic in hope of increasing demand for a growing range of maternal and child health services and cutting down the number of women dying from childbirth complications.</p> <p>Under the Conditional Cash Transfer (CCT) scheme, each woman will be eligible for upwards of N5,000, accruing from the point of registering for antenatal clinic during pregnancy. They get N1,000 for each of four antenatal visits, plus “N2,000 when she comes to deliver and N1,000 when she brings her child to hospital” for immunization.</p> <p>The scheme was “not a handout nor compensation, but a modest effort to incentive our women to seek care” and change behaviour toward getting basic health services.</p> <p>More than one million women attended antenatal clinic in government supported facilities, a record the minister called “impressive but just a beginning.” The attendance helped prevent up to 218,000 preventable causes of mortality and morbidity by April, 2013.</p> <p>Nigeria is beginning to make progress toward reducing maternal mortality but change takes time.</p> <p>State and local government need to complement what the federal government is putting in by investing in the CCT, which is funded from funds pulled off fuel subsidy – the Subsidy Reinvestment Programme.</p>
<p>98. In its next Periodic Report provides gender disaggregated data with its narrative Report.</p>	<p>See item 2.2 of this Report below.</p>
<p>99. Takes steps to implement the 1998 UN Declaration on Human Rights Defenders.</p>	<p>The Public Interest Litigation/Human Rights Defenders Unit was established as a functional Unit under the Office of the Executive Secretary in March, 2013. This is to further enhance the</p>

	<p>mandate of the Commission in tackling human rights issues from this perspective as obtained under best practices in other international jurisdictions. Public Interest and Litigation Unit and Human Rights Defenders Unit are distinct but their function is complimentary in the promotion and protection of human rights and social justice.</p> <p>FUNCTIONS OF THE UNIT</p> <ol style="list-style-type: none"> 1. Recommend/bring to the notice of the Commission matters or causes in which the interest of the public are in issue with respect to human rights violations. 2. Institute civil action in court as public interest litigation on issues of general public interest that affects human rights. 3. Coordinate the Commission programme on pro bono services for the prosecution of public interest litigation cases. 4. Coordinates the activities of NGOs as they relate to Human Rights Defenders 5. Defence and Protection of Human Rights Defenders 6. Appear in court on behalf of the Commission/observe proceedings as amicus curie on public interest matters or Human Rights Defenders related cases.
<p>100. In its next Periodic Report addresses articles on the duties of citizens.</p>	<p>Consistent with Articles 27 to 29 of the Charter, section 24 of the 1999 Nigerian Constitution provides that it shall be the duty of every citizen to –</p> <ol style="list-style-type: none"> a) abide by this Constitution, respect its ideals and its institutions, the National Flag, the National Anthem, the National Pledge, and legitimate authorities; b) help to enhance the power, prestige and good name of Nigeria, defend Nigeria and render such national service as may be required; c) respect the dignity of other citizens and the rights and legitimate interests of others and live in unity and harmony and in the spirit of common brotherhood; d) make positive and useful contribution to the

advancement, progress and well-being of the community where he resides;

- e) render assistance to appropriate and lawful agencies in the maintenance of law and order; and
- f) declare his income honestly to appropriate and lawful agencies and pay his tax promptly.

Further, Section 45(1) of the Constitution provides: -
Nothing in sections 37, 38, 39, 40 and 41 of this Constitution shall invalidate any law that is reasonably justifiable in a democratic society –
b) in the interest of defence, public safety, public order, public morality or, public health; or
b) for the purpose of protecting the rights and freedoms of other persons.

Note that the implication of this provision is that the legislature can make a law limiting the rights specified under the stated sections on the specified grounds, provided such a law is reasonably justifiable in a democratic society. In *Dokubo Asari v. Federal Republic of Nigeria* (2007) 30 WRN 1, which related to a charge for treasonable felony under criminal law, the court stated that where national security is threatened, or there is the likelihood of it being threatened, human or individual rights will take second place, and must be suspended till national security can be protected or well taken care of. Before the law limiting rights here can be challenged, it must be in force. That is, it must have been brought into operation, recorded in the statute books, and must not have been repealed. Whether or not this is so is for the courts to decide.

Furthermore, Consistent with the charter, both the National Peace Policy, 2009 and the Preamble to the 1999 Constitution obligates all citizens “to live in unity, harmony as one indivisible and indissoluble sovereign Nation under God **dedicated to the promotion of Inter-African Solidarity, World Peace, international co-operation and understanding.**”

The courts have consistently emphasized on the

	<p>corresponding obligations/duties of citizens towards other individuals, the state, family, community, the courts etc. (See the following case law. - Annabi v. State (2008) 18 NMLR (Pt. 1119) P. 439; NBA v. Odiri (2008)12 NMLR (Pt.1100) P.332; and FRN v. George (2011)1 NMLR (Pt. 1228) 265.</p>
<p>101. In its next Periodic Report inform the African Commission as to the measures if any, it has taken to implement Article 26 of the Maputo Protocol.</p>	<p>See Part B of this Report below.</p>

Table 1: - Federal Government Allocation to Education Sector (1999-2013).

YEARS	ALLOCATION (BILLION)	PERCENTAGE
1999	23.0	11.2
2000	44.2	8.3
2001	39.9	7.0
2002	100.2	5.1
2003	64.8	11.8
2004	72.2	7.8
2005	92.6	8.3
2006	166.6	8.7
2007	137.5	6.1
2008	210.0	13.0
2009	183.4	7.2
2010	249.1	6.4
2011	356.49	7.5
2012	-	8.4
2013	426.53	8.7

2.2 GENDER DISAGGREGATED DATA

2.2.1 Challenges of Gender Statistics Production in Nigeria

The Nigerian Statistical System has witnessed improvements in the availability of gender statistics in recent times. Data producers are now able to produce sex disaggregated statistics in population, education, employment, parliamentary representation, land ownership and human trafficking. Also in many agencies, gender statistics in some hitherto unavailable areas are becoming available. These include violence against women, time use/domestic un-paid work, access to credit and Entrepreneurship amongst others.

The improved data situation has been enhanced by a number of developments including National Bureau of Statistics' (NBS) efforts at promoting gender statistics, the role of Women Affairs Ministry and development of the National Gender Policy as well as contribution of international organisations such as UNICEF, UNDP and UNIFEM.

There are however vital domains in which gender statistics are not yet available. These include HIV/AIDS, power, environment, infrastructure and physical security, all of which are critical areas of the Transformation Agenda.

The non-availability of these statistics can be traced to misunderstanding of the concept of gender, poor funding, lack of awareness of the need for gender disaggregation, non-mainstreaming of gender issues and concerns into data collection instruments. Also there is lack of commonly agreed uniform

templates for data capture. In many cases, the concept of gender is conceived as relating to issues about women alone thereby denying gender issues of the support of men and the required funding and attention.

The most formidable challenge of gender statistics production in the country, however, is the issue of capacity. Many agencies are yet to have their staff trained in this important area of statistics. There is also lack of equipment and enabling structures for gender statistics production.

There is therefore need to address these challenges. Non-availability of reliable and comprehensive sex -disaggregated statistics will lead to exclusion of gender issues in the formulation and implementation process of policies and programmes.

Table 2 below reveals the fact sheet in respect of the gender indicators and the percentage difference in terms of population and families, health, education, decision-making etc.

Table 2: - Nigeria Gender Fact Sheet: - (2010-2011)

Indicators	Male	Female	Difference
<u>Population & Families</u>	%	%	%
1. Population 2006	49	51	2
2. Early Marriage	7.2	92.8	85.6
<u>Health</u>			
3. Percentage living with HIV Aids (Estimate 2010)	44.3	55.7	11.4
4. Life Expectancy (HDR 2008)	48	52	4
<u>Education</u>			
5. Youth Literacy in Any Language	86.0	79.0	7
6. Adult Literacy in Any Language	68.5	60.0	8.5
7. Adult Illiteracy	31.5	40	8.5
8. Primary School Enrolment (2010)	53.4	46.6	6.8
9. Secondary School Enrolment (2010)	54.2	45.8	8.4
10. Tertiary Enrolment:			
NCE (2009)	51.1	48.9	2.2
Polytechnic (2010)	72.3	27.7	44.6
University (2010)	61.6	38.4	23.2
<u>Power and Decision Making</u>			
10. Ministers (2011)	757 (20)	23 (6)	54 (14)
11. Parliamentary Seats both houses (INEC)	93.6	6.4	87.2
12. State House of Assembly (INEC 2011)	94.5	5.5	89%
13. Permanent Secretaries (MDAs 2010)	96.5	3.5	93
14. Directorate (MDAs 2010)	90.8	9.2	81.6

Source: - NBS, Abuja (2011): - Gender statistics Newsletter, at P.6

Table 3a: - Summary of Seats held in National Assembly by Type, Year and Gender

Legislators	2007		2011	
Senate	Number	%	Number	%
Men	100	91.7	101	92.7
Women	9	8.3	8	7.3
Total	109	100	109	100
House of Reps.				
Men	334	92.8	338	93.9
Women	26	7.2	22	6.1
Total	360	100	360	100
Both Houses				
Men	434	92.5	439	93.6
Women	35	7.5	30	6.4
Total	469	100	469	100

Source: - INEC, Abuja (2011); NBS (2011): - Gender Statistics Newsletter at p.3.

It is not news that more men are in positions of power and authority in Nigeria than women; table 3(a) statistics shows it. Of the 24 Ministers in the federal cabinet in 2011, 18 or 75 percent are men while only 6 or 25 percent are women. Parliamentary seats at the National level are shared among the men and women in the ratio of 93.6 percent to 6.4 percent. At the state level, the trend is consistent with 94.5 for men and 5.5 for women. In the Civil service the story is the same. The share of women in the permanent secretaries' position is typical of what obtains there. Women are only 6.4 percent of the Permanent Secretaries. And a paltry 9.2 percent of the number of Directors.

The good news is that the table may soon turn. Women's low representation in positions of power and authority has been linked to many factors, including poor access to education arising from early marriage, traditional prejudices, poverty and lack of economic empowerment as well as biological factors. If the table turns, it may not be un-connected with current efforts by Government and Non-Governmental Organisations at promoting better education for the girl child.

WOMEN NOT YET LEADING IN PRIMARY SCHOOL TEACHING

Experts believe that quality of education depends largely on the quality of teaching staff. Gender balance among the staff is critical for promoting gender parity and equality in access to and achievement in education. It is also closely related to improvement of gender parity in enrolments. Thus, as the proportion of female teachers increases, girls' enrolments rise relative to boys. The 'feminisation' of the teaching profession at the primary school level is usually considered desirable in any country's educational system where there is concern for improvement in girl child education. In the past, women were believed to be leading in terms of the number of teachers at the primary school level in Nigeria relative to men. This

seems to have changed as analysis of Ministry of Education data on Table 3, 4 and 5 below shows that between 2006 and 2010, the average distribution of teaching staff at the primary school level has men and women sharing almost equal stake, on the average 51 and 50 percent respectively. Men are definitely dominating at the secondary school level both in terms of yearly share and five yearly average computation. Women's share in teaching drops significantly at the secondary school level and this has implications for girls' enrolment at that level.

Table 3: - Percentage Distribution of Secondary Schools Teachers (Public and Private) by Year and Gender)

Year	Male	Female
2006	58.3	41.7
2007	61.9	38.1
2008	60.1	39.2
2009	50.9	48.1
2010	56.1	43.9

<u>Average</u>	
M	58
F	42

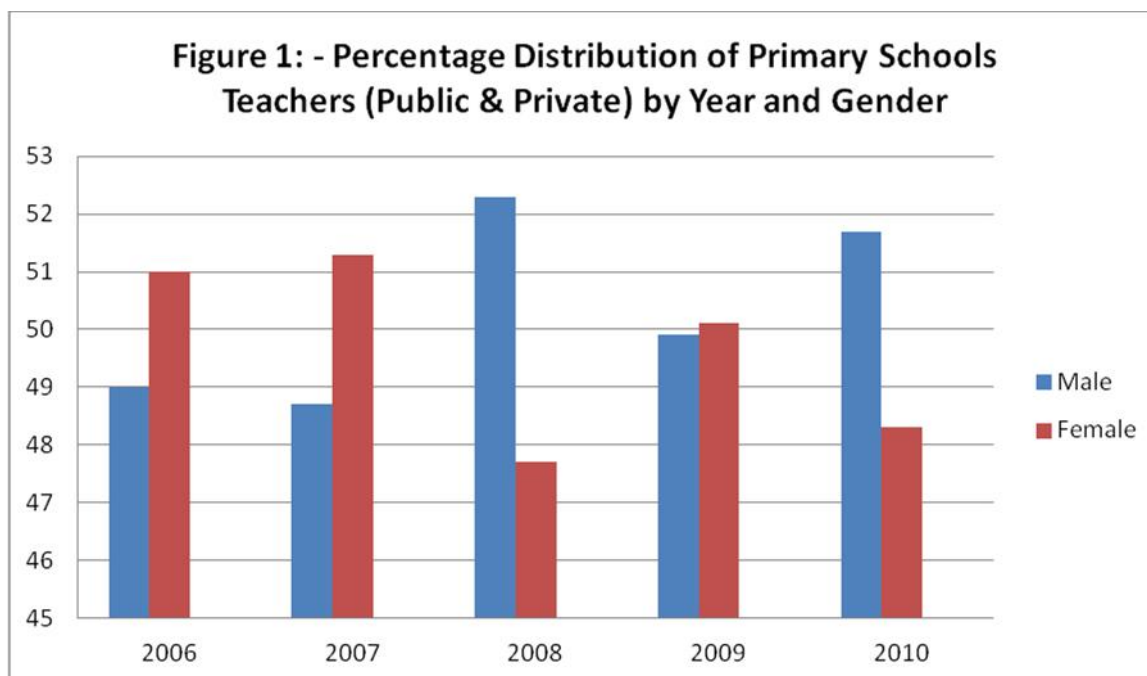
Source: - Ministry of Education Digest of Statistics 2010

Table 4: - Percentage Distribution of Primary Schools Teachers (Public and Private) by Year and Gender

Year	Male	Female
2006	49	51
2007	48.7	51.3
2008	52.3	47.7
2009	49.9	50.1
2010	51.7	48.3

<u>Average</u>	
M	51
F	50

Source: - Ministry of Education Digest of Statistics 2010



SCHOOL ENROLMENT: GAP STILL WIDE AT SECONDARY AND TERTIARY LEVELS

Long recognized as a fundamental right, education imparts skills, knowledge and competences that are pivotal to human development and improved quality of life. In doing so, it brings wide ranging benefits. Education of girls and women offer possibilities of high socio-economic returns. The importance of education is highlighted in both the Beijing Platform for Action and requirement in MDG 3 for achieving gender parity in all levels of education by 2015. The goal of gender parity in education demands that society should be interested in the outcome of education, women participation therein, educational quality, including the teaching staff level and in this knowledge and Information Technology era, the level of scientific and techno-logical knowledge transferred in the process. Participation of girls and boys is measured in terms of disparity in their enrolment at the primary, secondary, and tertiary levels of education. In Nigeria, while the gender gap at the primary level is narrowing, there is still a wide gap at the secondary and tertiary levels of education.

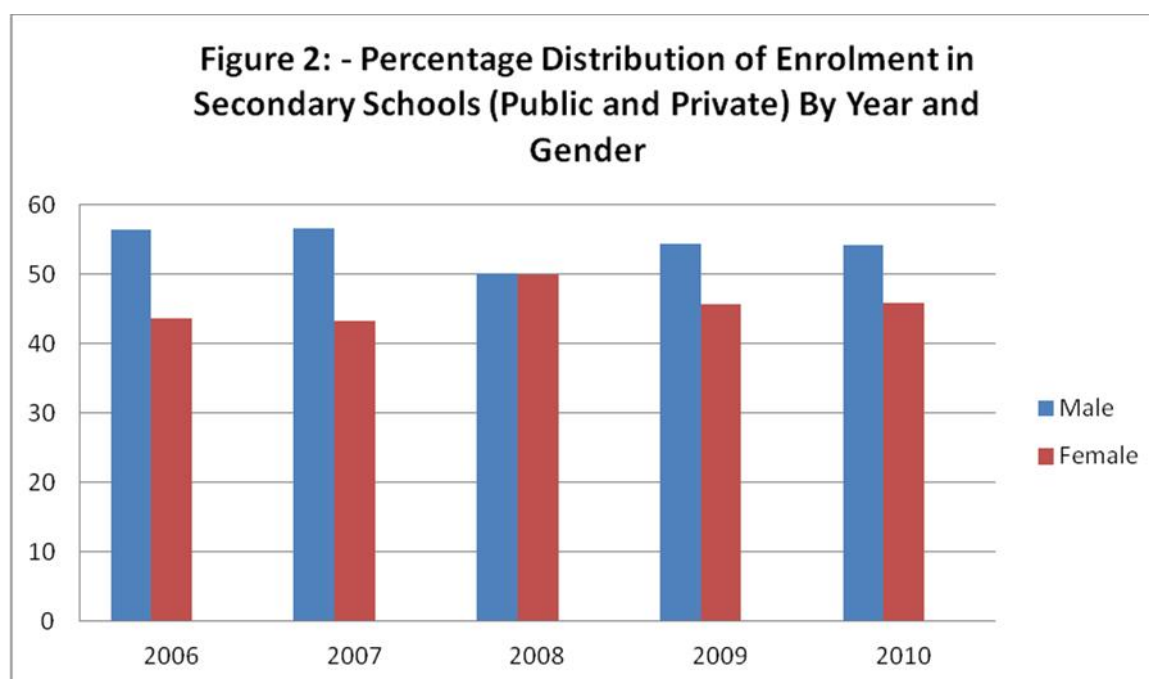
At the secondary level for example, in 2006, males were 56.4 percent of the enrolment while females were 43.6 percent. The figure remained stable for males in 2007 while that of females dropped to 43.3 percent. The trend of disparity in enrolment continued. In 2010, it was 54.2 percent for males and 45.8 percent for females.

Table 5: - Percentage Distribution of Enrolment in Secondary Schools (Public and Private) by Year and Gender

Year	Male	Female
2006	56.4	43.6
2007	56.7	43.3
2008	50.1	49.9
2009	54.3	45.7
2010	54.2	45.8

Source: - Ministry of Education Digest of Statistics 2010

Education imparts skills, knowledge and competences that are pivotal to human development



MORE WOMEN DYING OF HIV/AIDS IN NIGERIA

HIV/AIDS has been a critical issue for men and women since it was recognized globally in the 1980s and later in Nigeria. Its effect on populations, particularly the working age, makes it a major cause of impoverishment in afflicted lands. At the household level, it erodes savings, increases the burden of care

and multiplies orphans. This negative effect on development prompted the international community to include it as Goal number 6 in the Millennium Development Goals (MDGs).

In Nigeria Statistics show that more women are dying from the epidemic than men. In 2008, it was estimated that 55.2 percent of those who died of HIV/AIDS were women. In 2009, the figure was 55.1 percent while in 2010 it was 55 percent.

This state of things may not be unconnected with the research based finding that women are more vulnerable than men to contracting HIV due to biological, social, economic and cultural pressures. Unequal gender relations within and out-side the family often limit the ability of women to protect themselves from HIV/AIDS. Lack of knowledge of HIV among young women may also be a contributing factor. On the average, it is estimated that 55.7 percent of New HIV infections in Nigeria between 2008 and 2010 were females.

Table 6: - HIV Infections in Nigeria by Sex and Year

Year	Total	Male		Female	
		Number	%	Number	%
2008	329,984	146,137	44.30	183,845	55.71
2009	336,379	149,095	44.32	187,284	55.68
2010	339,016	150,351	44.35	188,665	55.65

Source: - Federal Ministry of Health

Table 7: - Annual Death Estimates in Nigeria

Year	Total	Male		Female	
		Number	%	Number	%
2008	198,198	88,742	44.77	109,456	55.23
2009	192,000	86,178	44.88	105,822	55.12
2010	181,774	81,728	44.96	100,046	55.04

Source: - Federal Ministry of Health

2.2.2 Gender Dimensions to Livelihoods in Nigeria: - 2010-2011

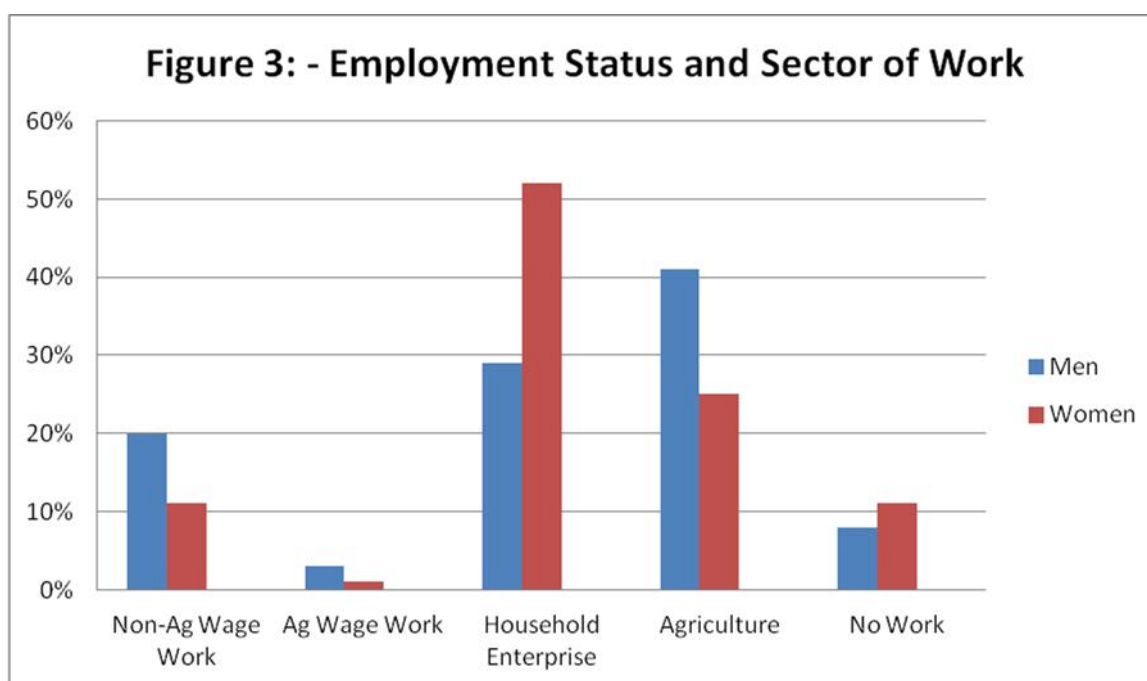
In 2010/2011, the National Bureau of Statistics in collaboration with the World Bank conducted the General Household Survey Panel (GHS-Panel), which collects detailed data on income with a focus on gender. The GHS-Panel is a nationally representative survey with a sample of 5,000 households; the second wave runs from 2012/2013. This note presents selected statistics on gender and livelihoods in Nigeria. Employment Sector by Gender Men and women in the GHS-Panel report their main employment sector, which could be wage work, household enterprise activities, or farming. Agriculture, trade, and personal services are important employment sectors for both men and women. While agriculture is the largest sector for men, it is trading that dominates for women (37%) with agriculture in second place (33%). In comparison, men are much less likely to be trading (10%) than in other sectors. Women who work are also more likely to be in manufacturing than are men who work.

Table 8: Sector of Main Work

Sector of Main Work	Male	Female
Agriculture	49.1	33.3
Manufacturing	3.2	10

Construction	4.9	0.1
Transportation	6.1	0.1
Buying and Selling	10.5	37.0
Personal Service	8.7	9.1
Education	4.5	3.7
Public Administration	4.8	2.7
Other Sectors	8.2	4.0

Viewing sector and status of work shows that men are more likely to be farming than women, who are more likely to be working in a household enterprise. More than half of all working women are engaged in a non-farm household business, which is usually very small-scale and informal. Wage work for both groups is predominantly outside agriculture, and men are more than twice as likely as women to have wage employment when working.

