



Human Rights Council
Working Group on the Universal Periodic Review
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5–16 November 2018

Compilation on Nigeria

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies^{1, 2}

2. In 2017, the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families recommended that Nigeria consider ratifying or acceding to the first Optional Protocol to the International Covenant on Civil and Political Rights, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. The Committee on the Elimination of Discrimination against Women encouraged Nigeria to do likewise.³

3. The Committee on Migrant Workers also recommended that Nigeria ratify the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), the Domestic Workers Convention, 2011 (No. 189) and the Private Employment Agencies Convention, 1997 (No. 181) of the International Labour Organization (ILO).⁴

4. The same Committee recommended that Nigeria consider making the declarations provided for in articles 76 and 77 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families recognizing the competence of the Committee to receive and consider communications from States parties and individuals concerning violations of the rights established under the Convention.⁵

5. Referring to the relevant recommendations from the previous review, the United Nations country team stated that Nigeria had not submitted reports to any treaty bodies apart from the Committee on the Elimination of Discrimination against Women. In 2017, the Committee on Migrant Workers reviewed the situation in Nigeria in the absence of a



report and without the participation of a government delegation. The country team considered the recommendations to have been partially implemented.⁶

6. Referring to the relevant recommendations from the previous review, the United Nations country team stated that Nigeria had issued a standing invitation to the special procedure mandate holders and had hosted four of them since the previous review. The country team considered the recommendations to have been implemented.⁷

III. National human rights framework⁸

7. The Committee on the Elimination of Discrimination against Women noted that the federal structure of Nigeria, which established a three-tiered system of governance at the national, state and local levels, continued to present challenges for the incorporation of the Convention into the national legal order.⁹

8. Referring to the relevant recommendations from the previous review, the United Nations country team stated that Nigeria had given effect to some of its treaty obligations by adopting the Anti-Torture Act (2017), the Compulsory Treatment and Care for Victims of Gunshot Wounds Act (2017), the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act (2015), the Administration of Criminal Justice Act (2015) and the Violence against Persons (Prohibition) Act (2015). The country team considered the recommendations to have been partially implemented.¹⁰

9. Referring to the relevant recommendations from the previous review, the country team stated that Nigeria had yet to incorporate the provisions of the Rome Statute of the International Criminal Court into its domestic legal system. It considered that the recommendations had not been implemented.¹¹

10. In 2016, the Special Rapporteurs on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, on the sale of children, child pornography and child prostitution, and on contemporary forms of slavery, including its causes and consequences, stated that Nigeria should ensure that the Child Rights Act and the Violence against Persons (Prohibition) Act were adopted and enforced in those states that had yet to do so.¹²

11. The Committee on Migrant Workers stated that further legislative and administrative measures were needed to fully harmonize domestic laws and practice with the provisions of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. It was concerned that the 2015 Immigration Act maintained broad grounds for classifying individuals as “prohibited immigrants” liable to be refused admission or deported.¹³

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

A. Cross-cutting issues

1. Equality and non-discrimination¹⁴

12. The Committee on the Elimination of Discrimination against Women expressed concern that the prohibition of discrimination in section 42 of the Constitution did not comprise a comprehensive definition of discrimination in line with article 1 of the Convention on the Elimination of All Forms of Discrimination against Women. It called on Nigeria to adopt a comprehensive definition of discrimination against women, in line with that article and target 5.1 of the Sustainable Development Goals.¹⁵

13. The Committee also recommended that Nigeria ensure that the ongoing constitutional review process addressed the applicability of statutory, customary and Islamic personal laws, which afforded varying degrees of protection for women and girls. It

further recommended expediting the repeal or amendment of all discriminatory laws identified by the Nigerian Law Reform Commission and including religious leaders in the process of addressing issues of faith and human rights, so as to build on several “faith for rights” initiatives and identify common ground among all religions in Nigeria.¹⁶

14. Referring to the relevant recommendations from the previous review, the United Nations country team noted that in March 2016, the eighth Senate had rejected the Gender and Equal Opportunities Bill and that a revised version of the Bill was currently under consideration. The country team considered the implementation of those recommendations to be ongoing.¹⁷