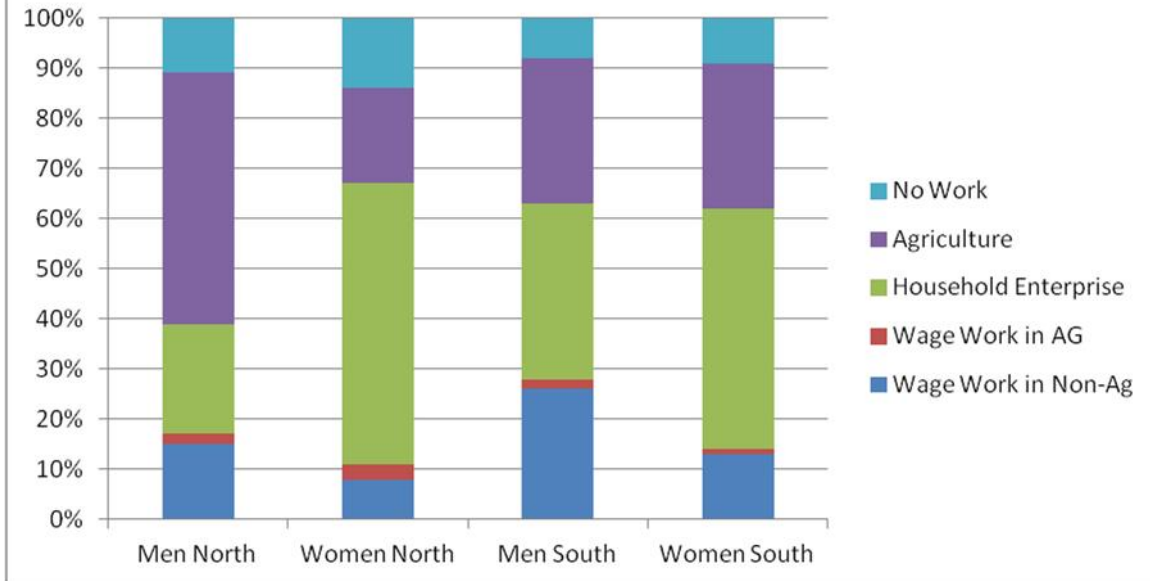


North-South Gender Patterns

Analysis of Northern and Southern Nigeria shows that men have higher rates of participation in both wage farm and off-farm activities in both regions. Male wage off-farm participation in the north is 14 percent compared to 8 percent among women, while in the south it is 25 and 13 percent, respectively. Similarly, while men and women show equivalent levels of participation in wage farm activities in the north (both 3 percent), men show higher levels of participation in farm activities in the south (2 percent, compared to less than 1 percent for women).

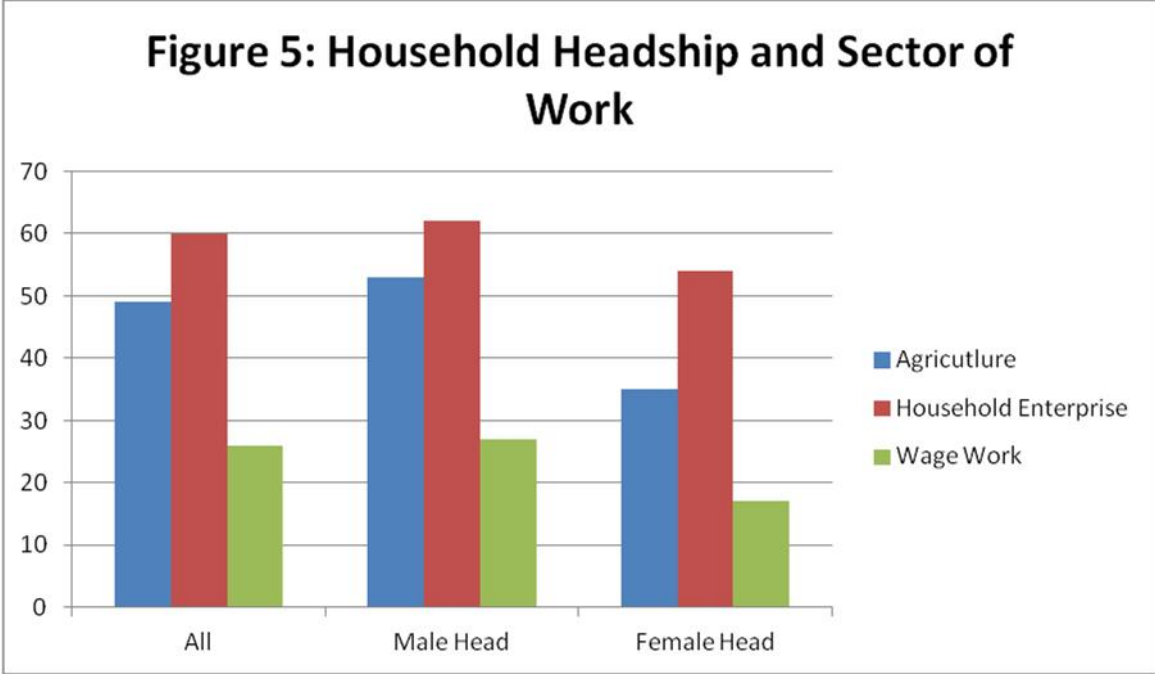
Female participation in self-employed off-farm activities exceeds that of men in both the north and the south. In the north, female participation is 55 percent, compared to 21 percent for men and 47 percent compared to 36 percent for men in the south.

Figure 4: North-South Gender Patterns

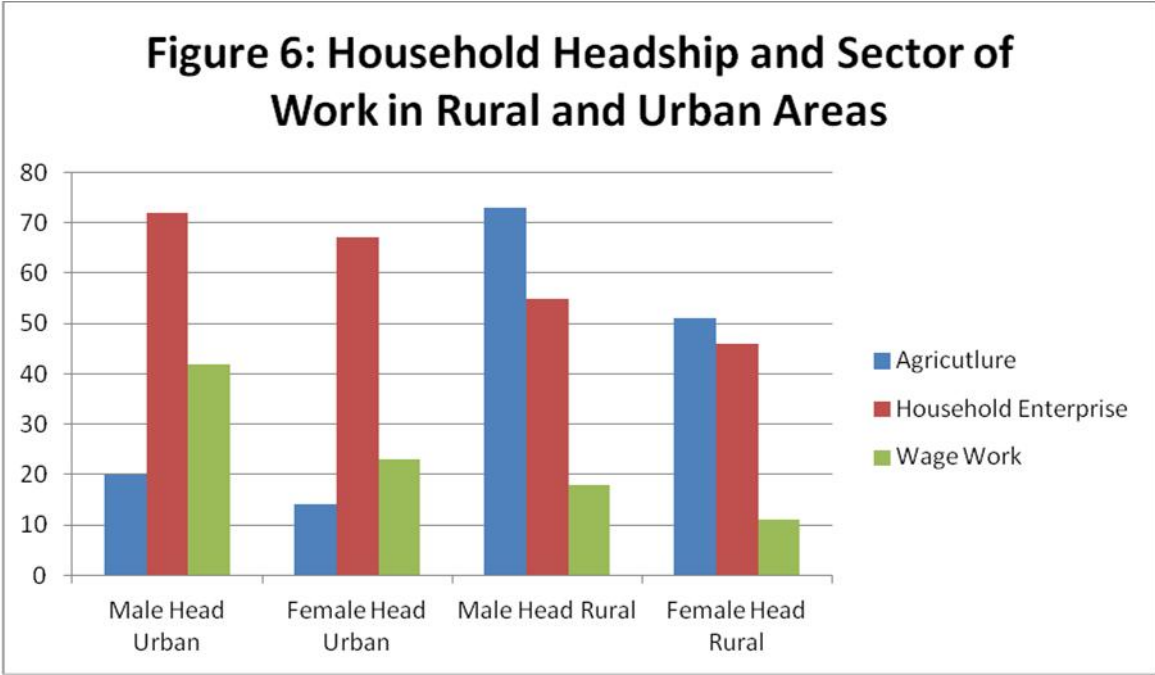


When farm activities are examined on a regional basis, however, the results again reflect male dominance in farming with 50 percent participation among men versus 19 percent among women in the north. The differences in the south are not as glaring, with both men and women reporting around 29 percent participation rates in agriculture.

Household Headship and Sector of Work Examining participation at the household level where at least one household member participates in the activity, results show that male-headed households are more likely to participate in all activities compared to female-headed households. Engagement in household enterprise is the most common activity for both male and female-headed households: 61 and 54 percent respectively.



Not surprisingly, the rural and urban divide shows more agricultural households in the rural areas for both male- and female- headed households (72% and 54%) compared with urban areas (20% and 13%), while non-farm enterprises and wage work are much more common in urban areas.



Gender and Work by Urban/Rural

Looking at urban and rural locations separately, results show a higher participation in wage employment in urban versus rural Nigeria, with wage employment in urban areas reported at 29 percent compared to 10 percent in rural areas. Regardless of geographical location, men are more likely to be

involved in wage employment than women. Urban areas report male participation at 38 percent and female at 21 percent. Rural areas report male participation at 14 percent and female at 6 percent.

Participation in off-farm self-employment is higher among women than men in both urban and rural areas. In urban areas, off-farm self-employed participation among women stands at 66 percent compared to 46 percent for men, and in rural areas female off-farm self-employment stands at 43 percent compared to 18 percent for men. However, for farming, the reverse is the case: in urban areas, men are predominant with 12 percent compared to 7 percent for women. This is also the case in rural areas, with 57 percent of men participating in farming compared to 34 percent of women.

2.2.3 Gender Statistics on Unemployment Rate in Nigeria: - 2010-2011

The survey was conducted between February and March 2011 and completed in July 2011. The last survey was conducted in January and February 2010 and consequently the change in the unemployment rate reflects a difference of 15 months between the two surveys.

Computation

In computing the unemployment rate, the total population is divided into labour force (currently active) and non-labour force (not currently active). The labour force population covers persons aged 15 to 64 years. The definition of unemployment therefore covers persons (aged 15-64) who during the reference period were currently available for work, seeking for work but were without work. A person is regarded employed if he/she is engaged in the production of goods and services, thereby contributing to the gross domestic product, in a legitimate manner, which is a component of the national accounts. The category of persons considered not-in-labour-force include those without work, who are not seeking for work and/or are not available for work as well as those below or above the working age. Examples of these are full-time housewives, under-aged children, physically challenged and incapacitated persons and such others not employable.

There is no standard definition of unemployment as various countries adopt definitions to suit their local priorities. The International Labour Organization (ILO) definition, however, covers persons (aged 15-64) who during the reference period (usually the week preceding the survey period for at least one hour), were currently available for work, seeking for work, but were unable to find work. The unemployment rate (Nigerian version) is the proportion of those who were looking for work but could not find work for at least 40 hours during the reference period to the total currently active (labour force) population. This definition of unemployment is the standard defining of unemployment used in Nigeria for many years to compute the unemployment rate and has been adopted by NBS and the National Statistics System to conduct labour force surveys and to define unemployment in Nigeria as ratified by the National Consultative Committee on Statistics since 2001. It was agreed in that year by a technical committee involving the National Bureau of Statistics, ILO, Ministry of Labour Productivity, national Planning Commission, Nigeria Labour Congress, central Bank of Nigeria, Ministry of Youth and Social Development amongst others. The rationale for adopting such a stringent definition rather than the standard simple ILO definition was to ensure that government policy was directed towards providing full employment (not just underemployment or temporary employment) for Nigerians as would have been the case if Nigeria adopted the one hour a week definition recommended by the ILO.

Analysis of employment data for the past 5 years shows that the rate of new entrants into the labour market has not been uniform in the past five years. The rate was on the increase from 2007 to 2009 but declined significantly from 2009 to 2010. The rate increased again from 2010 to 2011. Within the five year period there has been an average of about 1.8 million new entrants into the active labour market per year. The variation and in particular, rise of new entrants into the labour market since 2007 can be

attributed to several issues. Firstly, Nigeria has added 15 new universities, 9 polytechnics, 9 colleges of education since 2006.

Table 9: Analysis of Employment Data in Education Sector: 2006-2010

	2006	2007	2008	2009	2010
Total Number of Universities	89	95	95	104	104
Total Number of Federal Universities	27	27	27	27	27
Total Number of State Universities	30	30	34	36	36
Total No of Private Universities	32	34	34	41	41
Total No of Polytechnics	66	67	71	75	75
Total No of Colleges of Education	79	80	85	85	88
Total No of Federal College of Education	21	21	21	21	21
Total No of State College of Education	42	42	43	43	45
Total No of Private College of Education	16	17	21	21	22
Senior Secondary Schools	7,915	14,410	-		
Junior Secondary School (Private and Public)	10,615	16,238	19,244	3,410	3,439
Primary Schools	77,668	92,007	98,631	98,631	
Nomadic	2,244	2,304	2,289	2,953	3,060

Similarly, over 1.37 million students were enrolled in universities, polytechnics and colleges of education in 2006 and another 1.98 million in 2007. Given that most courses are completed in 4 or 5 years, many of these 3.2 million students that enrolled in 2006 and 2007 will be entering the labour force in 2010/2011. These highlights do not include the number of Nigerians of working age that dropped out at secondary school level for various reasons and entered the job market in the rural and urban areas out of the 21 million that were enrolled in 2006 and 2007.

Table 10: Number of Students Enrolled into Tertiary, Secondary and Primary Schools: 2006-2010

	2006	2007	2008	2009	2010
All Universities	765,522	1,401,888	661,493	577,029	605,068
Federal Universities	464,025	610,072	433,950	340,524	339,364
State Universities	277,043	448,618	187,279	191,565	218,861
Private Universities	24,454	37,369	39,264	44,940	46,843
Colleges of Education	290,318	305,829	315,426	346,006	-
Polytechnics	303,190	258,877	233,045	222,273	229,862
Monotechnics	19,623	16,789	14,690	17,321	13,239
All Primary School	22,861,884	21,632,070	21,294,517	20,080,976	20,663,805
Public Primary School	21,717,789	20,469,395	18,980,395	18,818,544	19,042,167
Private Primary School	1,144,095	1,162,675	1,011,914	1,262,432	1,621,638
Secondary Schools	5,637,783	6,009,869	-	-	-
Public Secondary School	5,013,531	5,067,787	-	-	-
Private Secondary Schools	624,252	880,194	-	-	-
Nomadic	408,705	432,411	415,426	483,557	484,694

Enrollment rates 2006-2010

Additionally, NBS data reveals that women are getting married later than they used to in the past. Accordingly, a sizeable number of these women that would have gotten marriage and stayed out of the labour market by being housewives are entering the labour market pending when they get married. At the same time, due to positive gender empowerment policies and improvement in female education, women aren't only getting married later but also, are increasingly becoming more insistent on financial independence and consequently entering the labour market and demanding more jobs than previously. Furthermore, the Global economic crisis resulted in a lot of job losses globally and accordingly many Nigerians previously in the Diaspora have returned to Nigeria and joined the labour Market especially from 2008 which represented the year with the highest increase in new job seekers. The global crisis also affected the growth of disposable income in some families prompting families with previously just one working member being forced to send other members of the family, for example, previously housewives into the labour market to look for work to supplement household income.



There is also an increasing trend of disinterest by the emerging younger generation in highly labour-intensive work such as agriculture and factory work in preference for white collar jobs, resulting in many preferring to remain in the labour market rather than take up such jobs.

Highlight of Findings

The culminating effect was that based on the definition of unemployment used, and owing to factors largely outside the control of the Nigerian government, the result of the survey showed that the national unemployment rate increased to 23.9% in 2011 compared to 21.1% in 2010 and 19.7% in 2009. It is conceivable that the unemployment generating policies of government which has helped to curtail the rise compared to other countries in the world where rates have risen faster than Nigeria. The rate is higher in the rural area (25.6%) than in the urban area (17.1%). The result of the survey shows that persons aged 0.14 years constituted 39.6%, those aged, between 15-64 (the economically active population), constituted 56.3%, while those aged 65 years shows that the rate of new entrants into the labour market has not been uniform in the past five years. The rate was on the increase from 2007 to 2009 but declined significantly from 2009 to 2010. The rate increase again from 2010 to 2011. Within the five-year period there has been an average of about 1.8 million new entrants into the active labour market per year.

Table 11: Labour Force and Unemployment Rates in Nigeria

	2006	2007	2008	2009	2010	2011
Nigeria Population	140,431,790	144,925,607	149,563,227	154,349,250	159,288,426	164,385,656
Economically Active	78,922,666	81,448,191	84,054,533	86,744,278	89,520,095	92,384,738
Labour Force	57,455,701	59,294,283	61,191,700	63,149,835	65,170,629	67,256,090
Employed	50,388,650	51,763,909	52,074,137	50,709,317	51,224,115	51,181,884
Unemployed	7,067,051	7,530,374	9,117,563	12,440,517	13,946,515	16,074,205
Newly Unemployed		463,323	1,587,189	3,322,954	1,505,997	2,127,691

Figure 7: - New Entrants into Active Labour Force, 2007-2011

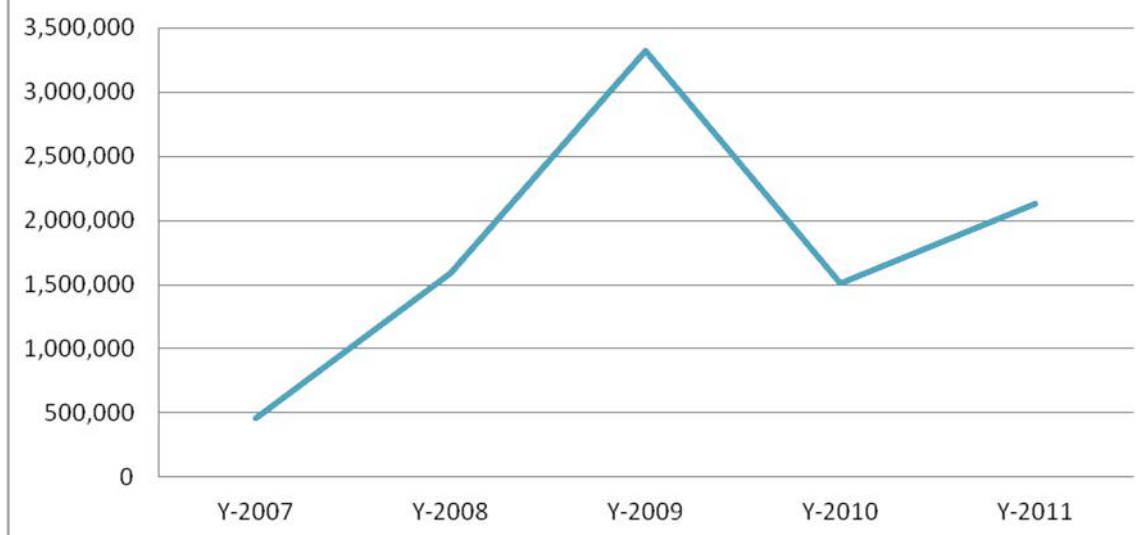


Figure 8: New Entrants into Active Labour Force, Projected to 2015

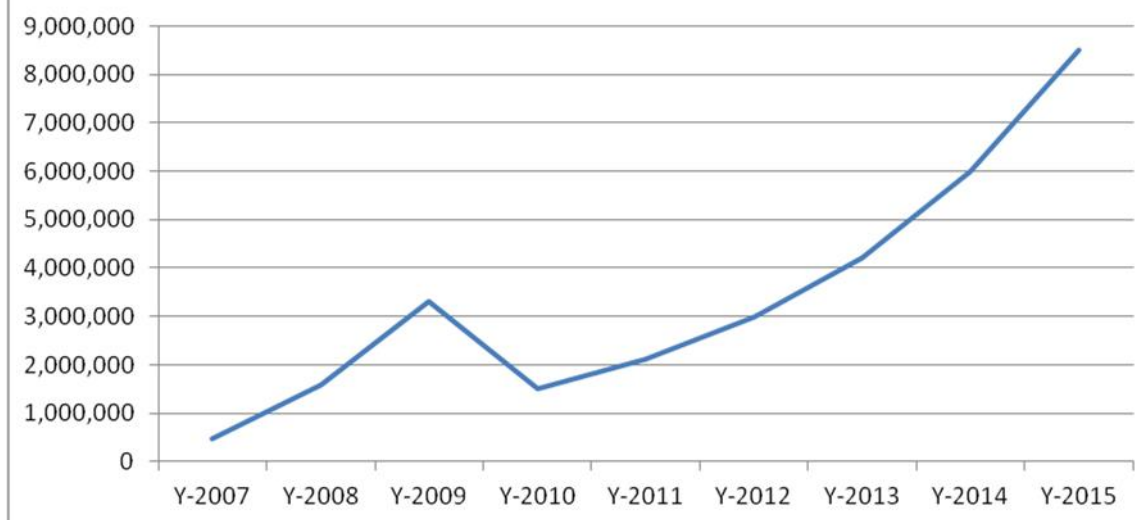


Table 12: - Unemployment Rate by Place of Residence (2011)

Sector	Rate
Urban	17.1
Rural	25.6
National	23.9

Source: - National Bureau of Statistic, General Household Survey, 2011

Table 13: Unemployment Rate by Educational Level, Age-group, Sex and Sector (2011)

Educational Level	Urban	Rural	Composite
Never Attended	19.0	22.8	22.4
Primary School	15.5	22.7	21.5
Modern School	14.5	27.5	24.3
VOC/COMM	34.5	27.0	28.7
JSS	16.6	36.9	33.4
SSS 'O LEVEL'	13.9	22.5	2.1
A Level	34.1	29.7	31.0
NCE/OND/NURSING	17.2	22.5	20.2
BA/BSC/HND	16.8	23.8	20.2
TECH/PROF	5.0	27.9	20.6
MASTERS	3.2	8.3	5.1
DOCTORATE	11.1	7.7	9.1
OTHERS	31.3	36.1	35.5
Age Group			
15-24	33.5	38.2	37.7
25-44	16.3	24.1	22.4
45-59	12.5	19.6	18.0
60-64	17.8	22.1	21.4
Sex			
Male	16.9	25.1	23.5
Female	17.2	26.1	24.3
National	17.1	25.6	23.9

Source: - National Bureau of Statistic, General Household Survey, 2011

Global Developments

Unemployment has been a major problem for most countries across the world. The USA for example has increased from 5% in 2007 to 9% so far in 2011. Spain has increased from 8.6% to 21.52%; UK from 5.3 to 8.1. Ireland currently stands at 14.3% from 4.8%, Latvia from 5.4% to 16.5%, Greece from 8.07% to 18.4% and Italy from 6.7% to 8.3%. The average for the Euro area is 10.7%. Even within the African continent, unemployment has risen with South Africa, Africa's largest economy having a higher rate than Nigeria at 25%, Angola at 25%, Botswana at 17.5%, Egypt at 11.8%, Kenya at 11.7% and Namibia at 51%.

2.2.4 Sources of Income for Households in Nigeria

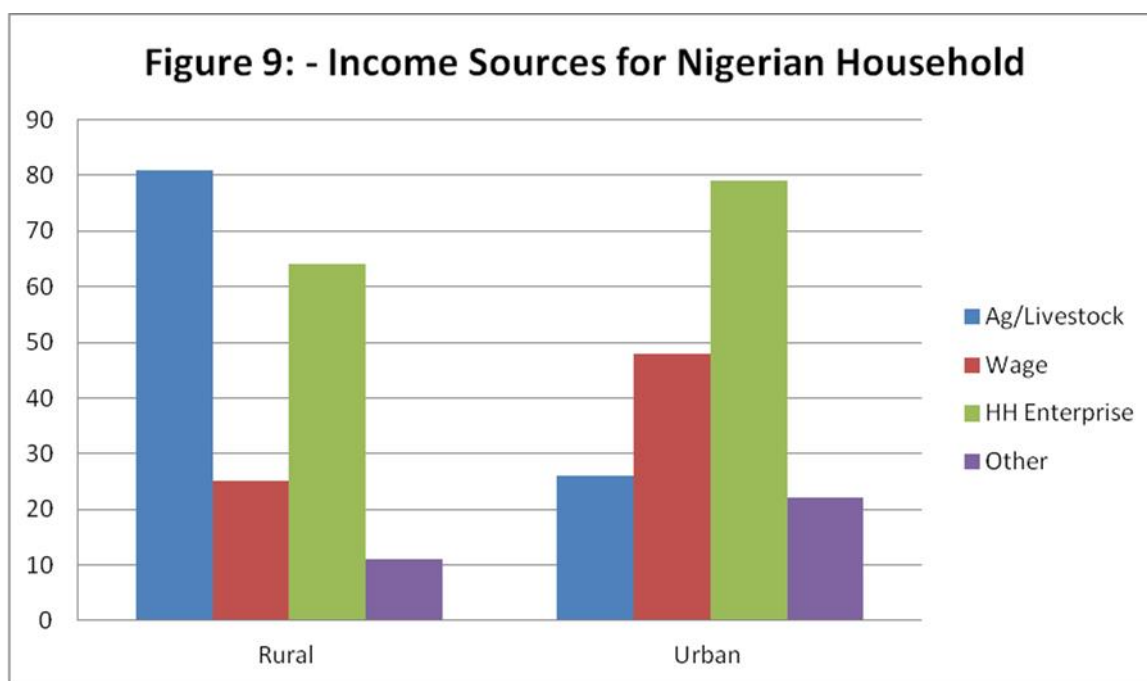
In 2010, the National Bureau of Statistics with the World Bank implemented the General Household Survey (GHS), which included a panel component focusing on livelihoods, agriculture, and household welfare. The GHS-Panel survey was conducted on a sample of 5,000 households and is nationally representative. The first wave of the survey was implemented in two visits to households: visit 1 ran from August to October 2010 and visit 2 ran from February to April 2011. The second wave will run from 2012/2013.

Using data from the first wave, this note presents a basic profile of income sources for households in Nigeria. It explores different income sources and the correlates of income sources with household traits. Income is classified into four main categories: agricultural (growing crops or raising livestock), non-agricultural enterprise (a small shop or other form of household self-employment), wage or salary income (having an employer), and other, non-labor income.

Diversification of Income Sources

A first look at income sources for households shows a number of salient features. First, diversification is the norm. Of the four main categories of income sources, on average, Nigeria households have just under two sources of income, with over 80 percent of all households reporting two income sources. Very few households report income from all four sources.

Among rural households, four out of five households are engaged in some agricultural activity – either farming crops or maintaining livestock. However, these households also tend to be involved in other activities: about 60 percent of these agricultural households also have a non-farm enterprise, and 20 percent of farm households have at least one member that reports some wage employment.



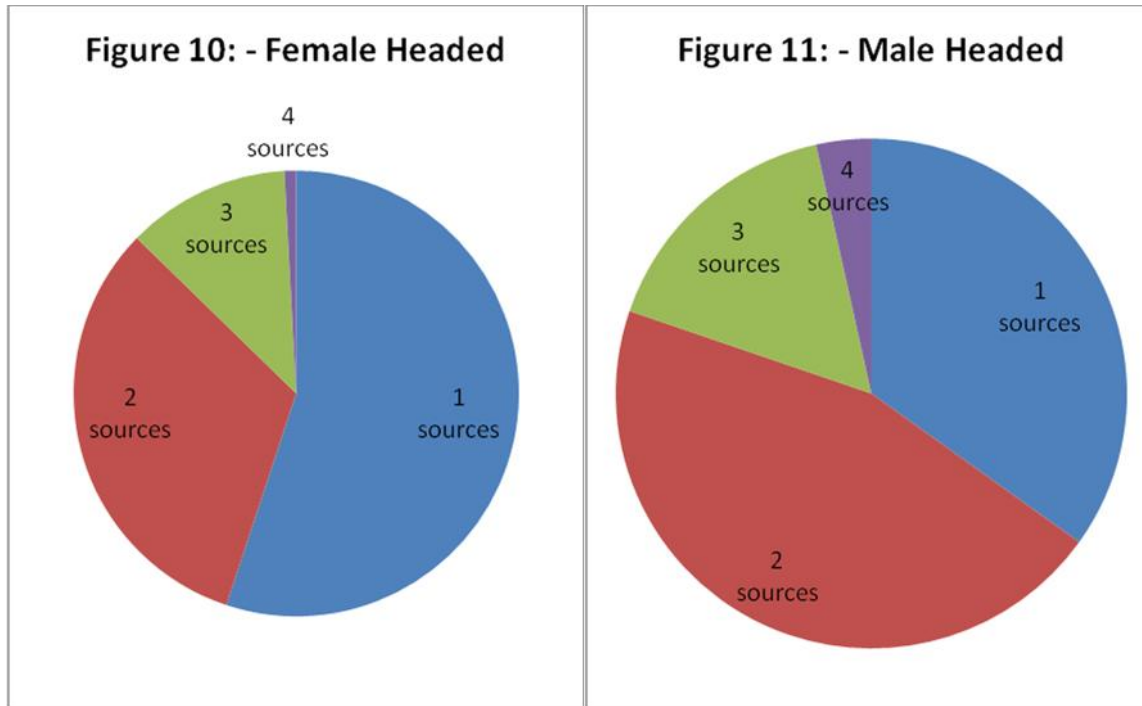
While about 80 percent of urban families earn income from a non-farm business activity, urban households are also diversified. Of the households with an enterprise, 43 percent also have some wage income. And, perhaps surprisingly, agriculture is not only for rural dwellers: one in four urban households engages in some form of agriculture.

Urban households are more likely to have other income (such as transfers from family and friends, and rental income) than their counterparts in rural areas. This category also includes remittances from family abroad. Such income is very rare among Nigerian households; fewer than 2 percent of all households receive this type of income.

Household Traits and Income Sources

On average, female-headed households are less diversified. Over half of these households have only one category of income source, compared to 35 percent of male-headed households, as is visible in the figure below.

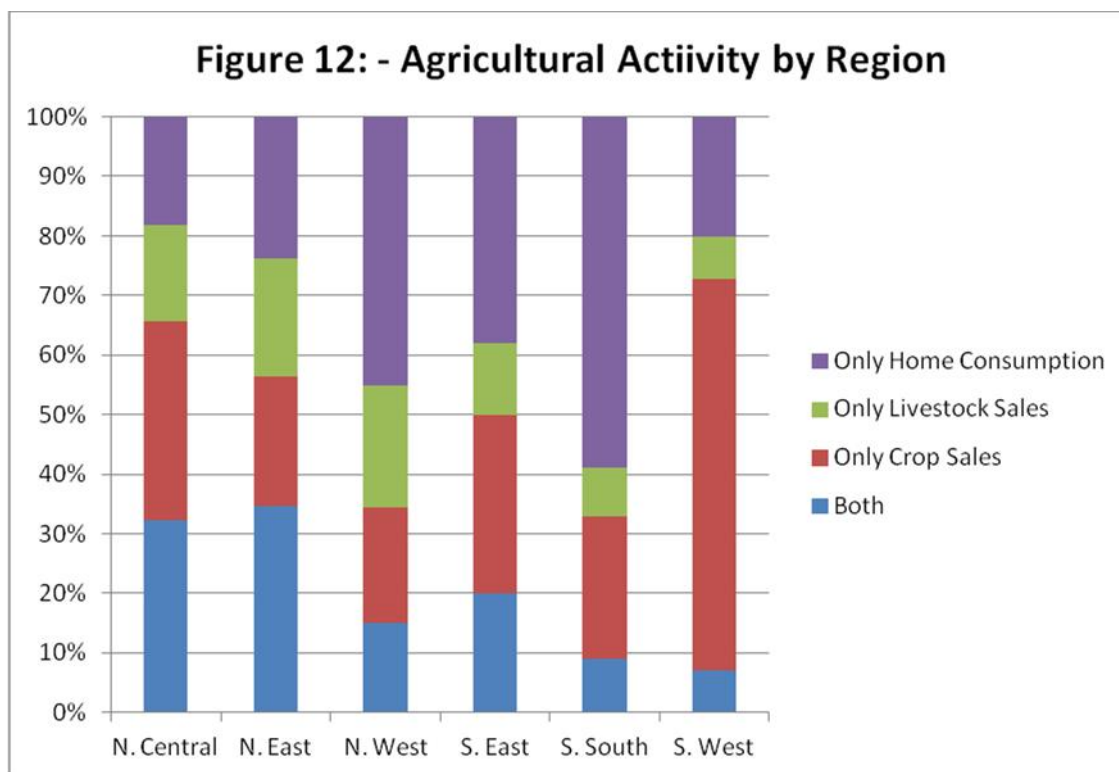
Households with more prime-age adults are more able to diversify and are observed to have slightly more income sources.



Farming: Cash or Consumption?

While about 60 percent of all households in Nigeria are growing crops or rearing livestock, not all of this activity earns Naira for the household. About one third of these households are engaged in farming for consumption – they earn no cash from sales of crops or livestock.

Across the six zones, there is variation in the share of households that sell any agricultural output and those that only consume their product. The North Central and North East have the large share of farming households that sell both crops and livestock output, whereas households in the South-South and South-West are among the least likely to do both. The South-South zone has the largest fraction of farm households (60 percent) that only engage in agricultural activity for home consumption.



Wage Income

Income from wages and salaries is often associated with higher living standards. Wage work is more prevalent in urban areas, where nearly half of households report any such income, compared to a quarter of rural households. The data show that households with more highly educated heads are more likely to have this type of income. The gap is large: 17 percent of households whose head has no schooling, compared to 76 percent of those with post-secondary.

Male-headed households are also more likely to have wage income compared to those headed by females (36% to 21% respectively). Interestingly, the age of the head is not associated with a different likelihood of having any income from wage or salary work. By zone, households in the South-East are the least likely to have such income (26%), while those in the South-South are the most likely (42%).

While wage income is not an uncommon income source for households, for individuals it is not common. That is, households with such income have at most one person with wage income. Thus, the share of the labor force (i.e. those working or looking for work) with wage employment is about half of the portion of households with this type of income.

Across gender, we observe stark differences. Men are almost twice as likely to have any wage or salary work: 14 percent in comparison to 8 percent. This gender gap in wage work holds both within rural and within urban areas. The gender gap also exists in all zones.

2.25 Summary Table of Findings MICS 4 and MDGs Indicators, Nigeria, 2011

MICS is an international household survey programme developed by UNICEF. The Nigeria MICS was conducted as part of the fourth global round of MICS surveys (MICS4). MICS provides up-to-date information on the situation of children and women and measures key indicators that allow countries to

monitor progress towards the Millennium Development Goals (MDGs) and other internationally agree upon commitments.

Table 14: - Summary Table of Findings: MICS, 2011

Multiple Indicator Cluster Surveys (MICS) and Millennium Development Goals (MDG) Indicators, Nigeria, 2011.

Topic	MICS4 Indicator Number	MDG Indicator Number	Indicator	Value	
CHILD MORTALITY					
Child mortality	1.1	4.1	Under-five mortality rate	158 per 1,000	
	1.2	4.2	Infant mortality rate	97 per 1,000	
NUTRITION					
Nutritional status	2.1a	1.8	Underweight prevalence: Moderate and Severe (- 2 SD)	24.2 percent	
	2.2a		Stunting prevalence: Moderate and Severe (- 2 SD)	34.8 percent	
	2.3a		Wasting prevalence: Moderate and Severe (- 2 SD)	10.2 percent	
	2.6		Exclusive breastfeeding under 6 months	15.1 percent	
	2.7		Continued breastfeeding at 1 year	79.3 percent	
	2.8		Continued breastfeeding at 2 years	34.5 percent	
	2.12		Introduction of solid, semi-solid or soft foods	32.9 percent	
Breastfeeding and infant feeding	2.4		Children ever breastfed	95.5 percent	
	2.5		Early initiation of breastfeeding	22.9 percent	
	2.6		Exclusive breastfeeding under 6 months	15.1 percent	
	2.7		Continued breastfeeding at 1 year	79.3 percent	
	2.8		Continued breastfeeding at 2 years	34.5 percent	
	2.9		Predominant breastfeeding under 6 months	69.9 percent	
	2.10		Duration of breastfeeding	18.3 months	
	2.11		Bottle feeding	18.7 percent	
	2.12		Introduction of solid, semi-solid or soft foods	32.2 percent	
	2.13		Minimum meal frequency	24.1 percent	
	2.14		Age-appropriate breastfeeding	34.6 percent	
	2.15		Milk feeding frequency for non-breastfed children	30.1 percent	
	Salt iodization	2.16		Iodized salt consumption	79.8 percent
	Vitamin A	2.17		Vitamin A supplementation (children under age 5)	65.2 percent
	Low birth weight	2.18		Low-birth weight infants	15.2 percent
2.19			Infants weighed at birth	25.7 percent	
CHILD HEALTH					
Vaccinations	3.1	4.3	Tuberculosis immunization coverage	61.7 percent	
	3.2		Polio immunization coverage	46.1 percent	
	3.3		Immunization coverage for diphtheria, pertussis and tetanus (DPT)	42.6 percent	
	3.4		Measles immunization coverage	49.2 percent	
	3.5		Hepatitis B immunization coverage	34.0 percent	
	3.6		Yellow fever immunization coverage	40.4 percent	
Tetanus toxoid	3.7		Neonatal tetanus protection	55.2 percent	
Care of illness	3.8		Oral rehydration therapy with continued feeding	27.9 percent	
	3.9		Care seeking for suspected pneumonia	39.7 percent	
	3.10		Antibiotic treatment of suspected pneumonia	45.4 percent	
Solid fuel use	3.11		Solid fuels	74.5 percent	

Topic	MICS4 Indicator Number	MDG Indicator Number	Indicator	Value	
Malaria	3.12		Households with at least one ITN	40.1	percent
	3.14		Children under age 5 sleeping under any mosquito net	18.6	percent
	3.15	6.7	Children under 5 sleeping under insecticide-treated nets (ITNs)	16.4	percent
	3.16		Malaria diagnostics usage	7.9	Percent
	3.17		Anti-malarial treatment of children under 5 the same or next day	29.4	percent
	3.18	6.8	Anti-Malarial treatment	44.6	percent
	3.19		Pregnant women sleeping under insecticide-treated nets (ITNs)	16.9	percent
	3.20		Intermittent preventive treatment for malaria	19.5	percent
WATER AND SANITATION					
Water and sanitation	4.1	7.8	Use of improved drinking water sources	58.5	percent
	4.2		Water treatment	4.1	percent
	4.3	7.9	Use of improved sanitation	31.0	percent
	4.4		Safe disposal of child's faeces	52.3	percent
	4.5		Place for hand washing	48.0	percent
	4.6		Availability of soap	61.5	percent
REPRODUCTIVE HEALTH					
Contraception and unmet need	5.1	5.4	Adolescent birth rate	89	per 1,000
	5.2		Early childbearing	28.6	per cent
	5.3	5.3	Contraceptive prevalence rate	17.5	percent
	5.4	5.6	Unmet need	19.4	percent
Maternal health	5.5a		Antenatal care coverage with at least once by skilled personnel	66.2	percent
	5.5b	5.5	Antenatal care coverage at least four times by any provider	56.6	percent
	5.6		Content of antenatal care	51.5	percent
	5.7	5.2	Skilled attendance at delivery	48.7	percent
	5.8		Institutional deliveries	45.1	percent
	5.9		Caesarean section	4.7	percent
CHILD DEVELOPMENT					
Child development	6.1		Support for learning	65.4	percent
	6.2		Father's support for learning	37.2	percent
	6.3		Learning materials: children's books	6.0	percent
	6.4		Learning materials: playthings	38.1	percent
	6.5		Inadequate care	39.9	percent
	6.6		Early child development index	60.9	percent
	6.7		Attendance to early childhood education	42.6	percent
EDUCATION					
Education	7.1	2.3	Literacy Among young women	65.6	percent
	7.2		School readiness	44.8	percent
	7.3		Net intake rate in primary education	43.8	percent
	7.4	2.1	Primary school net attendance ratio (adjusted)	70.1	percent
	7.5		Secondary school net attendance ratio (adjusted)	54.2	percent
	7.6	2.2	Children reaching last grade of primary	96.5	percent
	7.7		Primary completion rate	85.4	percent
	7.8		Transition rate to secondary school	74.0	percent
	7.9		Gender parity index (primary school)	0.94	ratio
	7.10		Gender parity index (secondary school)	1.00	ratio

Topic	MICS4 Indicator Number	MDG Indicator Number	Indicator	Value
CHILD PROTECTION				
Birth registration	8.1		Birth registration	41.5 percent
Child labour	8.2		Child labour	47.1 percent
	8.3		School attendance among child labourers	76.1 percent
	8.4		Child labour among students	47.1 percent
Child discipline	8.5		Violent discipline	90.8 percent
Early marriage	8.6		Marriage before age 15	17.6 percent
	8.7		Marriage before age 18	39.9 percent
	8.8		Young women age 15-19 currently married or in union	20.2 percent
	8.9		Polygyny	33.6 percent
	8.10a		Spousal age difference Women age 15-19	52.2 percent
	8.10b		Women age 20-24	43.9 percent
Female genital mutilation/ cutting	8.11		Approval for female genital mutilation/cutting (FGM/C)	21.8 percent
	8.12		Prevalence of female genital mutilation/cutting (FGM/C) among women	27.0 percent
	8.13		Prevalence of female genital mutilation/cutting (FGM/C) among girls	19.2 percent
Domestic violence	8.14		Attitudes toward domestic violence	45.6 Percent
HIV/AIDS, SEXUAL BEHAVIOUR				
HIV/AIDS knowledge and attitudes	9.1		Comprehensive knowledge about HIV prevention	23.1 percent
	9.2	6.3	Comprehensive knowledge about HIV prevention among young people (women age 15-24 years)	22.5 percent
	9.3		Knowledge of mother- to-child transmission of HIV	49.7 percent
	9.4		Accepting attitudes towards people living with HIV	9.0 percent
	9.5		Women who know a place where to be tested	61.0 percent
	9.6		Women who have been tested for HIV and know the results	11.4 percent
	9.7		Sexually active young women who have been tested for HIV and know the results	9.1 percent
	9.8		HIV counselling during antenatal care	48.4 percent
	9.9		HIV testing during antenatal care	28.5 percent
Sexual behaviour	9.10		Young women who have never had sex	62.6 percent
	9.11		Sex before age 15 among young women	15.8 percent
	9.12		Age-mixing among sexual partners	39.3 percent
	9.13		Sex with multiple partners	2.8 percent
	9.14		Condom use during sex with multiple partners	34.3 percent
	9.15		Sex with non regular partner (women age 15-24 years)	32.4 percent
	9.16	6.2	Condom use with non-regular partners (women age 15-24) years)	47.4 percent
Orphaned children	9.17		Children's living arrangements	8.8 percent
	9.18		Prevalence of children with at least one parent dead	6.6 percent
	9.19	6.4	School attendance of orphans	79.9 percent
	9.20	6.4	School attendance of non-orphans	79.5 percent

1. Introduction

This report is based on the Nigeria Multiple Indicator Cluster Survey, conducted in 2011 by the National Bureau of Statistics. The survey provides valuable information on the situation of children and women in Nigeria, and was based, to a large extent, on the needs to monitor progress towards goals and targets emanating from international agreements such as the Millennium Declaration, adopted by all 191 United Nations Member States in September 2000, and the Plan of Action of A World Fit For Children, adopted by 189 Member States at the United Nations Special Session on Children in May 2002. Both of these commitments build upon promises made by the international community at the 1990 World Summit for Children. In signing these international agreements, governments committed themselves to improving conditions for their children and to monitoring progress towards that end. UNICEF was assigned to support governments in achieving this task.

The Federal Government of Nigeria has made several efforts directed towards the achievement of the objectives and aspirations expressed in the Millennium Development Goals (MDGs), the World Fit for Children goals, the UNICEF Country Programme, the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and Abuja Targets for Malaria among others. The Government has in recent times launched a number of development initiatives to improve the economic and social life of its people. The National Transformation Agenda and vision 20:2020 are developed to create employment, increase and stabilize electricity power supply, improve social and economic infrastructure and provide enabling environment for local and foreign investments and to become one of the twenty leading economies in the world by year 2020. The National Programme for the Eradication of Poverty (NAPEP) has been concerned with strategies for poverty education in the country while National Agency for the Control of HIV/AIDS (NACA) has mandate for planning, implementing and monitoring programmes for control of HIV/AIDS.

The Government has expressed strong commitment to, and declared as a matter of high priority, efforts to monitor and evaluate progress towards the attainment of the benchmarks established in these national and other global goals. The National Bureau of Statistics (NBS) with strong financial and technical support from international development partners and donors like UNICEF, UNFPA, and DFID among others has been involved in the national efforts to achieve the goals through provision of relevant data to monitor, evaluate and advise necessary adjustments in development programmes. The Nigeria 2011 Multiple Indicator Cluster Survey has been designed to measure progress towards achievements of MDGs and more specifically to assist UNICEF in monitoring and evaluation of country programmes including those on child survival, child development, child and women rights and protection among others. Globally, MICS4 has collected information on at least 100 internationally agreed upon indicators covering most situations of the household, the child, the mother and their environment.

2. Survey Objectives

The 2011 Nigeria Multiple Indicator Cluster Survey (MICS4) has the following as its primary objectives:

- To provide up-to-date information for assessing the situation of children and women in Nigeria;
- To furnish data needed for monitoring progress toward goals established in the Millennium Declaration and other internationally agreed upon goals, as a basis for future action;

- To contribute to the improvement of data and monitoring systems in Nigeria and to strengthen technical expertise in the design, implementation, and analysis of such systems.
- To generate data on the situation of children and women, including the identification of vulnerable groups and of disparities, to inform policies and interventions.

3. Sample and Survey Methodology

The sample for the 2011 Nigeria Multiple Indicator Cluster Survey (MICS4) was designed to provide estimates for a large number of indicators on the situation of children and women at the national level, for urban and rural areas, and for the 36 states of the Federation and the Federal Capital Territory as well as the 6 geo-political zones of Nigeria namely South-West, South-East, South-South, North-West, North-East and North-Central. The states within each zone were identified as the main reporting domain while the Enumeration Areas (EAs) within each state were identified as the main sampling units. Sample size was 29,600 households and 29,077 were successfully interviewed.

4. Questionnaires

Three sets of questionnaires were used in the survey; the household questionnaire, the individual women questionnaire and the under-five children questionnaire. These were the MICS4 standard questionnaires adapted to Nigeria situation.

5. Training, Fieldwork and Data Processing

Training for the fieldwork was conducted simultaneously in the six geo-political zones for 15 days in February 2011. In each state, the data were collected by two roving teams; each comprised of 5 interviewers, one driver, one editor, one measurer and a supervisor. Fieldwork lasted for about six weeks; it began in February 2011 and was concluded in March 2011. A 2-day training of trainers was organized for data processing team in Abuja in February 2011; there was also a subsequent five-day training of data processing personnel in February 2011 simultaneously at each of the six zonal data processing centres.

Data entry was done using the CSPro software at each of the six data processing centers. In order to ensure data quality, all questionnaires were double entered and internal consistency checks were performed. Procedures and standard programs developed under the global MICS4 project and adapted to the Nigeria questionnaire were used throughout. Data processing began two weeks into data collection in February and was completed in April 2011. Regular checks were carried out for data quality and to ensure compliance with global data processing guidelines by UNICEF Nigeria and UNICEF New York. Data were analyzed using the Statistical Package for Social Sciences (SPSS) software program, Version 18, and the model syntax and tabulation plans developed by UNICEF for this purpose.

6. Characteristics of Households

In the 29,077 households that were successfully interviewed, 155,553 household members were listed, 77,025 males, and 78,528 females translating to sex ratio (male: female) figure of 98.1 and an average household size of 5 members at the national level. Sex ratio across age group ranges from 92 percent for the 15-64 age-groups to 165 for persons aged 65 years and above. Corresponding figures for age groups <5, <15 and 50-54 are 104, 101 and 95 respectively. The population is 71 percent rural and 29 percent urban; eighty-seven percent of the households are

headed by the male and 13 percent by the female. The overall dependency ratio is 0.99. This figure indicates an economically active person caters for one other person. From the results of MICS4, children aged 0-14 years constitute 47 percent of the population and those aged 0 -17 years account for 53 percent of the males, 51 percent of the females and 52 percent of the combined population.

7. Characteristics of Women and under five Children

The age distribution of population of women of reproductive age indicates that 35 percent are adolescents (15-24 years). Those in age group 25-34 years constitute another 35 percent, while others (35-349) constitute 30 percent. A little above one quarter (28 percent) of the women of reproductive age report never to have given birth; 70 percent are currently married or in union and one quarter of the eligible women have never married. Thirty two percent of the women have no education, 18 percent have primary while 50 percent have secondary or higher education. About 23 percent of women of reproductive age live in richest households while 18 percent live in poorest households. Nigeria's MICS4 shows that children under five are 51 percent male and 49 percent female; the figures translate into a sex ratio of 104. Seventy six percent of the under five children live in rural areas while 30 percent live in the urban. Fifty four percent of children under five have mothers with no education, 20 percent have mothers with primary education while 37 percent have mothers with at least secondary education. Twenty three percent of the under five children live in the poorest household while 18 percent live in richest households.

8. Child Mortality

The infant mortality rate is estimated at 97 per thousand, while the under-five mortality rate is 158 per thousand (Rates refer to mid-2005, North Model). The infant mortality rate for male child is 106 per thousand against 86 per thousand for the female child. Similarly, the under-five mortality rate was 170 per thousand and 144 per thousand for the male and female child respectively. Infant and under-5 mortality rates are lowest in South-West zone with 55 and 83 per thousand respectively while the corresponding figures for North-West. North-West are 123 and 208 per thousand respectively. Infant mortality rate is lower in urban areas (68 per thousand) than rural areas (110 per thousand) while under-5 mortality rate is 106 per thousand in urban against 182 per thousand in rural. Infant mortality rate for children of mothers with no education is 121 per thousand while that of children of mothers with secondary education or higher is 66 per thousand. Again, under-five mortality rate for children of mothers with no education is 203 per thousand while that of children of mothers with secondary education or higher was 102 per thousand.

Considering the wealth index quintiles, infant mortality rate is 132 for the poorest quintile while the richest is 51 per thousand. Similarly, under-five mortality rates are 223 and 76 for the poorest and the richest quintiles respectively.

9. Nutrition

In Nigeria, 24 percent of children under 5 are underweight (9 percent severely), 36 percent are stunted (19 percent severely) and 10 percent are wasted (3 percent severely). Malnutrition rates in the North-West, North-West and North-East. North-East regions are higher than in the South. Children in rural areas are more likely to have nutritional deficiencies than those in urban areas with respectively 19 percent underweighted against 31 percent. Prevalence of malnutrition decreases with education of mother and as wealth status improves from poorest to richest quintiles.