15. Noting that it had been on the legislative agenda since 2011, the Special Rapporteurs on health, on sale of children and on slavery recommended that Nigeria adopt the Gender and Equal Opportunities Bill and ensure its effective implementation at all levels of government.¹⁸

16. The Committee on Migrant Workers recommended that Nigeria take all measures necessary to extend to migrant workers the guarantees relating to privacy, freedom of movement and protection against racial discrimination and to remove from its legislation all provisions that discriminated against foreign men in relation to the acquisition of nationality. It also recommended that Nigeria include a prohibition of direct and indirect discrimination on all the grounds enumerated in the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (arts. 1 (1) and 7) in the draft Labour Standards Act, and take all legislative and policy measures necessary to ensure that all migrant workers and members of their families, both documented and undocumented, within the territory of Nigeria or subject to its jurisdiction enjoyed, without discrimination, the rights recognized in the Convention.¹⁹

2. Development, the environment, and business and human rights²⁰

17. In 2014, the Special Rapporteur on minority issues stated that the availability and exploitation of natural resources, and the impact of climate change in the North and Central regions, including desertification, droughts and food and water shortages, must be adequately addressed. She urged the Government to plan and implement coordinated national and state policies to fight the adverse effects of climate change and provide sustainable solutions for the use of land by the different communities with competing lifestyles and livelihoods.²¹

18. She noted that numerous oil spills had resulted in extremely grave environmental damage across the Niger Delta, causing water and soil pollution and destroying the livelihoods of many communities. She urged the authorities to take effective measures to assist the communities in need, providing health care and education facilities, and foster means for the creation of alternative livelihood options.²²

19. The Committee on the Elimination of Discrimination against Women welcomed the adoption in 2015 of a transition strategy from the Millennium Development Goals to the Sustainable Development Goals. It recommended that Nigeria explore investment and employment opportunities for women through investments in renewable energy while combating the adverse effects of climate change in the context of its efforts to implement Sustainable Development Goals 5, 7 and 13.²³

3. Human rights and counter-terrorism²⁴

20. The Office of the United Nations High Commissioner for Human Rights (OHCHR) recommended that Nigeria adopt or review counter-terrorism laws and policies to ensure compliance with international standards, including international human rights law and international humanitarian law, notably the principles of legality and proportionality.²⁵

21. OHCHR had received preliminary reports of violations of human rights and international humanitarian law allegedly committed by some government forces during counter-insurgency operations, including extrajudicial killings, enforced disappearances, arbitrary arrests and detention, and ill-treatment. Failures to adequately protect people from Boko Haram had also been documented. OHCHR recommended that Nigeria conduct

prompt, thorough and independent investigations into those allegations, and ensure accountability for all violations of international human rights law and international humanitarian law, regardless of the position or rank of the perpetrator.²⁶

B. Civil and political rights

1. Right to life, liberty and security of person²⁷

22. Referring to the relevant recommendations from the previous review, the United Nations country team stated that, while several investigations had been launched, they had not led to any prosecutions. Allegations of extrajudicial executions, enforced disappearances and excessive use of force by security agencies continued to be made. The country team considered those recommendations to have been partially implemented.²⁸

23. Referring to the relevant recommendations from the previous review, the United Nations country team noted that the Anti-Torture Act 2017 did not have national application and states were required to adopt complementary legislation to ensure its enforceability. Moreover, the rules and regulations for the implementation of the Act had yet to be formulated. The country team considered those recommendations to have been partially implemented.²⁹

24. OHCHR stated that Boko Haram had intentionally killed and maimed civilians in attacks throughout Borno State and in parts of Adamawa and Yobe States. Credible reports indicated that the security forces had not deployed in several cases where civilians had come under attack by Boko Haram. The inability of the security forces to protect civilians from Boko Haram attacks and the deterioration of the security situation had led to the emergence of local self-defence groups, known as vigilantes, who seemed to operate with the tacit approval of the security forces. OHCHR recommended that Nigeria take immediate steps to strengthen and expand measures to protect civilians, including in the context of counter-insurgency operations, and stop the use of vigilante groups in such operations, and that it adopt a comprehensive strategy for combating violent extremism.³⁰

25. OHCHR had received confirmation that in areas affected by Boko Haram, young men were not only exposed to the risk of being targeted by Boko Haram, but also of being arbitrarily arrested and detained by the army, police or civilian vigilante groups, if suspected of being Boko Haram members.³¹