10. Breastfeeding and Infant and Young Children Feeding

Overall, about 95 percent of the children covered were ever breastfed. Twenty three percent of babies are Breastfed for the first time within one hour of birth, at least two-thirds start breastfeeding within one day of birth, while 57 percent received a prelatic feed. Ninety-seven percent of children were ever breastfed in urban area while it was 95 percent in the rural area. About 15 percent of children 0–5 months are exclusively breastfed while 70 percent are predominantly breastfed. More male children 0-5 months are exclusively breastfed than their female counterpart with 16 and 14 percents respectively. Higher percentage of children in the urban areas (21 percent) is exclusively breastfed than children in rural areas (13 percent). Percentage of children whose mothers have at least secondary education and who received exclusive breastfeeding is about 21 percent, while those of mothers with no education is about 8 percent. In Nigeria, 19 percent of children below 2 years are fed using a bottle with a nipple.

11. Salt Iodization

Most of the households (80 percent) consume adequately iodized salt (15 parts per million) or more). North-West region has the lower iodized salt consumption level, at 63 percent.

12. Children's Vitamin A Supplementation

About two-thirds of children aged 6-59 months received high dose of Vitamin A supplement in the last 6 months preceding the survey. Higher percentage of children whose mother has secondary or higher education (79 percent) received vitamin A supplement than those whose mothers have no education (52 percent). Similarly Children from rich households receive vitamin A supplement (83 percent) than children from poor households (47 percent).

13. Low Birth Weight

About 15 percent of newborn babies were weighted at birth and approximately 25 percent of infants are estimated to weigh less than 2500 grams at birth. Zonal variation of 20 percent low birth weight in the North-West and 12 percent in South-South was recorded. Urban-rural differentials for low birth weight are 13 and 16 respectively. Many children born into poorest quintile households have low birth weight (about 19 percent) compared to 12 percent for those in richest quintile. Children of mothers with secondary education or higher with low birth weight is about 13 percent and about 19 percent among the mothers with no education.

14. Immunization

In Nigeria, almost two third 962 percent) of the children aged 12-23 months have received BCG by the age of 12 months, but only 43 percent have received three doses of DPT and 46 percent have received the third dose of polio vaccine. The coverage for measles vaccine is about 49 percent and yellow fever is 40 percent. Twenty eight percent of children have received all their vaccines by the age of 12 months and one fifth (20 percent) have not received any vaccinations of children vary according to the characteristics of the mother. Only 10 percent of children of mothers with no education have received all their vaccines while it is 454 percent when she has secondary level and more. In all, only a quarter of children had vaccination cards.

15. Neonatal Tetanus Protection

Fifty percent of women received two doses of tetanus toxoid protection during the last pregnancy while 55 percent of the women with live birth in the last two years preceding the survey received neonatal tetanus protection. Seventy five percent of women in urban area received tetanus toxoid vaccine against 46 percent in the rural area. The percentage is 78 and 31 in south-West and North-West respectively.

16. Oral Rehydration Treatment

Forty-four percent of fewer than five children, who had diarrhea in the two weeks preceding the survey received one or more of the recommended home treatments (ORS or homemade fluid). Twenty eight percent of the children received oral rehydration therapy with continued feeding.

17. Care Seeking and Antibiotic Treatment of Pneumonia

In Nigeria, 45 percent of under-five children with suspected pneumonia received antibiotics. The percentage was considerably higher in the urban area (93 percent) than rural (43 percent). About 11 months with suspected pneumonia were taken to appropriate health provider.

18. Use of Solid Fuel

In Nigeria, about three-quarters of households are using solid fuels for cooking out of which 68 percent of them are using wood. Eighty-nine percent of households in the poorest quintile are using wood while it is only 15 percent for those in the richest quintile. About 90 percent of households in rural area are using solid fuels against 45 percent in urban areas. Differentials use of solid fuel with respect to household wealth and educational level of household heads are also significant.

19. Children Sleeping Under Mosquito Nets

In Nigeria, 40 percent of households have at least one insecticide treated net. Only 19 percent of children under the age of five slept under any mosquito net the night prior to the survey. During this period, 16 percent of the under five children slept under an insecticide treated net. The same proportion of children (16%) slept under ITN in both rural and urban. However, a higher proportion of female under-five children (17%) than male children (16%) slept under insecticide treated net.

20. Malaria Treatment

In Nigeria, 20 percent of children under age five had fever in the two weeks preceding the survey. Among these children, 45 percent received anti-malarial medicine. In rural areas, malaria treatment of children with fever was 40 percent compared to 58 percent in urban areas, a quarter of children with fever were given Chloroquine, 6 percent were given SP/Fansidar, and only 4 percent received Artemisinin Combination Therapy (ACT). In Nigeria, 19 percent of women age 15-49 years had a live birth during the two years preceding the survey took SP/Fansidar two or more times.

21. Hand Washing

About 27 percent of households in Nigeria have specific place for hand washing. Water and soap are available in 48 percent of the households where place for washing hand was observed. Rural-urban differences in availability of water and soap is noticeable from the result.

22. Water and Sanitation

About six in every ten households in Nigeria are using an improved source of drinking water with higher percentage of 73 percent in urban areas against 51 percent in rural areas. Wealth quintile and level of education have influence on the household source of drinking water. Generally, the most important source of improved drinking water is the borehole, which contributes 32 out of the 59 percent using improved water source. Overall, 31 percent of household members use an improved sanitation facility (not shared). The sanitation indicator shows similar disparities as the improved source of water: only 26 percent of household members in rural areas use improved sanitation facility against 41 percent in urban area. Still, 29 percent of the population practices open defecation.

23. Reproductive Health

In Nigeria, adolescent birth rate is 89 births per 1,000 women, while total fertility rate is 5.7 per women. The adolescent fertility rate is higher in rural (120 than urban (35). About 27 percent of women had a live birth before age 18, and about 7 percent have had a live birth before age 15.

24. Contraception

About 18 percent of women currently married or in union reported current use of contraception. The most popular method is the injectable while is used by 4 percent of married women followed by male condom with 2 percent. About 4 percent of adolescents (15-19 years) currently use contraception compared to 11 percent of 20-24 years and 19 percent for older women. The percentage of women using any method of contraception rises from 6 percent among those with no education to 21 percent among women with primary education, and to 29 percent among women with secondary or higher education. About 17 percent of women in urban area use modern method of contraceptive against 7 percent in rural.

25. Unmet Need

In Nigeria, 19 percent of women currently married or in union reported unmet need for contraception, 13 percent in respect of child spacing and 6 percent in limiting number of children wanted. Eighteen percent of women who had demand for contraception are satisfied. Place of residence, education and wealth status respectively had an impact on the extent to which women demands for contraception is satisfied.

26. Antenatal Care

The proportion of women who received antenatal care at least once during pregnancy from a doctor, nurse or midwife is 66 percent. Coverage of antenatal care is more in urban areas (88 percent) than in rural areas (56 percent). The proportions that see skilled personnel for antenatal care is under 39 percent for women with no education, 73 percent for those with primary education and over 89 percent for women with secondary or higher education. About 62 percent of women attending antenatal care have their blood pressure checked, 56 percent have blood sample taken and urine sample taken. In Nigeria, about 57 percent of women that had live birth during the two years preceding the survey made 4 or more antenatal care visits; the figure for rural is 46 percent and urban is 79 percent. The more educated the woman is or the richer her household, the more likely she is to make 4 or more antenatal visits. Four in every ten of rural women did not go for antenatal care against one in ten for urban women.

27. Assistance during Delivery

About 49 percent of births occurring in the two years preceding the MICS4 survey were delivered by skilled personnel. Doctors assisted with the delivery of 15 percent of births, Nurses and midwives assisted in the delivery of 32 percent of births. Educated women are more likely to have their babies delivered by assistance of a skilled attendant. In Nigeria, 45 percent of births are delivered in a health facility out of which 24 percent occurred in public sector facilities and 21 percent occurred in private sector facilities. About half of the births occurred at home.

28. Family Support for Learning

About 43 percent of Nigeria children (aged 36-59) months) are attending pre-school. About two-thirds of under-five children have opportunity of an adult household member engaged in more than four activities that promote learning and school readiness during the 3 days preceding the survey. On the average, adults engaged in about 4 activities with children. About 13 percent of children were living in a household without their fathers. The results shows that 6 percent of children ages 0-59 months are living in households where at least 3 children's books are present; 38 percent of them had 2 or more playthings to play with in their homes while about 57 percent of children play with toys/objects found outside their homes. Two out of every five children aged 0-59 months were left with inadequate care during the week preceding the survey out of which 36 percent were left in the care of other children.

29. Pre-School Attendance and School Readiness

Overall, 45 percent of children who are currently attending first grade of primary school attended pre-school the previous year. Rural-urban disparity is strong as more than half of children in urban areas (54 percent) had attended pre-school the previous year compared to about 40 percent among children in rural areas. The school readiness rate for children living in poorest households is 26 percent against 62 percent among those in the richest households. The pattern is the same for children of mothers with no education and those whose mothers have secondary or higher education. Regional differentials are also very significant but gender differential is not.

30. Primary and Secondary School Participation

About 44 percent of children, who are of primary school entry age (age 6) in Nigeria, are attending the first grade of primary school. The net intake rate for male is 46 percent and for female is 42 percent. The rate is 57 percent in urban against 38 percent in rural areas. North-South disparity in primary school net intake rate is noticeable. About 70 percent of children of primary school age are attending school while 30 percent are out of school. The proportion for male children attending is 72 percent and for female children is 68 percent. The primary school net attendance ratio for children in richest households is about 94 percent compared to 34 percent on poorest households. Geo-political zone is very significant to school participation rate; it is as high as 92 percent in South-West and as low as 49 percent in North-East.

The secondary school net attendance ration is 54 percent. About 20 percent of the children of secondary school age are attending primary school and about a quarter of them are not attending school at all. In urban areas, 72 percent of children of secondary school age are in

school as against 45 percent in the rural areas. At the level of geo-political zone, the ratio is least in the North-East (32 percent) and most in south-South (76 percent).

The proportion of children entering first grade who eventually reach grade 6 is 96 percent. About 85 percent of the children of primary school completion age (11 years) were attending the last grade of primary education. Transition rate from primary to secondary school is 74 percent with no significance gender differential. There is no significant difference in the attendance of girls and boys in primary school as indicated by gender parity index of 0.94 which increased to 1.00 for secondary education.

Literacy rate among young women in Nigeria is about 66 percent.

31. Birth Registration

In Nigeria, about 41 percent of births for children under-five years in Nigeria are registered. There are no significant variations in birth registration across sex and age but religion and education of mother have correlation with birth registration of children.

32. Child Labour

Forty-seven percent of children aged 5-14 years are engaged in child labour. More females (48 percent) compared to male (46 percent) of the children age 5-14 are involved in child labour. Area and wealth index quintiles have similar pattern. Percentage of children age 12-14 that are involved in child labour is 17 as compared to 57 for children that are age 5-11. North-West has the highest percentage of children aged 12-14 that are involved in child labour (21 percent) while South-West has the lowest (10 percent). About 47 percent of children aged 5-14 years who are attending school are involved in child labour activities. About three-quarters of the children involved in child labour are also attending school.

33. Child Discipline

In Nigeria, 90 percent of children ages 2-14 years were subjected to at least one form of psychological or physical punishment by any household members during the month before the survey. About 34 percent of children were subjected to server physical punishment. There are no significance differences in the percentage for gender, area and wealth quintiles.

34. Early Marriage and Polygamy

About 20 percent of young women age 15-19 years is currently married. The proportion in urban is 8 percent and rural is for 28 percent. The proportion for those with secondary education is 6 percent but for none educated is 72 percent. North-West has about 52 percent of young women age 15-19 years currently married, while it was only 3 percent in South-East. Percentage of women age 15-49 years in polygamous marriage/union in Nigeria is 34 percent.

In Nigeria, 18 percent of women married before age 15 while 40 percent married before age 18. Urban-rural, geopolitical zones and wealth index quintiles are important factors. About 44 percent of women aged 20-24 is currently married to a man who is ten years or more older and 52 percent of women age 15-19 are currently married to men who are older by ten years or more. Significance differences are observed between zones in the North and South and education of women.

35. Female Genital Mutilation/Cutting

In Nigeria, 27 percent of women aged 15-49 years had one form of FGM/C or another. Of this number, 13 percent had flesh removed, 2 percent were nicked, and 1 percent was sewn closed while about 11 percent could not determine the form of the mutilation. The percentage of women involved in FGM/C is least in North-East (3 percent) and highest in the South-West (48 percent). The prevalence of FGM/C is associated with age, education and wealth status. Twenty two percent of women thought it should be continued while 66 percent believed it should be discontinued.

36. Domestic Violence

Overall, 46 percent of women in Nigeria feel that their husband/partner has a right to hit or beat them for at least one reason. Twenty-nine percent of women believe that their husband/partner is justified in beating them if they neglect their children, about 26 percent said if they go out without telling their husbands. A larger proportion of women who are currently married believed their husbands are justified for beating them (48 percent) compared with those never married (37 percent).

37. Knowledge about HIV Transmission and Misconceptions about HIV/AIDS

The result of MIC4 shows that 90 percent of women aged 15-49 years have heard of HIV/AIDS. Seventy-two percent of the women agreed that transmission could be prevented if a person is having only one faithful uninfected sex partner, while 54 percent agreed that using a condom every time could prevent it. About 60 percent said HIV cannot be transmitted by mosquito bites and 61 percent knew that HIV cannot be transmitted by supernatural means and 64 percent knew it cannot be transmitted by sharing food.

In 2011, 77 percent of women knew that HIV could be transmitted from mother to child compared to 68 percent recorded in 2007.

Three out of every five women age 15-49 years have knowledge of a place for HIV testing in the country; 74 percent in urban and 54 percent in the rural areas. About 30 percent of the women interviewed were tested for HIV out of which 11 percent of the women were told the outcome of the test or shown the result.

38. Sexual Behaviour Related to HIV Transmission

Sixty-three percent of the young women age 15-24 had ever had sex while 59 percent of women had sex in last 12 months. About 38 percent of women who never married reported they never had sex, 16 percent of women age 15-24 years had sex before age 15. About 3 percent of the women had sex with more than one partner in the 12 months and about 47 percent used a condom last time they had sex. Forty-eight percent of the women were provided information about HIV prevention during antenatal visit as against 37 percent in 2007. Also, 37 percent were tested for HIV testing at the visit, while 29 percent received the results of the HIV test. In addition, 29 percent of the women, who received HIV counseling with HIV test, accepted the results.

39. Orphans

Overall, 9 percent of children 0-17 years were not living with their biological parents. About 7 percent of orphans have one or both parents died. In Nigeria, about 1 percent of children aged 10-14 have lost both parents and 80 percent of them were attending school. In Nigeria, percentage of children who are non-orphan and are attending school is also about 80 percent.

SECTION 3

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

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

i. Legislative Measures:

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

ii. Policy Measures

- The Transformation Agenda of the Federal Government of Nigeria 2011-2015

- The National Human Rights Commission Action Plan for the Promotion and Protection of Human Rights in Nigeria 2009-2013.
- National Peace Policy **2009**
- National Policy on Internally Displaced Persons (IDPs) **2012**.
- National Policy on Migration **2012/13**.
- National HIV-AIDS Prevention Plan **2007 (2007-9)**.
- National Health Policy **2004**
- National Strategic Health Development Plan **2010 (2010-15)**
- National Implementation Plan of Nigeria's Vision 20:20-20 (**2010-13**) **2010**.
- National Gender Policy on Education, **2008**
- National Teacher's Policy on Education, **2008**
- National Policy on HIV AIDS Education, **2008**
- National Gender Policy, **2007**
- National Child Policy of 2007 and its Strategic plan of Action/implementation framework **2007/2008**
- National Plan of Action on OVC and its Guidelines and Standard of Practice, **2007**.
- National Policy on Environment, **1999**.
- National Policy on Malaria Control (**2005**)
- National Guidelines on Micronutrients Deficiencies control in Nigeria (**2005**)
- National Guidelines and Strategies for Malaria Prevention Control During Pregnancy (**2005**)
- National Policy on Education **2004**
- Integrated Rural Development Policy **2001**
- National Policy on Poverty Eradication **2001**
- National Housing Policy for Nigeria.
- National Policy on the Elimination of Female Genital Mutilation (FGM) **2002**.
- National Environmental Sanitation Policy **2005**.
- National Strategic Framework and Plan for W/F Eradication in Nigeria (**2005-2010**)
- National Reproductive Health and Strategic Framework and Plan (**2002- 2006**)
- National Policy on HIV-AIDS (**2003**)
- National HIV/AIDS and Reproductive Health Survey (**2003**)
- National Policy on Food and Nutrition in Nigeria (**2001**)
- National Water Supply and Sanitation Policy (**2000**)

iii. Judicial Intervention/Measures;

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

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

Many other cases endorsed *Fawehinmi v Abacha* on the point of international flavour of the domesticated African Charter. These include: *Chima Ubani v. Director of State Security Service, Comptroller General of Prison v Adekanye* and other. In the latter case, Justice Galadima of the Court of Appeal, Lagos said that:

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

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

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

- **The National Human Rights Commission** established by the NHRC Act Cap.N46 Vol.11 Laws of the Federation of Nigeria 2004 **as amended by the NHRC Act 2010** is mandated to promote and protect human rights and to ensure discharge of Nigeria's human rights obligations.

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

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

Nigeria is the second African country to have deposited National Action Plan on the Promotion and Protection of Human Rights 2009-2013 with the U.N. Secretary General. The NHRC played critical role in the development and publication of the NAP document. The NAP is an integrated and systematic national strategy aimed at realizing the enjoyment of human rights in Nigeria. It is also a commitment to concrete measures that can be adopted to entrench a culture of human rights in the country. The document was submitted by Nigerian Government at the Office of the High Commissioner for Human

Rights in Geneva on 24th July, 2009. All Ministries, Departments and Agencies (MDAs) of government were sensitized on the need to mainstream the document into their developmental plans towards the end of 2009.

Establishment of Public Interest Litigation Unit: The Commission observed that majority of victims of human rights violations could not access the court for appropriate redress either because of ignorance of the process or lack of financial resources. In order to assist victims seek appropriate redress and remedy and to ensure that perpetrators of human rights violations are brought to justice, the Commission established a Public Interest Litigation Unit. Through the activities of the Unit, many perpetrators were brought to justice including trans-national corporations and organized private sector. This has further brought justice to victims and sent signal to perpetrators that they could no longer violate citizens' rights with impunity.

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

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

- **Legal Aid Council of Nigeria**

1. The Legal Aid Council of Nigeria **was** established by Legal Aid Act No 56 of 1976 (**now repealed and re-enacted as Legal Act 2011**) is a **parastatal** under the supervision of the Federal Ministry of Justice. The Council is charged with the statutory responsibility of providing free Legal Representation, Legal Assistance, Legal Advice, to indigent Nigerians. The Council **engages salaried lawyers and** coordinates the activities of lawyers who provide pro bono services Besides its jurisdiction over such cases as murder manslaughter, rape, stealing, common assault occasioning actual bodily harm, affray, malicious or willful wounding, conspiracy, aiding and abetting and armed robbery cases, it also undertakes civil claims in respect of (a) accidents (b) breaches of fundamental rights **and intervenes in civil matters resulting from criminal prosecutions.** In addition to the above the Council provides mediation services in all its state offices as her contribution to promoting Alternative Dispute Resolution.

- **Human Rights Activities of the Council**

- a. The Council has secured funding to lead a World Bank Project in Kaduna State on Civil access to Justice. This project is **presently being executed through creation of Rights Awareness and promotion of Alternative Dispute Resolution through Mediation at** twenty (20) Legal Aid Centres across the state (16 at Local Government Areas, 3 at Senatorial Districts and 1 in Ahmadu Bello University) to ensure that civil access to justice reaches the poor. Ten (10) centres **had been**

commissioned, including that of Ahmadu Bello University, Zaria in 2012. Ten **others** would be commissioned in 2013.

In 2012, **three** training workshops on “Legal Rights and Successfully Managing People” and **one on** Mediation were conducted in Southern, Central and Northern Senatorial Districts of Kaduna State to empower 2,000 participants drawn from **Traditional Rulers (the Emirate)**, religious leaders, local government staff, market women, Non-governmental Organizations, Private Legal practitioners, National Youth Service Corp members and trade unions who **are identified as relevant to** mediation and sensitization activities. The object is to bring civil access to justice to the grassroots in Kaduna State with specific focus on Alternative Dispute Resolution and a decongestion of the courts.

- b. The Police Duty Solicitors Scheme (PDSS) **continues to be** part of the Council’s Pre-Trial Detention Project (PTD) which **has recorded immense successes in reducing pre-trial detention times**, in conjunction with the Nigerian Police Force and Open Society Justice Initiative to fast-track processes involved in the criminal justice system as an intervention to the burgeoning prison congestion. The project which was piloted in six (6) states of Imo, Kaduna, Ondo, Sokoto, Plateau and Rivers State has now been extended to Kebbi and Edo State.
- c. One Stop Claim Shop For Motor Accident Victims (OSCAR) has continued to be a veritable initiative in delivering compensation services to motor accident victims. The scheme **is now extended to** Kogi, Kaduna, Nasarawa and Niger States following a successful pilot scheme in Abuja. In the period between January 2011 and May 2013 the scheme completed the claims of 129 persons involving a total claim of N37,796,470.00 (Thirty Seven Million, Seven Hundred and Ninety Six Thousand, Four Hundred and Seventy Naira) only. The **initiative** continues to discourage invalid motor vehicle insurance by verifying the validity of motor insurance policies.
- d. In the period between 2011 and 2012, **in order that the Legal Aid Council’s free services can reach more people at the grassroots level and make access to justice available to many more indigent persons, the Council commissioned more Legal Aid Centres in the following Local Governments – Katsina-Ala (Benue State), Ogbia (Bayelsa State), Sagbama (Bayelsa State) Otuocha (Anambra State), Ningi (Bauchi State), Abomena (Rivers State), Bida (Niger State), Suleja (Niger State) and Gwagwalada (Federal Capital Territory)** as part of the drive to establish legal aid offices in all 774 local government areas of the Federation, bringing the total up to **thirteen (13)** presently. The establishment of these legal aid centres has enabled Nigerian citizens residing in the rural areas to promptly access justice.
- e. The Legal Aid Council **has commenced the drive to** collate its panels of registered lawyers into a directory of those who have applied to provide pro bono services to the over 100 million Nigerians who cannot afford the services of paid lawyers. The Council is positioned to coordinate and to monitor these activities and provide general information on pro bono lawyers, Legal aid providers and practitioners nationwide. This directory would also assist national and international donor agencies to determine who is providing legal aid services and consider collaboration and sponsorship. **On the 19th of September 2013 and in line with its mandate, the Council will convene a conference of pro bono lawyers to consolidate on this initiative**
- f. The Council has initiated the training **and upgrading** of some of its administrative officers as Paralegal officers. The training covers Legal system and Human Rights, Para legalism, civil/criminal procedure, family law, landlord and tenant to give the trainees the core skills of

assisting the Legal Officers in problem solving within the Council. These paralegals would be deployed to the grassroots to provide first line access to justice services.

- g. The Federal Government has provided funding and the Council have acquired a Headquarters office complex. The Council has equally received the Federal Government's approval for the recruitment of more lawyers to ensure a conducive working environment and provision of effective and efficient proactive legal services to indigent Nigerians.
- h. In September 2012 the Federal Government, at the United Nations General Assembly re-affirmed its commitment to promoting the Rule of Law and undertook to support the Legal Aid Council with increased funding, increased personnel by 15% and increased service delivery by 40%. To this end the Council has received the Federal Government's approval to recruit more lawyers and is presently enjoying the deployment of SURE-P lawyers to boost the Council's manpower.
- i. The Legal Aid Council observed that there are many convicts who deserve a second chance. To this end, the Council established a prerogative of Mercy Unit in its efforts to contribute to the Prison Decongestion Agenda of the Federal Government. Through the activities of the Unit, some State Governors have granted prerogative of mercy to some convicts. A total of ten convicts have been granted pardon while some applications are pending.
- j. The Council, in collaboration with Lawyers Without Borders (France) has completed its collaborative training of justice sector stakeholders on the United Nations Convention Against Torture in Kano, Kaduna, Lagos and Plateau States.
- k. Concerned with the number of Persons in prison detention awaiting trial, the National Assembly resolved in 2012 to charge the Council with the responsibility of decongesting the Nigerian Prisons. Accordingly the Council has set up a Prison Decongestion Unit which is articulating the Council's strategy for delivering on this starting with prison audit and collaboration with the prison authority.
- l. The Council has produced an illustrative book on the Child Rights Act / Law, to educate children and parents alike, which is presently being distributed to schools across the nation.
- m. The service delivery records of the Council, from inception to March 2013 are as tabulated below:

Table 16: - Legal Aid Cases

Nature of Cases	Granted	Completed
Criminal	88,345	58,372
Civil	9,210	5,900
PDSS	19,688	19,688
Total	117,243	83,960

Source: Legal Aid Council, Nigeria: March, 2013.

- **The Legislature**

In Nigeria, the Senate and House of Representatives (the two houses of the National Assembly) have committees on human rights, judiciary and legal matters with oversight function on national human rights institutions and other government agencies to ensure the effective promotion and protection of human rights. The National Assembly also has a specific responsibility for the domestication of all international instruments. Some of the legislations passed, or are in the process of being passed by the Assembly include: (a)

National Action Plan on Human Rights; (b) Domestication of the International Convention on the Rights of the Child into the Child Rights Act; (c) The Freedom of Information Bill; (d) Anti-discrimination Bill; (e) Prison Reform Bill; (f) Administration of Justice Reform Bill; and (g) Debate on the Death Penalty.

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

- **Law Enforcement Agencies and Human Rights**

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

Table 16a: Number of Cases Reported/Investigated/Prosecuted and Convicted by the Police/NAPTIP for Crime against Children in 2011-12

SN	Types of Offence	No. of Cases Reported		No. of Cases Investigated		No. of Cases Prosecuted		No of Cases Gain Conviction	
		2011	2012	2011	2012	2011	2012	2011	2012
1	Pornography	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
2	Child Abuse	2	100	2	80	2	5		
3	Child Labour	8	54	8	47	3	17		
4	Rape/Indecent Assault/ Sexual Abuse	1,478	1,488	1,478	1,486	70	71		
5	Sexual Exploitation	143	156	143	152	126	127		29
6	Sexual Behaviour	Nil	Nil	Nil	Nil	Nil	Nil		
7	Child Kidnapping/ Abduction	17	53	17	47	9	9		

v. Challenges

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

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

SECTION FOUR

INDIVIDUAL CIVIL AND POLITICAL RIGHTS: - ARTICLES 2-13

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

1.0 Legal/Policy and Administrative Measures.

1.1 Non Discrimination

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

1.2 Measures taken to deal with cultural practices affecting children.

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

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

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

1.4 Administrative and Legislative Measures to Accelerate Equality

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

1.5 Special Measures Taken to Ensure Equality between Men and Women

A significant achievement has also been made in the area of women development. In particular, there was an increase in women's representation in governance and attainment of 33 percent affirmative action in federal appointments at the executive level. With the appointment of 13 female Ministers out of 42, representing 31 percent and 4 Special Advisers out of 18, representing 23 percent. Mr. President has set a good example and is signalling his commitment to women's empowerment and gender sensitive policies.

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

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

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

1.6 Political Parties

Efforts were made by the FMWA & SD, CSOs and the National Coalition on Women's Political Participation to engage political parties on the need to adopt the policy of affirmative action towards ensuring increased participation of women in party politics particularly in the 2011 elections. This resulted in the gains made by women in the Current dispensation earlier highlighted in this report.

Female Political Pressure groups were set up to build the capacity of female aspirants, encourage more women to register and join political parties and participate more effectively in the political processes.

1.7 Challenges

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

1.8 EQUALITY IN MARRIAGE AND FAMILY

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

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

1.8.2 Other Related Initiatives by NGOs and Government

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

- **Challenges**

Though between 2010 and 2012 there has been a remarkable improvement in the generation and use of gender disaggregated data by the National Bureau of Statistics, the Central Bank of Nigeria and the National Planning Commission, the absence of such data in other sectors of the economy, society and justice system is a constraint to the achievement of equality of women and men before the law, depriving gender actors evidence to argue for affirmative action and gender specific concessions and interventions as a strategy for attaining gender equality. There is need to have useful data on the prevalence and pattern of violence against women and discriminatory practices in the various parts of the country and the contribution of women in the informal sector of the economy.

CHAPTER 2: - Right to Life: - Article 4

1. Constitutional and Judicial Measures

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

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

I. Policy Measures

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

a) Access to Primary Health Care

- Over 433,650 lives have been saved in 2011 and 2012 through Saving One Million Lives (SOML) Initiative
- Midwives Service Scheme (MSS) and SURE-P Maternal and Child Health (MCH) programme
 - a) A total of 9,243 frontline health workers have been recruited, trained and deployed to most underserved communities in Nigeria to increase antenatal attendant coverage,
 - b) 1,500 primary healthcare facilities have been refurbished and supplied with the essential commodities to increase delivery skilled-birth attendant, and
 - c) In 2012 alone, 1.044 million antenatal care visits were made in the 1,000 MSS facilities across the 36 states and FCT, which is a 26 percent increase from 828,922 reported in 2011 to increase postnatal care coverage
 - d) over 141,929 deliveries were carried out by skilled-birth attendants
 - e) over 145,990 women attended family planning clinics in 2012
- Improving Tertiary Healthcare to bring the country's tertiary healthcare facilities to international standards

- a) Upgrading of tertiary health facilities infrastructure (involving the rehabilitation and equipment of Federal Tertiary Hospitals)
- b) modernisation of two additional hospitals (OAU and UniBen Teaching hospitals) completed and awaiting commissioning
- c) modernization of Nnamdi Azikiwe University and University of Calabar Teaching Hospitals at advanced stage of completion
- d) upgrading and accreditation of the four Regional Biomedical Maintenance Training Centres have commenced
- e) the new trauma centres at the University of Abuja Teaching Hospital, Gwagwalada and the National Hospital (NHA), Abuja are nearing completion.

b) Survival of Children

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

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

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

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

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

- Iodine and Vitamin A Supplementation Exercises;
- The "Roll-back Malaria" project; including the popularization of the use of insecticide treated mosquito nets;
 - Various interventions by states and local governments in cases of abject destitution and hardship, particularly where children are involved;
 - The promotion of exclusive breast-feeding for the first six months of life;
 - The promotion of household and community practices for child survival such as parent and community education initiatives;
 - Group monitoring for Under-Fives;
 - Oral rehydration therapy for diarrhea and gastro-intestinal diseases;
 - Integrated Management of Childhood Illness (IMC); and
 - School Feeding Programmes in Abia, Benue, Enugu, Imo, Kogi, Nasarawa and Osun States.

CHAPTER 3: - Right to Human Dignity and Prohibition of Torture and Inhuman Treatment: Article 5

1. Constitutional and Judicial Measures

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

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

- In 2009 the FGN set up a Committee on the Prevention of Torture to review allegations/complaints of torture in law enforcement detention centres and police cells etc with a view to recommending appropriate intervention measures to be taken by the Federal Government against violators. At the time of this report, there is no available report of the activities of the committee.
- The Legal Aid Council is in collaboration with Lawyers Without Borders, France and the Nigerian Bar Association **has concluded** training and creating awareness on the provisions of **United Nations** Convention Against Torture to Lawyers, Police, Judiciary, Prison Officials and other Stakeholders in the four states of Kaduna, Lagos, Plateau, Kano. This three year project, sponsored by the European Union, **was concluded** in **2012.**

CHAPTER 4: - Right to Personal Liberty: - Article 6.

1. Constitutional and Administrative Measures

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

2. Prison Decongestion and Reform Initiative of the Federal Government: 2008-11

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

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

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

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

The major challenge has been the high level of awaiting trial prisoners in the system. For now out of 47,508 prisoners in custody, 30,629 are awaiting trial; some for more than 17 years. The total number as at April 2013 of condemned convicts is 1,128 (1,119 males and 19 females). The major constraint is how these awaiting trial persons, who are still considered innocent in law, can get fair and fast trial.

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

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

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

CHAPTER 5: - Right to Fair Trial: - Article 7

1. Constitutional and Administrative Measures

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. Constitutional and Judicial Measures

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

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

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

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

1. **Constitutional and Administrative Measures**

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

2. **Legislative Measure: Freedom of Information Act, 2011:** The Act contains far reaching provisions capable of transforming the clandestine system of governance that has, until now, been the norm of Nigeria's public institutions. The underlying philosophy of the Act is that public officers are custodians of a public trust on behalf of the people who have a right to know what they do. In particular, the FOIA promises to remove the aura of mystery and exclusion with which public servants clothe the ordinary operations of government and public institutions and manage public records and information. Below are the highlights of the ten most significant provisions of the FOIA: - The FOIA supersedes the Official Secrets Act (OSA); anyone can request for information under the FOIA; response to access request should be given within 7 days; there are penalties for destruction of Records; fees may be charged to recover costs of duplication and transcription of records; public institutions must keep proper records; whistleblowers will be protected; some categories of information are exempted from disclosure; there is a right of access to remedies, including judicial review; the Federal Attorney-General Oversees proper implementation of the FOIA.

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

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

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

1. Constitutional and Administrative Measures

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

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

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

1. Constitutional and Judicial Measures

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

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

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

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

1. Constitutional and Judicial Measures

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

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

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

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

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

1. Constitutional and Judicial Measures

- Though not explicitly provided for as a right under the Constitution, the cumulative effect of sections 14 and 17 of the constitution is that: -
 - a) the Federal Republic of Nigeria shall be a State based on the principles of democracy and social justice;
 - b) the participation by the people in their government shall be ensured in accordance with the constitution such as: -
 - c) the ideals of freedom, equality and justice on which the state social order is founded;
 - d) every citizen shall have equality of rights, obligations and opportunities before the law, in furtherance of the State social order;
 - e) citizens' right to elect and to be elected or the right to choose and participate in political decision without any discrimination and in accordance with the Electoral Act;
 - f) citizen's right to free and fair elections that is not characterized by an atmosphere of intimidation, electoral malpractices resulting into electoral violence and denial of the right to participate in democratic governance.
- Electoral Act 2011 as amended: Establishes Independent National Electoral Commission (INEC) to conduct free and fair elections, conduct registration of political parties and monitor their compliance with the electoral law, among others.
- The Courts have held that the right to free and fair elections is a major determinant of the right to participate in democratic governance without discrimination and abuse of legal power: - See *Abubakar v. INEC* (2004)1 NMLR (pt.854)207; *Ngige v. Peter Obi and Ors* (2006)14 NMLR (pt.999)1 CA at 66; *Atiku and Action Congress and Ors v. INEC and Ors* (2007) ALL FWLR (pt.353)3.

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

Note: See Item 2.2 above on Gender Disaggregated Data and Analysis on the above measures taken.

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

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

Table 17: - Broad Delivery Strategies and Policy Outcomes

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

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

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

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

Progress towards target

- **Note:** See Item 2.2 above on Gender Disaggregated Data and Analysis on the above measures taken.
- National Strategic Framework (2008-2012) of the Gender Policy produced and launched in May 2008;
- National Gender Management System of the Gender Policy produced and launched in May 2008;
- In the area of judicial appointments, between 2006 and 2010, 3 women have been appointed to the exalted Supreme Court bench, this represents 12%. Out of the 70 current justices of the Court of Appeal, about 15 of them are female. Across the 36 states of the Federation and the Federal Capital Territory Judiciaries, more women have been appointed as High Court Judges accounting for about 30% of the total number of Judges in the country. Reports tend to show that there are more female Magistrates than male in the country.
- Measures in place to support women entrepreneurs/enhance their social security include the following:
 - i. Economic and Social Empowerment of the Nigerian women is in different stages, the Ministry of Women Affairs has transcend the initial stage of advocacy to action which involves various funding mechanisms for economic growth of the women, such as Micro-Credit Loan Scheme for

Women, Women Fund For Economic Empowerment (WOFEE), Business and Development Fund for Women (BUDFOW) etc.

Challenges

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

SECTION FIVE

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

CHAPTER 12: -Right to Property and Housing: - Article 14

Constitutional Legislative and Judicial Measures

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

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

The Courts have been able to rise to the defence of citizens where government agencies have abused the provisions of the Land Use Act 1978 and the Public Lands Acquisition Act 1976, to dispossess citizens of landed property under the guise of the "overriding public interest" and "public purposes" clauses. Most recently the Court of Appeal in the case of **TIMOTHY v. OFORKA (2008) ALL FWLR 1370 at 1381** declared that a native law and custom, which does not allow women to deal in land, was not only unconstitutional but also repugnant to natural justice, equity and good conscience.

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

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

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

3. Initiatives Relating to Housing:

- Funded the building of more than 61,193 housing units through the Federal Mortgaged Bank-Administered National Housing Fund (NHF) Scheme in six geopolitical zones to provide affordable and quality Homes;
- Increased total number of housing units by 1,407 in 2011 from 7,743 in 2010 through Public Private Partnership
- Provision of a total number of 1,405 and 3,529 mortgages through the Federal Mortgage Bank of Nigeria (FMBN) in 2011 and 2012 respectively.

CHAPTER 13: -Right to Work: - Article 15

1. Constitutional and Judicial Measures

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

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

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

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

- The Ministry of Labour recognizes that the worker is the most important factor of production and has collaborated with the Social Partners, Development Partners, Non-Governmental Partners Organizations and People Living with HIV/AIDS to develop and produce the National Workplace Policy on HIV/AIDS as well as an implementation manual of the policy. The policy which is right based provides guidelines for government, employers, workers and other stakeholders in the workplace and also identifies strategies and programmes for protecting the rights and dignity of workers infected by the virus. The Ministry is also extending care and support to some of its staff that are affected by the scourge to enable them to be in employment as long as they could.
- **Achievements of the Ministry of Labour and Productivity 2008-12:**
 - i) **182,000 unemployed/unskilled youths were empowered in 2011 by the National Directorate of Employment (NDE) through its various training programmes. The NDE has set up four core programmes namely Vocational Skills Development (VSD), Small Scale Enterprises (SSE), Rural Employment Promotion (REP) and Special Public Works (SPW).**
 - ii) **The Nigeria Social Insurance Trust Fund has paid over 200 million naira (out of the claim of 500 million naira) to injured workers since the inception of the Employees' Compensation Scheme in 2001. The Fund had also registered over 35,000 employers under the scheme and more than over 500,000 workers since the scheme took off in 2001**

iii) New National Minimum Wage: The New National Minimum Wage (Amendment) Act 2011 which was assented to by the President in March 2011 provides for a new minimum wage of N18,000 per month.

iv) Casualisation/Contract Staffing: Also following the hue and cry over the risk to decent work and unfair labour practices in the nation's oil and gas industries, the Honourable Minister of Labour and Productivity in the year 2010 constituted a Technical Working Group (TWG) comprising of all the relevant stakeholders in the oil and gas sector including the social partners with the following terms of reference, among others: to review existing MoUs on Casualisation and Contract Staffing in the light of current realities; to come up with Guidelines to ensure unionization and Collective Bargaining for the affected workers.

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

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

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

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

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

CHAPTER 14: -Right to Health: - Article 16

1. Constitutional and Judicial Measures

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

2. Legislative and Policy Measures

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

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

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

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

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

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

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

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

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

- Achievement of sustainable economic growth, protection and preservation of the environment, poverty eradication, and provision of quality social services;
- Achievement of a balance between the rate of population growth, available resources, and social and economic development of the country;
- Progress towards a complete demographic transition to a reasonable growth in birth rates and a low death rate;

- Improvement in the reproductive health of all Nigerian at every stage of the life circle;
- Acceleration of a strong and immediate response to the HIV/AIDS pandemic and other related infectious diseases;
- Progress in achieving balance and integrated urban and rural development.

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

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

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

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

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

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

Initiatives to Reduce infant and Maternal Mortality in Nigeria:

- The Save One Million Lives Initiative was launched in 2012 by the President of Nigeria. This initiative is focused on evidence-based, cost effective interventions that are proven – and address the leading causes of morbidity and mortality. The Initiative comprises several components which will contribute to saving one million lives. The components include:
 - a) Improving Maternal, Newborn and Child Health: through delivering an integrated package of interventions at thousands of primary health care clinics with referral links, including access to a skilled healthcare provider.
 - b) Improving routine immunization coverage and eradicating poliomyelitis.

- c) Prevention of Mother to Child Transmission of HIV; through increased access to quality HIV testing and counseling to mothers; treatment of infected mothers; and exploring feasibility of universal access to HIV treatment to all those infected.
- d) Scaling up access to essential medicines
- e) Malaria control; through an increased utilization of treated bed nets and effective anti-malarial medicines;
- f) improving child nutrition;
- g) strengthening logistics and supply chain management and
- h) promoting innovation and use of technology.

In 2011, a target was set to save 800,000 lives by December, 21, 2014 and one million lives by 2015. Using the list tool, we have estimated a total lives saved of between 207,917 – 218,579 in 2012 alone, for the Save One Million Lives pillars/interventions using conservative assumptions and 2012 coverage rates. This demonstrates that we are on track to save more than one million lives by 2015

- Human Resources for Health

Midwifery Service Scheme (MSS) – The sector had engaged, deployed and retained a total of 4,000 midwives and 1,000 Community Health Workers in over 1,000 Primary healthcare facilities. The Scheme which has been in operation ensures that women in rural and hard-to-reach areas are being attended to by skilled birth attendants during childbirth. Maternal Mortality ratio has reduced from 545/100,000 live births in 2008 to 487/100,000 in 2011 (Lancet 2011). This Scheme is now the largest single health human resource intervention of its kind anywhere on the African continent.

- Financing For Health

Community Based Health Insurance – The National Health Insurance Scheme (NHIS) has been successfully established in the formal sector and is in operation across the country. In addition, under the Transformation Agenda of President Goodluck Jonathan, activities under the NHIS have been scaled up significantly in order to ensure that more Nigerians sign on to the scheme so that out-of-pocket expenses on health will reduce, thereby freeing up resources for other important things.

Strengthening the supply of commodities for maternal mortality reduction:

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

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

- Development and revision of some important policy documents.

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

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

Progress towards target

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

The Federal, States and LGAs have used this framework to respectively develop their estimated budget plans through participatory approaches to reflect their context and prevailing issues.

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

In order to complement the National M&E Framework, a genetic sub-national M&E framework was developed which the States and LGAs adapted to their own contexts, although indicators selected for sub-national are different from those of the national level.

- The total estimated costs of the NSHDP for the six year period 2010-2015 is USD 26.653 billion with an annual cost and investment requirement of \$4.442 billion. This gives an annual cost per capita of USD 31.63. Details of the specific earmarks of each priority areas are in table 18 below.

Table 18: - Estimated Cost of the NSHDP 2010-2015

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

The overarching goal of the NSHDP is to significantly improve the health status of Nigerians through the development of a strengthened and sustainable health care delivery system. (See table 19 below)

S/N	Indicator	Baseline	Targets		
			2011	2013	2015
1.	Life expectancy at birth	47 years	55 years	63 years	70 years
2.	Under-five mortality rate	157/1000 LBs (NDHS, 2008)	130/1000 LBs	103/1000 LBs	75/1000 LBs
3.	Infant mortality rate	75 (NDHS, 2008)	60/1000 LBs	45/1000 LBs	30/1000 LBs
4.	Proportion of 1 year old immunized against measles	41.4 (NDHS 2008)	60%	80%	95%
5.	Prevalence of children under five	27.1 (NDHS, 2008)	24%	20%	17.90%

	years of age who are underweight				
6.	Percentage of Children under 5 sleeping under insecticide-treated bed nets	5.5 (NDHS, 2008)	24%	42%	60%
7.	Maternal mortality ratio	545/100,000 LBs (NDHS 2008)	409/100,000 LBs	273/100,000 LBs	136/100,000 LBs
8.	Adolescents Birth Rates	126 per 1000	114/r 1000	102/1000	901/1000
9.	HIV prevalence among population aged 15-24 years	4.2% (ANC Sentinel Survey)	3.2%	2.1%	1%

National Health Management Information System

In her bid to bring together national stakeholders to discuss multi-sectoral approach to advancing the use of ICT for improving healthcare delivery and other health services, FMOH recently organized a National Conference on ICT in Health in Nigeria. Under the African Union Initiative, there is a Tele-medicine Programme being supported by the Indian Government/Firm with the University College Hospital (UCH), Ibadan as Regional Focal Centre and Lagos University Teaching Hospital (LUTH) as a National Centre. These Hospitals are connected to other Hospitals in Africa for the telemedicine and medical e-learning programmes.

Partnership for Health

Collaboration with Nigerians in Diaspora – The Sector has strengthened its collaboration with Nigerians in Diaspora. That has led to the signing of Memorandum of Understanding (MoU) between the Federal Ministry of Health, Medical Association of Nigerian Specialists Across Great Britain and Association of Nigerian Physicians in America on Education and Training, Research for Health, Service Delivery and Skill Transfer, Quality Assurance and investments. This has led to the donation of medical books, equipment and drugs.

- Federal Neuro Psychiatric Hospital, Kaduna (Commissioned a new Male Medical Ward, New Female Medical Ward, Laboratory Block, Child and Adolescent building, reconstructed Female Ward, Medical Library and Occupational Therapy Complex)
- Federal Neuro Psychiatric Hospital, Calabar (Commissioned the new Medical Block and the rehabilitated Occupational Therapy Unit).
- Federal Medical Centre, Makurdi (Projects completed and awaiting commissioning (Intensive Care Centre, Laboratory block, Male & Female surgical Wards, Laboratory Block at Outreach Centre, Male and Female Wards at Outreach Centre and Assorted medical Theatre Equipment).

Disease Control and Surveillance

International Vaccine Summit – The first International vaccine summit was held in Abuja on 16th & 17th April, 2012. The objectives of the summit were to:

- Articulate a national consensus statement and call to action for the achievement of universal vaccine coverage for all Nigerian children by the year 2015, as part of overall efforts to achieve MDG 4.
- Raise pledges of commitments and action from Nigerian leaders across political, business, traditional and religious spectrum for vaccines and immunization.

- Establish action plans and accountability framework to ensure that the resolutions and commitments made at the summit are fulfilled.

Polio Eradication – In our effort to eradicate polio, the President, Federal Republic of Nigeria has doubled the funding of Polio Eradication activities to 4.7 billion Naira. The Presidential Taskforce on Polio Eradication has been constituted and inaugurated under the Chairmanship of the Honourable Minister of State for Health. A new robust Polio Eradication emergency plan has been developed with an accountability framework. All States Governors and the Minister of FCT have re-committed to the Abuja commitment and in the last one year have actively and personally led the quarterly Supplementary Immunization Days (SIDs) in their respective states.

The Federal Ministry of Health also commenced a corrective survey service in collaboration with Indian authorities in order to restore the functioning of affected limbs for victims of polio.

Introduction of new vaccines such as menafric vaccines for cerebrospinal meningitis which confers 10 years protection; pentavalent vaccines (PPT, HB, Hib), will help protect our children against two additional diseases (Childhood Pneumonia & Hepatitis B). Approval from GAVI for the introduction of Pneumococcal Conjugate vaccine in 2013 (This will help prevent pneumonia and Meningitis).

Cancer Control – In continuation of its commitment to improve prevention of cancer and early management, the Ministry has established six additional screening centres for common cancers such as cancer of the breast, cervix and prostate as follows:

- Federal Medical Centre, Gusau
- University of Port-Harcourt Teaching Hospital, Port-Harcourt
- National Obstetric Fistula Centre, Abakaliki
- Federal Medical Centre, Keffi
- Federal Medical Centre, Ebuta Metta
- Abubakar Tafawa Balewa Teaching Hospital, Bauchi

HIV/AIDS Control – In the year 2012, the Federal Ministry of Health achieved the following milestones towards further improving the HIV/AIDS control:

- Signed the implementation Plan for the Framework Partnership with the United States Government. Commenced the decentralization of ART services to the primary health care level. The Ministry is an implementing partner under the Global Funds Round 8. Under this grant, PHC health workers are being trained on Voluntary Counseling and Testing, prescription and administration of anti retroviral drugs and general care of persons living with HIV/AIDS.
- In the same vein, the Center for Disease Control (CDC) project PHAID is domiciled in the agency. The project is a vehicle designed to take HIV/AIDS control to PHCs across the country. Health facilities that are not being covered under the GLOBAL fund project are being covered by the PHAID project. Recently PHC staff in 18 states of the federation were trained on various aspects of HIV/AIDS management (data opportunistic infections associated with HIV).

Roll Back Malaria

- Additional 7 million LLINs distributed bringing the total to 51.7 million.
- Procurement process for massive nationwide larviciding commenced.
- Release and dissemination of the 2010 Malaria Indicator Survey.

Guinea worm Eradication – For more than 3 years, there has been no case of guinea worm infestation and we are making all efforts to ensure that Nigeria receives certification as being Guinea worm free before the end of the year.

TB Control – Commissioning of the new Testing and Treatment Centre for Multi-Drug Resistant Tuberculosis (MDR-TB) in Lagos.

Commissioning of the new Respiratory Intensive Care Unit (Avian Flu and other viral diseases) at University of Abuja Teaching Hospital, Gwagwalada.

Provision of Specialised Care and Services:

Stem Cell Transplant for Sickle Cell Disease – In January, 2012, the University of Benin Teaching Hospital recorded a break-through in the infusion of stem cells into sickle cell anaemia patient. The input into this maiden exercise in terms of drugs, irradiation of transfused red cells, linen, special diet, harvest of stem cells in the theatre, fumigation, and constant power over the past 100 hundred days stands at N6,200,000.00 (Six Million, Two Hundred Thousand Naira Only). A similar project costs an average patient Two Hundred Thousand Euros in Switzerland (About Forty Million Naira – N40, 000,000.00). This is a great achievement and a break through.

Establishment of Geriatric Units in Federal Tertiary Hospitals – Establishment of Geriatric Centres has commenced. In line with international best practice,, the purpose of these units is to carter for the aged. The Geriatric Centre of the University College Hospital, Ibadan is ready and would soon be commissioned.

Commenced Laparoscopic Surgery at the Federal Medical Centre, Gombe as well as the successful operation of patients requiring total knee replacement by local surgeons at the University of Benin Teaching Hospital.

Kidney Transplantation: In 2012, Kidney transplant was done in Lagos University Teaching Hospital, University of Ilorin Teaching Hospital and St. Nicholas Hospital, Lagos. Other institutions where renal transplantation can be done in Nigeria are: Obafemi Awolowo.

January 2013 – May 2013

National Health Bill: The Federal Ministry of Health has continued to pursue the passage of the National Health Bill into law. In consultation with the National Assembly, the bill has been further revised before and after the Senate hearing in February 2013.

Improving protection of human research participants: through its National Health Research Ethics Committee, the FMOH has continued to foster the conduct of scientifically sound and ethically compliant health research in Nigeria. In this regard, the 2nd Forum of the Chairman of Health Research Ethics Committees of Nigeria was held in February 2013 to deliberate on how to better improve protection of human research participants.

Scale up of Health Insurance Coverage – In 2013 additional communities from 11 States have subscribed to the Community Based Health Insurance Scheme. These are Anambra, Bauchi, Borno, Ebonyi, FCT, Kaduna, Katsina, Kogi, Kwara, Lagos and Ogun.

STRENGTHS OF THE NATIONAL HEALTH SYSTEM

Strong political will and support

The support that the Federal Ministry of Health enjoys since the beginning of this administration has been unprecedented. At the Federal Level for the first time, Mr. President rallied and got all State governors and the Honourable Minister of FCTA to sign a Declaration to improve health outcomes in Nigeria; he also launched the National Strategic health Development Plan and approved it as the compass for health development in Nigeria including the NV20:2020 and the Transformation Agenda.

Partners/Donor Support

In Nigeria, the health sector is the one in which the highest proportion of international agencies are active. They comprise the multilaterals such as the World Health Organisation (WHO), UNICEF, UNFPA, UNAIDS, World Bank, African Development Bank; the bilateral which include DFID, USAID, CIDA, JICA, NGOs including Bill and Belinda Gates Foundation, MacArthur Foundation, Packard Foundation etc. These international agencies strongly cooperate with the government and provide significant technical and financial resources in the sector. It is estimated that they provide about 4% of health expenditure in the health sector. The highlight of collaboration between government and the development partners was evidenced with the collective effort to develop the National Strategic Health Development Plan (NSHDP). It is noteworthy that the partners also signed an international health partnership and related initiatives (HP+) compact to affirm their commitment to the provision of predictable and sustainable funding for the implementation of the NSHDP.

The World Health Organisation (WHO) has an office in every state of Nigeria while most of the other agencies also have structures and are active in more than one state. Through such decentralized presence, the partners are able to work with government not only at the national level but also at the state and local levels.

Potential for Sufficiency in Human Resources for Health

Nigeria has one of the largest pools of human resources for health in Africa comparable only to Egypt and South Africa. By the end of 2012, there were 66,162 doctors, 148,343 nurses and 101,709 midwives, 15,911 pharmacists registered in the country. Compared with most of the other countries in the region, Nigeria has high human resources for health production rate due to the availability of many medical schools, schools of pharmacy, and each of the 36 states has at least one school of nursing and midwifery as well as one school of health technology. Each of these institutions turns out graduates every year.

Promising Health care Financing Arrangements for protection of the Poor

The National Health Insurance Scheme (NHIS) was set up by Act 35 of 1999. Health sector reform in 2004 reinvigorated the drive to push the actualization of Health Insurance (a contributory pre-payment method) as a veritable programme for improving the health of Nigerians by making healthcare easily available, affordable and accessible. It is a social health insurance

scheme. Various programmes or products were developed to meet the needs of the different groups/sectors of the population.

The Formal sector social health insurance programme (public sector), targeted employees under the Federal government and their dependents and was flagged off in 2005.

NHIS-MDG/MCH: A major component of the NHIS that holds great promise for women and children is the MDG/NHIS project for pregnant women and under 5s. This project ensures the provision of free health services to pregnant women and under 5s in twelve states of the federation. Plans are on to extend the coverage to other states of the federation.

Community Based Social Health Insurance: CBHI is a form of private health insurance whereby individuals, families, or community groups finance or co-finance costs of health services. CBHI was designed for people living in the rural area and people in the informal sector who cannot get adequate public, private, or employer-sponsored insurance. We intend to use CBHI to cover people employed in the informal sector and in the rural area especially women and children that constitute majority of the highly vulnerable groups. The CBHI was flagged off in 2011 by Mr. President at Isanlu, Kogi State.

Since then, many communities in eleven states have keyed into the programme. The States are: Anambra, Bauchi, Borno, Ebonyi, FCT, Kaduna, Katsina, Kogi, Kwara, Lagos and Ogun.

Three states, Bauchi, Cross-River and Enugu are participating in the Health Insurance Programme. Unfortunately, payment has not been consistent thus affecting implementation of the programme in those States. Other programmes include tertiary institutions, social health insurance and road transport health insurance programmes.

The scheme has extended health insurance cover to over 6,806,687 Nigerian through one payment mechanism or the other.

Table 20: - Distribution of lives covered under different programmes of NHIS

Programme	Number Covered	Number expected to be covered	% Covered
Public Sector (Worker under employment of the federal government and their dependents, military and police) Health Insurance	Principals = 853,537 Dependents = 1,610,408 Total = 2,463,945	870,956	98%
Community Based Health Insurance (Pregnant Mothers and Children under five NHIS-MDG/NHIS 6 LGAs in the 6 Zones) and other community Social Health Insurance Programmes	NHIS-MDG/NHIS=1,433,019 Isanlu = 2,000 Katsina = 17,200 Total = 1,452,219	As communities enroll	-
Tertiary Health Insurance	382,415	As Institutions enroll	-
Road Transport Health Insurance	1,900,000	As operators enroll	-
States Health Insurance (Cross River and Bauchi)	Cross River = 41,060 Bauchi = 66,912 Total = 95,000	As states enroll	-
Private Health Insurance	500,136	As individuals enroll	-
Grand Total	6,806,687		

In countries that have attained substantial progress towards universal coverage with health insurance, their health insurance schemes are being supported mainly from government financing or through donors as is the case in Kenya, Ghana and Rwanda. Making health insurance mandatory/compulsory through legislation with the government paying for the vulnerable groups has been the main agenda for reaching Universal Health Coverage (UHC). It requires *strong policy will* for funding from the various leaderships at the various government. Mandatory health insurance requires the widest cross subsidies possible.

Suggested sources of funds to finance mandatory health insurance:

- i. Contributions from formal sector employees (both public sector and private sector). These can be arranged as a single pool or maximum of two pools
 - ii. Contributions from the informal sector. These include those employers who by nature of their number do not qualify to be called Organised Private Sector based on the CAMID 1990, other interested Nigerians, foreigners etc. These contributions will be pooled with the formal sector contributions for maximum cross subsidy and to reduce adverse selection. Family enrolment is also encouraged to further check adverse selection.
-
- a) The Informal sector contributions, using CBHI model but pooled at the level of the LGA or state to increase the pools and harness the advantages of economies of scale.
 - b) An equity fund to be established. This fund will be used to pay the contributions of the vulnerable groups and the poorest of the poor in the society. It is proposed that this fund will be financed through the following:
 - Sin tax – This includes taxes on goods with known deleterious effects on health. These include cigarette tax, levies on alcoholic beverages etc.
 - Levies on mobile phone use
 - The National Health Bill – When this is passed and signed into law, will provide an additional source of revenue to fund healthcare for the poor in Nigeria.
 - Subsidy Reinvestment and Empowerment Programme Fund (SURE-P) earmarked for universal health coverage. A portion of the SURE-P fund should be used for financing the Fund for the vulnerable groups.

Robust System for Strengthening Primary Health Care

Under the auspices of PHC Under One Roof, the NPHCDA has been in the forefront as an advocate for the establishment of State Primary Health Care Development Agencies/Boards, a platform that is seen as a necessary step for alignment and harmonization of the functions of multiple ministries, departments and agencies (MDAs) at the state level with overlapping responsibility for primary health care. It is expected that this development will improve PHC governance and performance in general. Towards this end, guidelines have been developed and circulated. The draft National Health Bill requires that states establish State PHC Agencies/Boards to have access to the National PHC funds. So far, 17 states have set up Primary Health Care Development Agencies/Boards.

Increasing access to required health care facilities

There are 34,173 health facilities all over Nigeria, of which 30,098 are primary health care facilities located in rural areas, 3,992 secondary facilities and 83 tertiary facilities. In terms of

Ownership; Government owns 22,850 while 11,323 are private owned. While the number of available health care facilities are still in-adequate. Government has been investing in the refurbishment/upgrading as well as construction of health care facilities to meet the required needs, Debt Relief Grant funded Conditional Grant Scheme managed by the Office of the senior Special Assistant to the President on MSGs, as well as the GAVI and Global Fund grants.

CHALLENGES

Legal Framework

Lack of legal framework for health in Nigeria, particularly the absence of a National Health Act that clearly defines the roles and responsibilities of healthcare professionals, as well as the roles and responsibilities of Local, State and Federal Governments in the management of the three levels of healthcare;

Human Resources for Health

Human Resources for Health in the country are beset by the following issues and challenges:

- a) Shortages, mal-distribution and under-utilization of health professionals as a result of persistent brain-drain, skewed rural/urban disparity in the distribution of health service providers and inefficiencies in the rational deployment and utilization of staff on the basis of workload.
- b) The overall HRH picture in Nigeria is inconsistent and lacks integrity as HR information and data collection are fragmented and incomplete, with various stakeholders collecting and collating bits and pieces in the absence of any common data source or human resource management information system (HRMIS).
- c) Production of health professionals is not related to the requirements of the country as there is no mechanism in place to inform health training institution intake and output targets on the basis of service demand and staffing projections.
- d) There are systemic deficiencies in the planning, management, development and administration of the health workforce.

Health Care Financing-3 states participating Enugu, Cross River and Bauchi

Household out of pocket expenditure (OOPE) has remained by far the largest source of health expenditure in Nigeria (about 69%) and in absolute terms increased from N489.79 billion in 2003 to N656.55 billion in 2005. The estimated health expenditure of private firms grew from N20.32 billion in 2003 to N29.67 billion in 2005. The contributions from the development partners to health sector in Nigeria is estimated to have increased from N48.02 billion in 2003 to N78.78 billion in 2005. In terms of contribution from different levels of Government, the NHA 2003-05 estimated that the Federal Government contributed above a tenth of the total sum (12.1%), State Governments, about 7.6%, and LGAs about 4.5%.

The share of OOPE steadily increased from 64.25% during 1998-2002 to 68.6% during 2003-2005 with analysis showing that OOPE was as high as 86% in some northern states. This underscores the huge economic burden of health care expenditure on households, especially the poorer households. The responsibility to lessen this burden therefore rests with the government playing a stewardship role to ensure provision of quality and affordable health services to Nigerians.

Environmental Factors

It is widely acknowledged that there are other “non health” factors that significantly impact health status of populations. These include poverty, poor environmental sanitation, food insecurity and poor nutrition as well as climate change with its consequent disasters and emergencies.

African Ministers of Health and Ministers of Environment at their meeting in 2010 in Angola issued a joint statement in which they acknowledged that climate change could affect African countries to the extent of jeopardizing the attainment of health related MDGs if appropriate proactive measures are not urgently taken. Nigeria also ranks 115th among 169 countries on index to access to potable water while only 32% of our population have access to basic sanitation. These factors, singularly and collectively significantly contribute to high disease burden with respect to water borne and water related diseases and contribute to morbidity and mortality especially among children.

CHAPTER 15: -Right to Education: - Article 17

1. Constitutional, Legislative and Judicial Measures

- In addition to the main poverty reduction strategy paper NEEDS and the Seven Point Agenda of the Federal Government of Nigeria, the following are the main documents on national laws, policies and key programmes in the education sector:
 - The 1999 Constitution
 - Draft National Policy on Special Needs Education/Implementation Guidelines, 2012
 - Training Manual on Adaptation and Implementation of Inclusive Education in Nigeria, 2010
 - A Strategic Framework for the Revitalization of Adult and Youth Literacy in Nigeria, 2012.
 - Universal Basic Education (UBE) Act 2004
 - Child's Right Act 2003
 - National Child Policy 2007
 - National Policy for Integrated Early Childhood Development in Nigeria (2007)
 - National Minimum Standard for Early Child Care Centres in Nigeria (2007)
 - National Gender Policy on Education 2007
 - National Framework on Girls' and Women Education, 2012
 - Guidelines for Implementing National Policy on Gender in Basic Education, 2007
 - National Policy on Gender in Basic Education, 2007
- The policies/laws seek to ensure the access of all children of primary and junior secondary school age (6-14+ years) in Nigeria to free, compulsory and universal basic education. This policy objective of free and compulsory education including skill acquisition fits well into employment and job creation objectives, the overall national development strategy on the free mid-day meal will no doubt impact positively on the health and nutrition objectives. Governments in Nigeria (Federal, State and Local) have primary responsibility to fund and manage basic education; with Federal Government playing the intervention/assisting role. The Agencies involved include: the Universal Basic Education Commission (UBEC), State Universal Basic Education (SUBEB), Local Government Education Authority, private sector and development partners.
- The UBE ACT prescribes minimum standard of basic education throughout the country and UBEC is expected to monitor, supervise and coordinate the implementation of specific programmes for the attainment of compulsory, free and universal basic education. Relative to health and nutrition, basic education has the highest budgetary allocation and is most essential in poverty and deprivation reduction. This is because of the linkages between education, health, improved sanitation, access to information and improved knowledge of child rights and protection. Thus it is a very effective means of addressing the MDG goals and targets relating to children.
- **Though the Nigerian Constitution does not directly provide for the right to education, yet section 18 of the Constitution on educational objectives obligates the government to direct its policy towards ensuring that there are equal and adequate educational opportunities at all levels.**
(2) Government shall promote science and technology.

(3) Government shall strive to eradicate illiteracy, and to this end Government shall as and when practicable provide:

- a) free, compulsory and universal primary education;
- b) free secondary education;
- c) free university education; and
- d) free adult literacy programme.

- **Section 15 of the Child Rights Act, 2003**, every child has the right to free, compulsory and universal basic education and it shall be the duty of the Government in Nigeria to provide such education.

(2) Every parent or guardian shall ensure that his child or ward attends and completes his –

- a) Primary school education; and
- b) Junior secondary education.

(3) Every parent, guardian or person who has the care and custody of a child who has completed his basic education, shall endeavour to send the child to a senior secondary school, except as provided for in Subsection (4) of this section.

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

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

- **The Universal Basic Education Act 2004 and strategic plan provides commitment to compulsory and free education**

- The National vision 2020 for Nigeria is to become an emerging economy model, delivering sound education policy and management for public good. Nigeria is also on course to meet the target of Millennium Development Goal that all boys and girls complete primary education i.e. 100% by 2015.

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

2. Policy Measures

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

Challenges/Opportunities

- The critical challenge in the Education sector is that of adequacy of funding to address to numerous problems facing tertiary, secondary and primary education, particularly adequate facilities, laboratories, equipments to cater for the size of the students and pupils in the sector. This requires incremental budgetary allocation from the current 8.7% of the annual budget to the UNESCO standard of 26%. This low level of fiscal allocation to the sector which is below the UNESCO threshold of the total budget certainly affect the implementation of government policy on education in the country and in particular the Universal Basic Education since its inception.
- Very recent opportunity to address the plight of the Almajirai children that are largely out of school is the Constitution of a National Implementation Committee on Almajirai Education Programme after the foundation laying stone of the Almajiri Model School launch in Jigawa State on December, 2010. The Committee has come out with the following documents to address the Almajiri child education: -
 - A Strategic Plan of Action (short term 2011-2015; long term 2020);
 - Operational guidelines complementing the Almajiri education programme;
 - The workplan for the integration of 400,000 Almajirai and distribution of model schools.

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

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

Girls Education Programme

To continue to address the high rate of girls who are out of school, the construction of Junior Girls' Model Secondary School was initiated in 13 States of the Federation. The States are: Adamawa, Akwa Ibom, Bayelsa, Cross River, Delta, Ebonyi, Ekiti, Jigawa, Kaduna, Nasarawa, Rivers, Yobe and Zamfara.

Some of the Schools have been completed while others are in different stages of completion as shown below.

Table 21: - Girls Education Programme

Status	States
Completed and Ready for Handover	Adamawa, Jigawa, Nasarawa, Zamfara
90% completion	Rivers
75% completion	Akwa Ibom
70% completion	Delta, Ekiti
60% completion	Ebonyi, Yobe
40% completion	Cross River
20% completion	Bayelsa, Kaduna

Initiative to Address the Out-of-school Children Phenomenon (10.5 Million)

The Federal Ministry of Education seeks to address the basic requirement for the above category of children in Nigeria through the following interventions:

Table 22: - Out of School Children

SN	ITEM	QUANTITY
1	Teacher @ 1:40	262,500
2	Classroom @ 1:40	262,500
3	Instructional Materials (Textbooks)	
	i. English	10,500,000
	ii. Mathematics	10,500,000
	iii. Basic Science	10,500,000
	iv. Social Studies	42,000,000
4	Incentives	
	i. Mid-day meal	
	ii. Conditional Cash Transfer to cover sundry expenses	
	iii. Provision of sanitary facilities like toilets and water in schools to address the needs of the girl-child	
	iv. Security for the pupils	
	v. Create employment opportunities for parents and guardians	
	vi. Child-friendly learning environment	

Source: Federal Ministry of Education, Abuja, July 2013

Almajiri Education

The Almajiri Education Programme was launched in Sokoto as part of the strategy to reduce the number of Out-of-School children. The programme is aimed at mainstreaming the Almajiri System into Basic Education, thereby providing them with the opportunity to develop skills that will make them contribute to national development. Textbooks in eleven (11) subjects have been produced for use in the schools nation-wide.

Early Child Care Development (ECCD)

In order to increase enrollment one-year Pre Early Child Care Development (ECCD) has been incorporated into the Basic Education System. The objective is to make our children spend one year of pre-primary, 6 years of primary and 3 years of post primary.

The Ministerial memorandum in line with presidential fiat in respect of this new Basic Education structure was presented and approved by National Council on Education (NCE).

National Campaign on Access

The National Campaign on Access to education was launched to encourage enrolment in schools. While the Federal Ministry of Education is leading the campaign at national and regional levels, State and Local Governments are meant to launch State, Local Government and community level campaigns so as to create awareness for communities. This will ultimately improve access to education especially at the Basic level.

Following from the flag-off of the Campaign in June, 2010 in Yola, targeting specifically Girl-Child Education; in 2012, the Back-To-School Programme tagged '*Mmuta Bu 'Ike*' was launched in Enugu. The Campaign is targeting the high number of boys who drop out of school in the South East zone of Nigeria. The Campaign is among others meant to:

- Address the challenge of high number of Out-of-School boys in the South East.
- Provide/rehabilitate schools near major markets and apprenticeship centres.
- Integrate Technical and Vocational Skills to support development in diverse trades.

During the launch of the Campaign, Mr. President directed the construction of schools to address the issue of Boy-Child drop out in the South East. A National Implementation Committee for the Integration of Out-of-School children from the South-South and South-East States have been inaugurated to drive the implementation of the Programme.

Similar campaigns due for launch in other geo-political zones include:

- Campaign for children of nomadic fisher folks in the South South and riverine areas and
- The Street to Skills programme for the South West.

Nomadic Education Programme

The Nomadic Education Programme continues to offer nomads located across the country opportunities for participation in Basic Education.

In the year under review, educational facilities and resources continued to be provided across the country which included:

- Establishment of Model Nomadic Education Centres in Bauchi, Benue and Edo States.
- Rehabilitation of community-based nomadic schools in Bayelsa, Gombe and Taraba States.
- Provision of mobile collapsible structures with chairs and tables in the six geo-political zones.

- Construction of motorized boreholes in Anambra, Bauchi, Benue, Edo and Oyo States.

Adult and Youth Literacy

A strategic framework for the Revitalization of Adult and Youth Literacy in Nigeria was developed. This will be implemented in close collaboration with State and Local Governments across the country. Related to this was the development of the National Policy on Non-Formal Education.

During the year under review, development continued on Primers for Nigerian Minority languages for use in adult education programmes.

Model Vocational Training Centres are being constructed in each of the geo-political zones.

Albinism Education

Nigeria has one of the highest Albinism prevalence rate in the world. Children with Albinism in Nigeria are among the most vulnerable of all children. Ignorance about Albinism children has prevented some parents from sending their children to school. Even while in school, they suffer incessant teasing and bullying from school mates. Their inability to see the blackboard from their desks leave so many of them frustrated and unable to complete their schooling.

As a result, many Albinos do not have the full social or economic tools to live productive lives.

In this regard, Federal Ministry of Education saw the need to integrate Albinism into the school system. A Ministerial Committee was set up to develop a Draft Policy on Albinism and the Guidelines on its implementation were produced and has been considered at the National Council on Education (NCE) at 59th Session in June 2013.

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

1. Constitutional Administrative and Judicial Measures

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

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

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

Section 20 states that:

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

3. Support for Single Parents

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

4. Orphans and Vulnerable Children Responses

Orphans and children made vulnerable by HIV/AIDS include children who have lost both parents due to any cause of death and children affected by HIV/AIDS. This includes children living with HIV-infected parents and those in foster families affected by HIV/AIDS.

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

5. Core Principles and Strategies for responding to the phenomenon

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

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

6 Steps taken to combat human trafficking.

Legislative measures

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

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

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

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

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

Administrative Measures

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

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

NAPTIP has rescued and repatriated the following number of victims of trafficking from different countries: Mali – 104; Cote d'Ivoire – 7; Ghana – 40.

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

7. Number of Traffickers Convicted and Victims Rescued by NAPTIP: as at 30/6/2013

Table 10 below shows efforts by the Nigerian anti-trafficking agency (NAPTIP) in securing successful prosecutions and convictions of human traffickers between 2004 and 2013:

Table 23: - List of Convictions by NAPTIP on Trafficking 2004-2013 (July)

S/N	No. of Convictions	NO. of Rescued Victims	No. of Cases being Prosecuted
1	205 persons convicted for human trafficking offences	Over 6,700 trafficked victims rescued between 2004 to July 2013.	Over 157 suspected human Traffickers

Source: NAPTIP, Abuja as at 30/7/2013

The Federal Government has also forwarded a Bill to the National Assembly to re-enact and strengthen the Law against human trafficking as well as impose stiffer penalties on convicted traffickers. The Bill has passed 2nd Reading at both the Senate and House of Representatives and the Public Hearing took place on 22nd of July, 2013.

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

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

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

8.1 National Policies on IDPs and Migrants 2012/13

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

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

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

SECTION SIX

PROMOTION AND PROTECTION OF PEOPLES' RIGHTS: - ARTICLES 19-24

CHAPTER 17: -Articles 19 & 20 - Rights of all Peoples to Equality, Existence and Self-Determination.

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

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

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

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

Interventions in the Niger Delta Region: Youth Empowerment and Infrastructural Development

Training

- Sent a total of 704 youths for training, abroad and locally, in various fields of endeavour, including agriculture, petroleum engineering, commerce, tourism, and maritime studies
- 701 non-militant youths have been trained locally and overseas as follows:
 - i. 314 in Oil and Gas,
 - ii. 270 in Maritime,
 - iii. 90 in Agriculture.

Construction of Skill Acquisition Centres

- Nine skills centres are being built, one in each of the nine states of the Niger Delta; three of them will be completed this year
- Construction and rehabilitation of roads to enhance the movement of people, goods and services
- Work in progress (about 50 percent completion) on East-West Road
- 11 other roads have achieved more than 22 percent completion.

Construction of Housing

- Construction of a total of 360 housing units has reached 55 percent completion across the 9 Niger Delta States to provide affordable houses to the inhabitants of the region Permanent employment and industrial attachment
- Contacted eleven (11) major companies in the Oil and Gas to place the trained youths either on permanent employment or on industrial attachment basis.
- Contacted the Nigerian Maritime Administration and Safety Agency (NIMASA) to place all the youths trained in Maritime Studies on industrial attachment on board sea-going vessels Water and Electrification
- Effort has been made to provide 37 communities with potable water and electricity supply.

Environmental Management and Protection Project

- Land reclamation and erosion control works are in progress at different level of completion in seven locations.

Industrial Park project

- Signed MOU with OST of Turkey to facilitate the establishment of industrial parks in each State of the region. Each park is to comprise 5,000 SMEs to manufacture and produce goods and services in over 100 sectors of the economy. The industrial parks will employ thousands of Niger Delta youths

Studies:

- 100 percent completion of study on Remediation, Rehabilitation and Restoration of 33 Oil Impacted sites in Niger Delta
- 26 percent completion of study on Remediation, Rehabilitation and Restoration of the Oil Impacted sites at Stubbs Creek, Eket, Akwa-Ibom State

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

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

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

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

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

- Ensure conforming with the principles of extractive industry transparency initiative (EITI) in all activities relating to mining.

- **Nigeria Oil and Gas Industry Content Development Act 2010: -**

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

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

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

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

In the Constitution of the Federal Republic of Nigeria, Section 14(2)(b), 19 and 23 declare that:-

- a. The security and welfare of the people shall be the primary purpose of Government.
 - b. The foreign policy objectives shall be the promotion and protection of the national interest; promotion of African integration and support for unity; promotion of international cooperation for the consolidation of universal peace and mutual respect among all nations and elimination of discrimination in all its manifestations; respect for international law and treaty obligations as well as the seeking of settlement of international disputes by negotiation, mediation, conciliation, arbitration and adjudication; and promotion of a just world economic order.
 - c. The national ethics shall be Discipline, Integrity, Dignity of Labour, Social Justice, Religious Tolerance, Self-reliance and Patriotism.
2. The Federal Government of Nigeria has reinforced its commitment to promote gender issues in the national development agenda. This is evident in measures and policies geared towards the advancement of women to strengthen full and effective participation and representation in various strata of national life. Nigeria continues the pursuit of affirmative action in gender empowerment. At the moment, the participation of women in politics is more than twenty per cent (20%).
 3. Nigeria remains irrevocably committed to the African Union and its various organs and legal frameworks, including the African Union (AU) Constitutive Act and the Protocol on the Establishment of the Peace and Security Council of the African Union. As a founding member of the African Union Peace and Security Council, Nigeria has been active and vigorously pursuing Africa's agenda for peace, stability and reconstruction of the continent. Both within Africa and the ECOWAS, Nigeria's leadership and commitment to peace have continued to yield dividend as recent political developments in Guinea Bissau, Mali, Niger, Sudan, Darfur and the Sahel-Sahara region.
 4. In the same vein, Nigeria continues to affirm determination on commitments of Africa to its shared values on the rule of law, good governance, democracy and human rights in the sub-region and at the continental levels. As a State party to Africa's Charter on Human and Peoples Rights as well as the Charter on Democracy, Elections and Governance, Nigeria remains firm and unequivocal in upholding democratic values and principles on the continent through free, fair and credible elections as well as respect for rule of law and constitutionalism. Nigeria remains resolute against unconstitutional change of government in line with the Constitutive Act and other legal frameworks of the Union.
 5. Furthermore, Nigeria has continued to be responsive on humanitarian situations including post conflict reconstruction and disaster management in Africa. The National Emergency Management Agency (NEMA), a national institution established to deal with disasters and tackle disaster related issues has been active and supportive of a number of African countries facing various challenges and therefore contribute to peace building and political stability in order to pave way for development and prosperity of governments and peoples.

6. Collaborative activities between notable NGOs, International Committee of the Red Cross (ICRC), the Nigerian Red Cross Society and the National Human Rights Commission have resulted in the conduct of series of workshops.
7. Taking cognizance of the nexus between peace, security and development, Nigeria is in the vanguard of the pursuit of democratic ideals and principles with a strong commitment to ensuring sustainable culture for rule of law, human rights and constitutional democracy in Africa.

8. **Administrative Measures on Child Soldiers**

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

9. **National Policy on Peace in Nigeria 2009**

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

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

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

The NPP is in furtherance of Nigeria's commitment to the fundamental principles of the Economic Community of West African States (ECOWAS) in relation to the "maintenance of regional peace, stability and security through the promotion and strengthening of good neighborliness; and peaceful settlement of disputes among member

states, active co-operation between neighbouring countries and promotion of a peaceful environment as a prerequisite for economic development” (ECOWAS Treaty 1993, Article 4 paragraphs e and f). Also, it conforms with the main objective of the African Union (AU) to “promote peace, security and stability on the Continent and the principle of peaceful resolution of conflicts among member states of the union through such appropriate means as may be decided upon by the Assembly” (Article 3, paragraph 3 and Article 4, paragraph e Charter of the OAU 1963; and Article 3, paragraph 4, the Constitutive Act of the AU, 2000).

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

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

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

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

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

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

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

2. **Interventions Relating to Environmental Protection:** The environment sector has witnessed improvements in the areas of the development of a National Green House Gas Inventory System and purchase of green gas measurement equipment. Other is the establishment of a 1500km Great Green Wall initiative to check desertification in the frontline States; the establishment of procedures for the Clean Development Mechanism (CDM) and the generation of 20 CDM projects in 2012, among others.

3. Policy Measures: - National Policy on Environment, 1999

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

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

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

It is also expected that these strategies will lead to:

- a. improvement in the quality of life of the people;
- b. the establishment of adequate environmental standards as well as the monitoring and evaluation of changes in the environment and the adoption of appropriate restorative measures;
- c. the acquisition and publication of up-to-date environmental data and the dissemination of relevant environment information;
- d. prior environmental assessment of proposed activities which may impact the environment or the use of a natural resource.

4. National Roadmap for Improved Water Supply

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

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

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

5. Interventions in the Water Sector

Water Supply Scheme

- Completed the Greater Makurdi Water Supply Scheme to supply 50 million litres of water per day to nearly one million people in Makurdi
- 85 percent completion of Galma Dam water supply to supply 186 million cubic metres for potable water for over 23 towns/villages in six local government areas in Kaduna State

- 65 percent completion of Kashimbilla Multipurpose a Buffer Dam Project for water supply and irrigation with treatment plant capacity of 60,000 m³/day in Taraba State
- Completed the Mangu Water Supply to provide 10 million litres of water per day to serve communities of Gindiri and Mangu township in Plateau State
- Completed the Northern Ishan Water Supply to supply nine million litres of water per day to serve communities of Uromi, Ubiaja, Ugengu, Ugboha and Iguben in Edo State
- 35 percent completion of the Central Ogbia Regional
- Water Supply to provide potable water and sanitation in 16 communities of Ogbia LGA, Uteke and its environs at Uteke, Bayelsa State

Boreholes

- Completed the Drilling of 545 hand pump wells and motorized boreholes to increase access to water in rural communities to about 2 million people across the nation

Irrigation projects

- 55 percent completion of Bakolori Irrigation to irrigate 23,000ha to cover 5,964.77ha of rice and 35 metric tons of rice, 40 metric tons of maize, 18 metric tons of cowpea, 1,206 metric tons of sweet potato, 5 metric tons of groundnuts, 800 metric tons of sugar cane and 1,575 metric tons of vegetables in Bakolori
- 80 percent completion of the South Chad Irrigation project to cover 67,000ha of land
- 85 percent completion of Galma Dam (irrigation) To provide a reservoir capacity for irrigation of 2,500ha in Kaduna State
- Completed the Goronyo Dam emergency spillway repairs (irrigation) 2000 ha irrigation in Sokoto State
- 80 percent completion of the rehabilitation of existing infrastructure at Jibia Irrigation project to provide opportunity for more farming families to be empowered economically in Katsina State
- Completed seven other major dam projects (with capacity of 2,269 million cubic meters), including Gurara, Owiwi, Sabke, Owena and Shagari dams water to be used for irrigation, water supply, hydropower, fisheries, etc in Gurara, Owiwi, Sabke, Owena, and Shagari

Studies

- Completed feasibility studies for hydro power installation at sites that show potentials for hydropower generation in Oyan, Ikere Gorge, Bakolori, Dadin Kowa, Tiga, Kiri, Jibiya, Challawa Gorge, Owena, Doma, Waya, Mgowo, Zobe, Kampe, Kashimilla, Ogwashiku, Zungeru and Mambilla to generate a total capacity of 3,557 MW of electricity
- Assessment of water releases from the discharge along Benue and Niger rivers, to establish maximum flood levels all over the country for decision making

SECTION SEVEN

DUTIES OF INDIVIDUALS: - ARTICLES 27-29

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

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

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

CHAPTER 23: -CONCLUSION

It is evident from the analysis contained in Parts 1-6 of this Report that with the return to democratic governance in Nigeria in May 1999, concerted efforts have been made to evolve a comprehensive legal, policy and institutional frameworks for the promotion and protection of human rights in Nigeria.

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

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

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

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

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

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

PART B

2.3 MEASURES TAKEN TO IMPLEMENT ARTICLE 26 OF THE MAPUTO PROTOCOL ON THE RIGHTS OF WOMEN IN AFRICA

Consistent with Articles 26 of the Maputo Protocol and 62 of the African Charter on Human and Peoples' Rights, Nigeria wishes to indicate legislative, policy, institutional and programmatic measures taken so far to implement the above Protocol. Having ratified the Protocol on 16th Dec. 2004.

2.3.1 Legislative Measures

- **Gender and Equal Opportunities Bill, 2010/13:** - An enabling legislation to domesticate the Maputo Protocol and UN CEDAW and other matters connected therewith is being considered by the National Legislative Assembly.

This Bill seeks to incorporate as part of Nigerian Law the provisions of Articles 1-24 of the Maputo Protocol under its sections 2-41 with a view to ending gender discriminatory practices, policies and programmes.

- **Violence Against Persons (Prohibition) Bill, 2013:** - A Bill for an Act to eliminate violence in private and public life; prohibit all forms of violence including physical, sexual, psychological, domestic, harmful traditional practices; Discrimination against persons and to provide maximum protection and effective remedies for victims and punishment of offenders.
 - Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003, as amended in 2005.
 - A Law to Prohibit Girl-Child Marriages and Female Circumcision No.2 of 2000 by the Cross Rivers State Government
 - A Law to Prohibit Domestic Violence Against Women and Maltreatment. No. 10 of 2004 by the Cross Rivers State Government.
 - Inhuman Treatment of Widows (Prohibition) Law 2004 of Edo State.
 - Malpractices Against Widows and Widowers (Prohibition) Law 2005, Anambra State.
 - Dehumanizing and Harmful Traditional Practices Law of 2003, Rivers State.
 - Abolition of female Circumcision Law, No. 2 of 2001, Rivers State.
 - Schools Rights (Parents, Children and Teachers) Law, No. 2, 2005, Rivers State.
 - Reproductive Services Law, No. 3 of 2003, Rivers State
 - Street Trading Restriction Law, 2004, Anambra State.

2.3.2 Policy Measures

- **National Gender Policy, 2006/7:** - The goal of the National Gender Policy is to "build a just society devoid of discrimination harness the full potentials of all social groups regardless of sex or circumstance, promote the enjoyment of fundamental human rights and protect the health, social, economic and political well being of all citizens in order to achieve equitable rapid economic growth; evolve an evidence based planning and governance system where human, social, financial and technological resources are efficiently and effectively deployed for sustainable development."

Some of the key principles upon which the policy is premised are:

- a) Commitment to gender mainstreaming as a development approach and tool for achieving the economic reform agenda, evidence based planning, value re-orientation and social transformation.
- b) Recognition of gender issues as central to and critical to the achievement of national development goals and objectives and a requirement for all policies to be reviewed to reflect gender implications and strategies as contained in the gender policy and implementation modalities specified in the National Gender Strategic Framework;
- c) Realization that effective and results-focused policy implementation demands a cooperative interaction of all stakeholders.
- d) Promotion and protection of human rights, social justice and equity.

The core strategies for achieving the objectives of the National Gender Policy include:

- Policy, partnership and programme reforms through mainstreaming of gender concerns at all levels;
- Gender education and capacity building to enhance necessary technical expertise and positive gender culture;
- Legislative reforms to guarantee gender justice and respect for human rights and
- Economic reforms for enhanced productivity and sustainable development, especially that which addresses the needs of women and children, and other vulnerable groups.

Information and Communication, Research and data as well as Monitoring and Evaluation are supportive strategies for achieving the policy goal.

Guided by international, regional and national instruments especially the strive to attain the Millennium development Goals, the policy earmarks targets that are in concert with sectoral targets and is aimed at accelerating economic recovery and progress towards the MDGs. A holistic multi-sectoral approach is proposed for implementation of the policy. Strengthening of existing organs of government is required for policy efficiency and additional institutions and mechanisms are proposed to improve sectoral performance.

An anticipated major challenge to achieving the policy objectives is moving from the policy prescriptions to the actualization of the policy goals and targets. For the conceptual framework to be functional, greater synergy is required among stakeholders. Furthermore, overarching institutional restructuring and increased professionalism is required in order to meet the demands of this policy document. The efficacy of the policy strategies is contingent on a functional gender management system while the following elements and actions are indispensable:

- Political Will
- Gender as a Core Value for Transforming the Nigerian Society
- Confronting Patriarchy
- Coordination, Networking, and Monitoring
- Resource Mobilization

- **Policy Strategic Implementation Framework and Plan, 2008:** - This plan and implementation strategy was developed and adopted at a time when government made a renewed committed to the progressive implementation of constitutional and treaty obligations relating to gender equality, empowerment of women, and respect for women's human rights.

- **National Child Policy, 2007:** - Serves as a guide for implementation of the Child Rights Act, 2003, which domesticated the provisions of the UN Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. It sets out specific objectives to be achieved under the four clusters of rights namely, survival, development, protection and participation based on an analysis of the situation of the Nigerian child, especially the Girl-child.
- **Strategic Plan of Action for the National Child Policy, 2008/9:** - This Plan translates the specific goals, objectives and strategies specified in the National Child Policy into time-bound, sustainable programmes and projects that are congruent with the vision and mission of the Policy.
- **Guidelines for implementing National Policy on Gender in Basic Education, 2007:** - The National Gender Policy in Basic Education is the response to the challenges of achieving gender equality in education as expressed in the 1999 constitution of the Federal Republic of Nigeria which states that access to quality education is the right of every Nigerian child. The attainment of gender equality is not only seen as an end in itself, being a human rights issue, but is also a prerequisite for the achievement of national and international development goals- Education For All (EFA) and Millennium Development Goals (MDGs) targeted by the year 2015.

Elimination of gender disparities in primary and secondary education, ensuring full and equal access of quality education for all children is imminent. The Nigerian Government is committed in building a nation devoid of discrimination irrespective of gender, physical condition, geographical location and socio-economic status of parents, harnessing full potentials of all and guaranteeing equal access to political, social, and economic wealth creation opportunities.

Over the years, data and statistics from surveys and research in developing countries, including Nigerian, have increasingly suggested that development is a gendered exercise, impacting differently on women and men, girls and boys. Ruling social norms, political and economic factors endemic in any particular society determine how development benefits different groups of the society. Consequently, promotion of the goal of gender equality has become globally accepted as a strategy for reducing poverty levels among women and men, improving health and living standards and enhancing efficiency of public investments.

In Nigeria, the entrenched patriarchal social system translates into male domination and subordination of women in both private and public spheres, the results of which is construction and perpetuation of gender inequality. Women/girls are seen to be more vulnerable to poverty, cultural and societal vices. Empirical evidence shows gender disparity in enrolment, retention and completion at all levels of education (primary, secondary, and tertiary). In 15 northern states the disparity in favour of boys is quite high. In the South-East, where boys drop out and engage in income generating activities to supplement household income, the disparity is in the favour of girls.

Women education is a road to gender equality and social justice; it is key to gender equity, justice, improved skills and technological knowledge acquisition, improved nutrition, reproductive health, and economic empowerment.

The Gender Policy in Basic education compliments other policies like the National Policy on Education, the Universal Basic Education Policy, Early Child Care Policy and the

National Gender Policy by the Federal Ministry of Women Affairs and Social Mobilization. They all advocate acquisition of basic education as a means to meaningful contribution to development. The Federal Ministry of Education is the vehicle for the delivery of this Policy. This will increase gender sensitivity of all stakeholders and equip them with strategic skills to drive this initiative down to the community level for full participation in implementation for sustainability.

The implementation of the Policy is premised on the existing policies as contained in the Nigerian Constitution, National Policy on Education, the Universal Basic Education Act, National Gender Policy and other related instruments.

The Guidelines for the Policy include the following broad elements: -

- Increase access to education;
 - Retention, completion and performance;
 - Resource mobilization and sustainability;
 - Research, planning, monitoring and evaluation;
 - Conditions for success: - Advocacy, sensitization and mobilization of all stakeholders at all levels;
 - Creating and strengthening of partnerships at all levels among all stakeholders.
- HIV/AIDS National Strategic framework for Action, 2005-2009
 - National Strategic Plan for Reproductive Health Commodity Security (2003)
 - National Education Policy (2004)
 - National guidelines on Micronutrients Deficiencies control in Nigeria (2005)
 - National Guidelines and Strategies for Malaria Prevention Control During Pregnancy (2005)
 - National Workplace Policy (2005)
 - National Reproductive Health and Strategic framework and Plan 2002-2006
 - National Strategic Framework and plan for WF Eradication in Nigeria (2005-2010)

2.3.3 Institutional Measures

- The Government of Nigeria is committed to building a nation devoid of gender discrimination, guaranteeing equal access to political, social and economic wealth creation opportunities for women and men, and developing a culture that places premium on the protection of all children. In furtherance of this goal, the government has established the lead national and state gender machineries, **the Federal Ministry of Women Affairs, Child and Social Development and the 36 States and the Federal Capital Territory Ministries of Women Affairs, Child and Social Development.**

The mission of the above Ministries is to serve as the national and state vehicles to bring about speedy and healthy development of Nigerian women and men in the mainstream of the national development processes and ensure the survival, protection, development and participation of all children, especially the girl-child, in preparation for meaningful adult life.

- **National Centre for Women Development, Abuja:-** Is an institution established by law responsible for the following, among others: -
 - Conduct research on status of women;
 - Develop women empowerment indicators;

- Develop and implement women empowerment programmes and projects, including gender education, vocational skills training schemes, access to credit etc;
 - Execute special programmes to promote gender equality;
 - Relate with federal and state Ministries of Women Affairs, Child and Social development on gender policy implementation.
- **The Legislative Chambers of the National Assembly:** - There exists a strong synergy and collaboration between the Senate and House of Representatives Committees on Women and Children Affairs, Human Rights and Justice on the one hand, on the other, with the Federal Ministry of Women Affairs in the advancement of equal access to opportunities, gender equality, promotion and protection of women's rights against all forms of discrimination, through the passage of laws that seek to remedy the effects of discriminatory practices, policies, programmes and projects in Nigeria.
 - Women and gender concerned activists, civil society organizations and women focused NGOs have formed a **National Coalition on Affirmative Action in Nigeria** to lobby and sensitize on the domestication and progressive implementation of both CEDAW and the Maputo Protocol in Nigeria. Efforts are being made by the NGO Coalition and the Gender Ministry to re-table the Gender and Equal Opportunities Bill 2010/11 and the Violence against Women Bill in 2013 and re-engage the National Assembly Law Makers on their passage.
 - **National Human Rights Commission:** - The National Human Rights Commission was established by the National Human Rights Commission (NHRC) Act, 1995, as amended by the NHRC Act, 2010, in line with the resolution of the United Nations General Assembly which enjoins all member States to establish national human rights institutions for the promotion and protection of human rights. The Commission serves as an extra-judicial mechanism for the enhancement of the enjoyment of human rights. Its establishment is aimed at creating an enabling environment for the promotion, protection and enforcement of human rights. It also provides avenues for public enlightenment, research and dialogue in order to raise awareness on human rights issues.

2.3.4 Other Measures

i. Proposed Activities for Women and Other Vulnerable Groups in the 2013 Budgetary Allocation

- **N3 billion for Women Empowerment programmes by Six Ministries:** - 2013 Budget: - Women empowerment is expected to get a boost this year with the Federal Government's allocation of three billion naira in the 2013 budget specifically to empower women through six ministries. Five Ministries which include Agriculture, Health, Communication Technology, Water Resources and Works will be working in addition with the Ministry of Women Affairs and Social Development to empower women. The ministries have already signed a Memorandum of Understanding (MoUs) with the Ministry of Women Affairs to deliver on specific services for women in December last year, witnessed by President Goodluck Jonathan, Vice President Namadi Sambo and Coordinating Minister of the Economy, Dr. Ngozi Okonjo-Iweala.

With this arrangement, this year more jobs are expected to be created for women. The Federal Ministry of Water Resources is to provide 240 sanitation facilities across the country to be managed by women and girls, the Ministry of Agriculture will also work with the Ministry of Communication Technology to ensure five million female farmers and agricultural

entrepreneurs get mobile phones in 2013 to access information on agro-inputs through an e-wallet scheme, among other services by the ministries.

- **National Social Welfare Policy Underway:** - An all-inclusive national social welfare policy that will ensure the welfare and development of persons with disabilities, orphans and vulnerable children, the elderly and other vulnerable Nigerians is to be developed for the country. The policy is part of the resolutions of the 14th Regular Meeting of the National Council on Women Affairs and Social Development held in Ado-Ekiti, Ekiti State in May 2012.

The new policy is expected to provide a comprehensive social welfare package that will check the growing menace of street begging in the country by destitute and Almajirai, curb the alarming rate of street children and hawking by teenagers, check the excesses of Area Boys and Yandaba activities and at the same time, address the plight of out aging population and other vulnerable groups.

The National Council on Women Affairs and Social development is the highest policy-making body in the sector. The body meets annually and comprises the Minister of Women Affairs, States Commissioners of Women Affairs, and the FCT Director in charge of Women Affairs. Also in attendance at these Meetings are Permanent Secretaries, Directors and Head of Women and Children departments, as well as Rehabilitation and Social Welfare programmes at the Federal and State levels.

- **Review of National Gender Policy:** - The Ministry of Women Affairs and Social Development plans to review the National Gender Policy which was five years old in 2011.

A pre-review stakeholders meeting is expected to be convened by December 2013 with various stakeholders to make the review robust.

The Ministry believes that the review will mainstream all stakeholders and facilitate a better operational policy document which will also create an environment for Government to develop mechanisms that will assist in the achievement of the national goal of gender equality.

- **National Centre for Women Development (NCWD) Plans Re-activation of Women Development Centres Nationwide:** - The National Centre for Women Development (NCWD) plans the re-activation of Women Development Centres across the country, to enable women acquire vocational and intellectual skills. It is expected to empower those with small scale businesses and augment their income contributions to their families. WDCs will particularly help in empowering women in rural areas.

The Women Ministry, United Nations entity for Gender Equality and the Empowerment of Women (UN Women) and other Development partners, civil society organisations, Non-Governmental organisations, faith based and community based organisation and professional bodies will also be engaging in wide advocacy and several programmes to better the life of women and other vulnerable groups in the area of access to justice and prevention of violence against women and girls, involvement in decision making process, healthcare, and economic empowerment among others.

- **National Action Plan for Women and Peace:** - UN Security Council Resolution 1325 on women, peace and security, presents a comprehensive political framework within which women's protection and their role in peace processes can be addressed. For the first time, the Council called for a comprehensive assessment on the impact of armed conflict on women and

girls, the role of women in peace building and the gender dimensions of peace processes and conflict resolution.

In 2004, the UN Secretary General called on Member States to develop National Action Plans (NAPs) as the most effective way to translate the goals of UNSCR 1325 into reality. It was observed that developing and implementing NAP is a demanding and ambitious task, but one which must be fulfilled if UN Member States are serious about according women equal status with men in all efforts to address peace and security issues.

In response to this, the Federal Ministry of Women Affairs and Social Development which is the gender mechanism for Nigeria has taken a bold step in developing a NAP for the country...

The development of Nigeria's National Action Plan (NAP) began in 2011. The process was also supported by development partners. Production of the NAP was assigned to consultants who were selected through a rigorous scientific method.

The expectations of the Ministry and other stakeholders were to develop and implement a NAP that would ensure the following:

- Gender mainstreamed into conflict resolution, security and peace building at all levels;
- Increased women's participation in conflict management processes;
- Increased provision for women needs/concerns during peace negotiations and post-conflict management;
- Mainstream at least 35% Affirmative Action in peace building and conflict management in the security sector;
- Reduced prevalence of violence against women in and post conflict situations.
- Bridge the gaps in knowledge, polices institutional capacity and deficits in the security and the development architecture in Nigeria.

An action plan was derived from the consultations. Participants were drawn from all the states in the country including the Federal Capital territory (FCT) Abuja.

ii. Development of Gender Disaggregated Data

See item 2.2 above of this Report.

iii. Empowerment of Women and Addressing Poverty and Unemployment among Rural Women

The Public-Private Partnership interventions, programmes and schemes that have direct bearing to women empowerment and combating poverty and unemployment among Rural Women are categorized as follows: -

a) Rural Finance Institution Building Programme (RUFIN)

RUFIN is a 7-year Programme designed to improve the performance of Non-Bank Rural Finance Institutions to enable them develop a sustainable Rural Micro-finance Institutions (RMFIs) in the programme participating states. The Rural Finance Institution Building Programme (RUFIN) is being financed by the International Fund for Agricultural Development (IFAD), the Ford Foundation, the Federal Government of Nigeria, the State Governments Central Bank of Nigeria (CBN), participating banks and Micro finance Institutions MFIs). The financial plan is made up of IFAD loan of US\$27.6 million or 68 percent of the total programme cost.

The goal of this Programme is to improve the income, food security and general living conditions of poor rural households, particularly women-headed households, youths and the physically challenged.

RUFIN currently covers 12 States and three Local Governments Areas from each of the States. North West/North East Zone States: - Adamawa, Bauchi, Katsina, Zamfara South West/North Central Zone States: - Benue, Nasarawa, Lagos, Oyo South East/South South Zone States: - Anambra, Imo, Edo, Akwa-Ibom.

The programme complements on-going agricultural and rural development projects and programmes, notably, the community-based Agricultural and Rural Development Programme (CBARDP), the Community-Based Natural Resource Management Programme (CBNRMP), Niger Delta and the Roots and Tubers Expansion Programme (RTEP) that just ended in 2010.

The rural poor households, particularly woman-headed households, constitute the major target group of the Programme. Youth and physically challenged are also specially targeted. Rural poor families will directly benefit from the financial services that will be improved in terms of quality, quantity and access to deposit, loan and transfer services. It is estimated about 345,000 families, of which at least 138,000 (40 percent) will be women-headed households that will benefit directly from the Programme. These families include Small holder farmers, and rural entrepreneurs such as farmers, and rural entrepreneurs such as farmers, craftsmen and petty traders, women, the physically challenged and the youth.

The programme's participating institutions including CBN, National Poverty Eradication Programme (NAPEP) and Nigeria Agricultural Cooperative and Rural Development Bank (NACRDB) will finance US\$4.8 Million or 12% of the total cost. The Ford foundation is financing US\$500,000 or 1.3% of the total cost on Grant basis. The Federal Government is financing the equivalent of US\$6.2 Million or 15.4% of the total cost in local currency. The beneficiaries (State Governments) are expected to contribute US\$985,100 or 2.5% of the total cost. The programme effort is expected to attract financing estimated to reach over US\$100 million from other financial Institution including Commercial Banks and Nigeria Agricultural Cooperative Rural Development Bank (NACRDB) during the seven-year period.

b) Entrepreneurship Development Centers

The Central Bank of Nigeria, as part of its efforts to build capacity for wealth creation and employment generation, as well as complement the efforts of relevant government agencies in 2006, initiated the plan to support the establishment or strengthening of private sector-led, commercially oriented and sustainable Entrepreneurship Development Centres (EDCS), one in each of the six geo-political zones in Nigeria. As at December 2010, the Bank has established three Entrepreneurship Development centres in three Geo-political zones of the country located in Kano, North-West, being managed by the Opportunities Industrialization Centres International; Onitsha, south-East being managed by the centre for Entrepreneurship and Development Research, University of Nigeria, Nsukka; and Lagos, South-West, being managed by Africa Leadership Forum, Ota.

Efforts are being made to establish the remaining three in other Geo-political Zones of the country. The new strategic initiative was aimed at developing the entrepreneurial skills of clients of formal and informal financial institutions (licensed and unlicensed) for the purpose of reducing unemployment among the youth of Nigeria.

Consequently, in June 2011, the Management of the Central Bank approved the establishment of the remaining (3) EDCs in North-Central, North-East and south-South geo-political zones, the Bank is making efforts to create employment, empower people, accelerate growth of the Nigeria economy as well as complement the relevant government agencies; the Bank is collaborating with three Nigeria Institutions in organizing entrepreneurship training programme for unemployed graduates of Nigerian universities, polytechnics, colleges of education and secondary school leavers across the country.

The objectives of the EDCs include:

- Developing the entrepreneurship spirit amongst Nigerians and providing insight into the tools, techniques and framework for functional areas of business enterprise including production, marketing, personnel and finance;
- Developing skills of trainees to successfully start, manage, diversify and expand business enterprises;
- Generating employment opportunities for Nigerians in pursuance of the provisions of the National Economic Empowerment and Development Strategy (NEEDS);
- Raising a new class of entrepreneurs and business owners who can compete globally, manage micro, small and medium scale enterprises, and provide the catalyst for the industrialization of Nigeria.

Progress Made So Far

As part of the CBN Youth Empowerment Programme, the Bank intensified efforts at building the capacity and entrepreneurial skills of youths through the establishment of Entrepreneurship Development Centres (EDCs), among others. The 3 (three) EDCs in Kano, Lagos and Onitsha counseled and trained from inception in April 2008 to December 2011, a cumulative total of 101,847 entrepreneurs out of which 61,179 were female, representing 61 percent of the total trained. Also, the number of females that assessed microcredit loans was 406 out of 802 representing 51 percent. The loan assessed by the women from banks to start their businesses was valued at N109,149,885.00 (\$682,186.78); and a total of 2,078 jobs have been created.

c) Agricultural Credit Guarantee Scheme (ACGSF)

The Agricultural Credit Guarantee Scheme Fund (ACGSF) was established to provide guarantee on loans granted by banks to farmers for agricultural production and agro-allied processing. It provides for a fund of N100 million subscribed to by the Federal Government (60 percent) and Central Bank of Nigeria (40 percent). The fund was enhanced to N1 billion on the 8th December, 1999 and later to the present level of N4 billion as at early 2006 (CBN, 2007).

This is aimed at solving the problem of inadequate funding of farm operators by banks and to cushion these financial institutions against the effects of high risks associated with investments in farm enterprises as well as to raise the productivity and earnings from farm investments so that the incidence of loan repayment default among the farmers will be minimized. The general purpose of the Nigerian Agricultural Credit Guarantee Scheme Funds is to encourage banks to lend to those engaged in agricultural production and agro-processing activities. Thus, the specific objectives of the scheme is the stimulation of total agricultural production for both domestic consumption and export; and the encouragement of financial institutions to participate in increasing the productive capacity of agriculture through a capital lending programme. The scheme is expected to provide guarantee on loans granted by financial institutions to farmers for agricultural production and agro-allied processing. The fund's liability is limited to 75 percent of the amount in default net of any amount realized by the lending bank from the sale of the security pledged by the borrower.

**Table 15: - Loans Guaranteed under the ACGSF Analyzed by State and Gender
January to December, 2011**

States	Male		Female	
	NO.	Amount	NO.	Amount
Abuja	17	13312	1	1000
Abia	524	141607.9	405	90813.95
Adamawa	1931	304343.5	573	68177.48
Akwa Ibom	426	224710	172	54170
Anambra	701	163245	407	87977
Bauchi	892	186726	43	10260
Bayelsa	85	25230	39	9550
Benue	508	206995	200	145020
Borno	1270	119260	0	0
C/Rivers	258	66515	79	21415
Delta	1758	354446	1289	234519
Ebonyi	142	37366	50	12644
Edo	881	384854	281	112281
Ekiti	140	29495	60	6415
Enugu	162	43620	84	14445
Gombe	1298	354210.5	88	43405
Imo	754	292435	423	116116
Jigawa	4725	444133	9	393
Kaduna	499	166851	119	24915
Kano	3212	761799	399	38016
Katsina	7635	963432.5	785	123760
Kebbi	4932	402978	414	29024
Kogi	1240	294152.5	560	112428
Kwara	893	212542	24	5610
Lagos	754	324940	489	204364
Nassarawa	36	21700	24	11590
Niger	753	46294.84	164	10525.08
Ogun	281	148175	131	64396
Ondo	115	26580	73	13340
Osun	401	91885	99	65545
Oyo	157	58026	75	28700
Plateau	699	87865.66	893	45013.5

Rivers	397	216376	164	81230
Sokoto	2107	253882.3	164	21021.49
Taraba	678	191810	75	24520
Yobe	2196	185238	336	18170
Zamfara	3475	164228.1	138	6640
Total	46932	8011260	9329	1957410

Source: - Development Finance Offices Coordinating Office, Development Finance Department, Central Bank Nigeria, Abuja.



Impact of the Scheme

Since the inception of the scheme, there has been a continuous aggregate increase in the number of loans to agriculture from a paltry 341 loans amounting to N11.28 million in 1978 to 3,571 loans amounting to N218.60 million as at May, 2006. Also, data at the Central Bank of Nigeria show that a total number of 453,748 loans valued at N11.28 billion were guaranteed from the inception of the scheme in 1978 to May, 2006. This translates to an average of 16,205 loans valued at N402.86 million per annum. The agricultural activities that have been guaranteed under the scheme include the:

- Establishment and/or management of plantation for the production of rubber, oil palm, cocoa, cotton, coffee, tea and other cash crops.
- Cultivation and production of cereals, tubers, and root crops, fruits of all kinds, beans, groundnuts, peanuts, beniseed, vegetables, pineapples, bananas and plantains;
- Animal husbandry that covers poultry, piggery, rabbitry, snail farming, rearing of small ruminants like goats, sheep and large ruminants like cattle.
- And also includes fish culture, fish captures and storage.

d) National Microfinance Policy

Microfinance is a development strategy intended to provide financial services such as credit, savings, micro insurance, micro leasing and payment services to the poor and low income clients. The objectives of the policy include the following:

- Make financial services accessible to a large segment of the potentially productive Nigerian population which otherwise would have little or no access to financial services;
- Promote synergy and mainstreaming of the informal sub-sector into the national financial system; and
- Contribute to rural transformation;

The Policy targets include:

- To increase the share of micro-credit as a percentage of total credit to the economy from 0.9 percent in 2005 to at least 20 percent in 2020; and
- To eliminate gender disparity by improving women's access to financial services by 5 percent annually.

In Nigeria, Microfinance banks can be owned by Individuals/Groups of individuals, Community Development Associations, Private corporate Entities and Foreign Investors. This can be a unit MFBs (minimum capital requirement of N20 million (\$128,205.12) or State MFBs (minimum capital requirement of N100 million (\$641,025.64)) and national (minimum capital requirement of N2 billion (\$12,820,512.82)).

To date Nigeria has 859 Microfinance banks across all states, and records have shown their pattern of disbursements as favorable to women. The analysis shows that 843,149 thousand entrepreneurs received N76,912,150 million from microfinance banks as loans and advances from inception from January 2011 to June 2011. Out of this total credit, 203,704 representing 24.1 percent women folk benefited to the tune of N18,521,293 million. There was no consolidated records available on total savings by women since inception of the microfinance policy; however, for the period of January 2011 to June 2011, N20,943,177 million was mobilized by the women through the microfinance banks.

e) **Rural Women Enterprise Development Programme (RUWADEP)**

The programme aims at identifying and empowering women groups in value-added economic activities as a platform for promoting entrepreneurship and improving livelihoods at the family and community levels. The Programme is being carried out in phases for ease of implementation.

The pilot programme covered two states from each of the six Geo-political Zones (GPZs) – 12 states in total. One enterprise “best product from each locality” that has comparative advantage was selected for promotion in the pilot states, to ensure simplicity of future replication in other benefiting states.

SMEDAN helped the women groups (Cooperatives) identify gaps between their current production situations in relation to competitiveness and value chain development. Validation workshops were held to get critical inputs from stakeholders. Then the women groups were trained on the modern production techniques. In the last phase of RUWADEP programme production and processing machines were procured and distributed to the women cooperatives involved.

SMEDAN also runs **Women's entrepreneurship programmes and Faith Based Initiative for women especially for widows.**

f) Cottage Industries and Skills Acquisition Programmes

In addition, various cottage industries and skills acquisition centres have been established across the country for women empowerment. For example between 2005 and 2011 the Federal government established over 100 Skills Acquisition Centres for Women nationwide and 10 Cottage Industries. Civil society Organizations in the country have also been proactive in reducing feminized poverty, through establishment of various loan schemes at lower interest rates to make them more productive and self-reliant. For instance, we have programmes as – ‘Empowering young Female Graduates’ with the Spring Bank and ‘Equity Investment for Gender Empowerment’ with Access bank to boost economic activities among women.

ANNEX 1: CALL FOR INPUT



FEDERAL MINISTRY OF JUSTICE, ABUJA

CALL FOR INPUTS

Daily Trust (Thursday 18th July, 2013 at p.46) and The Punch (July 18th at p.20)

The Federal Ministry of Justice, as the focal point for the Committee on the African Commission on Human and Peoples' Rights (ACHPR), is compiling Nigeria's Periodic Report on Human Rights incidences/Interventions for submission to the ACHPR Secretariat in preparation for the October/November 2013 Session.

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

Such should include reports, statistics, data and impact assessment of programmes; positive and negative outcomes of interventions, social reforms, legislation and projects undertaken since 2011-2013. The focus of the submissions should cover the under-listed articles/issues as contained in the African Charter Document:

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

All submissions must be typed doubled-spaced and forward by hand, postal or Electronic mail not later than 23rd July, 2013 to reach:

ACHPR COMMITTEE SECRETARIAT,
c/o The Director, International & Comparative Law (ICL) Department,
Federal Ministry of Justice, FMJ Complex,
Off Shehu Shagari Way,
Maitama District, Abuja, Nigeria.
E-mail: committeeinterministerial@yahoo.com

Further clarifications and inquiries can be obtained by phone on:
08037174986, 0805 080 4070, 0805 909 3415

Collated inputs shall be reviewed at a Stakeholders' Validation Workshop to be convened on 24th July, 2013.

FEDERAL MINISTRY OF JUSTICE, ABUJA: ANNOUNCER

ANNEX 2: Inventory of Human rights related CSOs in Nigeria

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

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

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

- i. FIDA Rivers State Zone
- ii. Center for Women and Advancement Empowerment (CWAE)
- iii. Girls' Power Initiative (GPI)
- iv. Legal Defence and Assistance Project (LEDAP)
- v. Civil Resource Development and Documentation Centre (CIRDDOC)
- vi. Women's Aid Collective (WACCOL)
- vii. Legal Research Initiative- (LRI)
- viii. Women Opinion Leasers Forum (WOLF)
- ix. Nigeria Association of Women Journalists (NAWOJ)
- x. Poverty Alleviation and Development Centre (PADEC) – Kaduna
- xi. Constitutional Rights Project (CRP)
- xii. Women, Law and Development Centre (WOLDCN)
- xiii. Women's Rights and Development Centre (WORDEC)
- xiv. Women's Consortium of Nigeria (WOCON)
- xv. Christian Care for Widows/Widowers and the Aged
- xvi. FIDA, Kaduna
- xvii. Legal Watch, Kaduna
- xviii. Foundation for Women's Health-FORWARD- Nigeria
- xix. International Association of Educationists for World Peace
- xx. Northern Cross River States Women Association – (NCRSWA)
- xxi. Women in Detention Rights Initiative (MDRI)
- xxii. FIDA, Abuja Capital Chapter
- xxiii. Gender Advancement and Development Action (GADA), Lagos
- xxiv. Women in Nigeria (WIN)

- xxv. Women's Rights Advancement and Protection Alternative (WRAPA)
- xxvi. Committee for the Defence of Human Rights (CDHR)
- xxvii. Centre for Democracy and Development (CDD)
- xxviii. Project Alert, Lagos
- xxix. Women and Minority Rights Monitors (WAMRM)
- xxx. Democratic Alternative- (DA)
- xxxi. Human Rights Monitor
- xxxii. League of Democratic Women. Nigeria (LEADS)
- xxxiii. BAOBAB for Women's Human Rights
- xxxiv. Civil Liberties Organisation – (CLO)
- xxxv. NAWOJ – Democracy & Governance Project, Kaduna
- xxxvi. Constitutional Watch (CONSWATCH)
- xxxvii. FIDA, Edo
- xxxviii. Adolescent Health and Information Project (AHIP)
- xxxix. Human Rights Law Service-HURI-LAWS
 - xl. NAWOJ Enugu State Chapter
 - xli. Centre for Women Studies and Intervention (CWSI)
 - xlii. National Council for Women societies (NCWS)
 - xliii. Gender Action Team (GAT) Kaduna

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

- i. CDD, Abuja
- ii. Global Rights Initiative, Abuja
- iii. Legal Resources Consortium, Lagos
- iv. PRAWA, Lagos
- v. HURILAWS, Lagos
- vi. Network on Police Reforms in Nigeria (NOPRIN)
- vii. SERAC, Lagos
- viii. SERI, Lagos
- ix. LRRDC, Lagos
- x. WRAPA, Abuja
- xi. WACOL, Enugu
- xii. CLO, Lagos
- xiii. WARDC, Lagos
- xiv. Global Rights Initiative, Abuja
- xv. CRP, Abuja
- xvi. FIDA (International Federation of Women Lawyers) , Abuja-Lagos
- xvii. Center for Women and Advancement Empowerment (CWAE)
- xviii. Girls' Power Initiative (GPI)
- xix. Legal Defence and Assistance Project (LEDAP)
- xx. Civil Resource Development and Documentation Centre (CIRDDOC)
- xxi. Women's Aid Collective (WACOL)
- xxii. Legal Research Initiative- (LRI)
- xxiii. Women Opinion Leasers Forum (WOLF)
- xxiv. Nigeria Association of Women Journalists (NAWOJ)
- xxv. Poverty Alleviation and Development Centre (PADEC) – Kaduna
- xxvi. Constitutional Rights Project (CRP)
- xxvii. Women, Law and Development Centre (WOLDCN)
- xxviii. Women's Rights and Development Centre (WORDEC)
- xxix. Women's Consortium of Nigeria (WOCON)

- xxx. Christian Care for Widows/Widowers and the Aged
- xxxi. Legal Watch, Kaduna
- xxxii. Foundation for Women's Health-FORWARD- Nigeria
- xxxiii. International Association of Educationists for World Peace
- xxxiv. Northern Cross River States Women Association – (NCRSWA)
- xxxv. Women in Detention Rights Initiative (VMDRI)
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- xlix. Constitutional Watch (CONSWATCH)
 - I. Adolescent Health and Information Project (AHIP)
 - ii. Human Rights Law Service-HURI-LAWS
 - liii. NAWOJ Enugu State Chapter
 - liiii. Centre for Women Studies and Intervention (CWSI)
 - liiii. National Council for Women societies (NCWS)
 - liiii. Gender Action Team (GAT) Kaduna

- **List of CSO Zero Corruption Coalition (ZCC): -**

- i. Transparency in Nigeria, NGO, initiator & host of the coalition
- ii. Integrity, Anti-Corruption NGO
- iii. EMPARC, Reproductive Rights NGO
- iv. Poverty Alleviation in Nigeria [PAN], CBO
- v. Gender and Development Action [GADA], Women Rights Ngo
- vi. NNNGO, Coalition of NGOs
- vii. Cass, NGO
- viii. CRD, NGO
- ix. National Democratic Institute, NGO
- x. Kano Chapter of Commerce, Organized Private Sector
- xi. CHD, NGO
- xii. JDPC, NGO
- xiii. Center for Democracy & Development [CDD], NGO
- xiv. Mass Movement, CBO
- xv. Nigerian Labour Congress, Trade Union
- xvi. Nigerian Union of Journalist, Trade Union
- xvii. NACCIMA, Organized Private Sector
- xviii. BAOBAB, NGO
- xix. National Consumer Council, Organized Private Sector
- xx. IHRLG, Human Right
- xxi. National Association of Democratic Lawyers-NADL, Human Right
- xxii. Media Rights Agenda-MRA, Media, NGO

- xxiii. CLEEN Foundation Human Right, NGO
- xxiv. WARDC, Women's Right, NGO
- xxv. Centre for the Development of Civil Society-CDCS, NGO
- xxvi. SERI, NGO
- xxvii. Community Action for Popular Participation, NGO/CBO
- xxviii. HEDA, NGO
- xxix. Committee for the Defence of Human Rights-CDHR, NGO
- xxx. Borno Coalition for Democracy & Progress-BOCODEC, NGO/CBO
- xxxi. Citizens Centre, NGO
- xxxii. Centre for Rule of Law, NGO
- xxxiii. Your Environment and Health, Health NGO
- xxxiv. Our Roots Foundation, Culture NGO
- xxxv. Women's Right to education project-WREP, Education NGO
- xxxvi. NYEN, NGO
- xxxvii. Women's Environmental Program Women's Right, NGO
- xxxviii. Electoral Reform Project-Ern, Coalition of NGO
- xxxix. Ajegunle Community Project, CBO
 - xl. Probity in Nigeria, Anti-Corruption NGO
 - xli. Independent Advocacy Project, NGO
 - xl.ii. International Federation of Women Lawyers- FIDA, Professional Group-NGO
 - xl.iii. Peculiar People Foundation, CBO For Disabled
 - xl.iv. Restructuring Group, CBO
 - xl.v. Audit Alert, NGO
 - xl.vi. Leadership Watch, NGO
 - xl.vii. Campaign for Democracy [CD], Human Right NGO
- xl. Women in Banking, Professional, NGO
- xli. Center for Law & Social Action, NGO
 - li. Guidance & Counselling Association, Ngo
 - lii. Pan African Vision for the Environment [PAVE], Environmental, NGO
 - liii. Association for Democratic Citizens, CBO
 - liiii. Community Development and Welfare Agenda, CBO
 - liv. Peoples Institute for Sustainable Development
 - lv. Civil Society Forum, NGO
 - lvi. Taraba Youth Progressive Association, Youth NGO
 - lvii. Human Right & Political Awareness [HURPA], Maiduguri
 - lviii. Gender Environment & Rural Development Initiative[GEARDI], Maidugiri
 - lix. Community Health & Youth Friendly Association
 - lx. Centre for Public Education & Mobilization for Development in Nigeria, Yola.
 - lxi. Toungo Youth Development Association, Yola
 - lxii. Women for Development & Child Labour.
 - lxiii. Wurmo Kowanaka Community Development, Development Association.
 - lxiv. Forward in Action for Education, Poverty & Malnutrition [FACE-PAM], Bauchi.
 - lxv. Council for Democracy & Environmental Action
 - lxvi. New breed Democratic Promoters Association of Nigeria, Gombe
 - lxvii. Breakthrough Initiative & Community Development Centre. Gombe.
 - lxviii. Guidance & Counselling Development Association, Gombe.
 - lxix. Rahama Women Development Programme.
 - lxx. Voice of Taraba Women
 - lxxi. Association of Youth for Peace & Development.
 - lxxii. Women right Initiative

- lxxiii. Female Role Model Initiative, Damaturu.
- lxxiv. Rommy Mom, Lawyer Alert
- lxxv. Community Dev. & Welfare Agenda CODWA, Organization
- lxxvi. Human Right & Political Awareness[HURPA]
- lxxvii. Gender Environment & Rural Development Initiative. [HURPA]
- lxxviii. Centre for Public Education & Mobilization for Development
- lxxix. Female Role Models Initiative
- lxxx. Public & Private Development Centre (PPDC), NGO

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

- i. Legal Resources Consortium, Lagos
- ii. PRAWA, Lagos
- iii. HURLAWS, Lagos
- iv. Network on Police Reforms in Nigeria (NOPRIN)
- v. SERAC, Lagos
- vi. SERI, Lagos
- vii. LRRDC, Lagos
- viii. WRAPA, Abuja
- ix. WACOL, Enugu
- x. CLO, Lagos
- xi. WARDC, Lagos
- xii. Global Rights Initiative, Abuja
- xiii. CRP, Abuja
- xiv. FIDA (International Federation of Women Lawyers) , Abuja-Lagos
- xv. Center for Women and Advancement Empowerment (CWAE)
- xvi. Girls' Power Initiative (GPI)
- xvii. Legal Defence and Assistance Project (LEDAP)
- xviii. Civil Resource Development and Documentation Centre (CIRDDOC)
- xix. Women's Aid Collective (WACOL)
- xx. Legal Research Initiative- (LRI)
- xxi. Women Opinion Leasers Forum (WOLF)
- xxii. Nigeria Association of Women Journalists (NAWOJ)
- xxiii. Poverty Alleviation and Development Centre (PADEC) – Kaduna
- xxiv. Constitutional Rights Project (CRP)
- xxv. Women, Law and Development Centre (WOLDCN)
- xxvi. Women's Rights and Development Centre (WORDEC)
- xxvii. Women's Consortium of Nigeria (WOCON)
- xxviii. Christian Care for Widows/Widowers and the Aged
- xxix. Legal Watch, Kaduna
- xxx. Foundation for Women's Health-FORWARD- Nigeria
- xxxi. International Association of Educationists for World Peace
- xxxii. Northern Cross River States Women Association – (NCRSWA)
- xxxiii. Women in Detention Rights Initiative (WDRI)
- xxxiv. Gender Advancement and Development Action (GADA), Lagos
- xxxv. Women in Nigeria (VMN)
- xxxvi. Women's Rights Advancement and Protection Alternative (WRAPA)
- xxxvii. Committee for the Defence of Human Rights (CDHR)
- xxxviii. Centre for Democracy and Development (CDD)
- xxxix. Project Alert, Lagos
- xl. Women and Minority Rights Monitors (WAMRM)

- xli. Democratic Alternative- (DA)
- xlii. Human Rights Monitor
- xlili. League of Democratic Women. Nigeria (LEADS)
- xliv. BAOBAB for Women's Human Rights
- xlv. Civil Liberties Organisation – (CLO)
- xlvi. NAWOJ – Democracy & Governance Project, Kaduna
- xlvii. Constitutional Watch (CONSWATCH)
- xlviii. Adolescent Health and Information Project (AHIP)
- xliv. Human Rights Law Service-HURI-LAWS
 - I. NAWOJ Enugu State Chapter
 - li. Centre for Women Studies and Intervention (CWSI)
 - lii. National Council for Women societies (NCWS)
 - liii. Gender Action Team (GAT) Kaduna

- **List of CSO Coalition on Penal, Police and Prison Reforms: -**

- i. LEADAP, Lagos
- ii. CLO Lagos
- iii. HURILAWS, Lagos
- iv. Legal Resources Consortium, Lagos
- v. PRAWA, Lagos
- vi. Network on Police Reform in Nigeria (NOPRIN)

- **List of CSO Coalition on ECOSOC Rights: -**

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