26. In 2017, the Secretary-General strongly condemned the attacks on schools, hospitals and protected personnel, as well as other humanitarian actors and facilities. He called on all parties to respect the civilian character of schools and hospitals and to allow safe and unimpeded access for humanitarian actors to affected populations.³²

27. He urged Nigeria to abide by its obligations under international humanitarian, human rights and refugee law and ensure the protection of civilians during the armed conflict.³³

28. The Special Rapporteurs on health, on sale of children and on slavery noted that Boko Haram had used widespread abductions of girls and boys as a part of its insurgency strategy.³⁴

29. The Secretary-General referred to numerous cases of child abduction by Boko Haram, including from the school in Chibok in April 2014. The group's stated motives for such abductions included retaliation against the Government for the detention of relatives and punishment of schoolchildren for attending Western-style schools. Abduction was also used as a means to forcibly recruit children, and Boko Haram used abducted children as human shields during military operations by the security forces. According to accounts from those who had escaped or been rescued, children were subjected to rape and forced marriage, physical and psychological abuse, forced labour, forcible religious conversion and used in operations, including suicide attacks.³⁵

30. The Committee on the Elimination of Discrimination against Women recommended that Nigeria intensify its efforts to rescue all women and girls abducted by Boko Haram

insurgents, ensure their rehabilitation and integration into society and provide them and their families with access to psychosocial and other rehabilitative services.³⁶

31. Referring to the relevant recommendation from the previous review, the United Nations country team stated that prison conditions remained harsh and life threatening. They were characterized by overcrowding and inadequate medical care, food and water. The country team considered that the recommendation had not been implemented.³⁷

2. Administration of justice, including impunity, and the rule of law³⁸

32. Referring to the relevant recommendations, the United Nations country team noted that the criminal justice system had been reformed through the enactment of the Administration of Criminal Justice Act, which had enhanced the speedy dispensation of justice. While the Act was applicable in federal institutions, only 13 states had adopted implementing legislation. The National Policy on Justice (2017) had been adopted to guide the judicial reform process. The country team considered the implementation of those recommendations to be ongoing.³⁹

33. The Special Rapporteurs on health, on sale of children and on slavery noted that there appeared to be a significant gap in current responses in terms of accountability for crimes perpetrated in the context of the insurgency. Access to remedies for victims of the insurgency, including of sexual and gender-based violence, was almost non-existent for many reasons, including resistance to reporting for fear of stigma, ostracism and reprisals. The Special Rapporteurs recommended that Nigeria investigate the crimes committed by Boko Haram, prosecute and punish all those responsible in order to fight impunity, and set up witness and victim protection services for women and children affected by the violence.⁴⁰

34. Noting that the lack of accountability and impunity were repeatedly cited as major flaws of the criminal justice system, the Special Rapporteur on minority issues stated that alleged perpetrators must be persecuted and held accountable for their crimes.⁴¹

35. Referring to the relevant recommendation from the previous review, the United Nations country team noted that the Legal Aid Council had been unable to provide free legal representation to those who needed it due to funding and staffing deficiencies. The country team considered that the recommendation had not been implemented.⁴² The Committee on the Elimination of Discrimination against Women remained concerned at reports that access to justice for women was often impeded by insufficient budget allocations for legal aid, alleged corruption and stereotyping within the judiciary.⁴³

3. Fundamental freedoms and the right to participate in public and political life⁴⁴

36. Referring to the relevant recommendations from the previous review, the United Nations country team stated that Nigeria was supporting initiatives to enhance interreligious dialogue through facilitating engagement between Christians and Muslims. However, the initiatives had come under pressure owing to conflicts between farmers and herders, which, while ostensibly resource-based, had taken on a religious or ethnic connotation. The country team considered that those recommendations were being implemented.⁴⁵

37. The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that defamation was a crime in Nigeria, punishable by imprisonment. It recommended that Nigeria decriminalize defamation and place it within a civil code that was in accordance with international standards.⁴⁶

38. The Committee on Migrant Workers recommended that Nigeria take all necessary measures, including legislative amendments, to guarantee to all migrant workers, including those in an irregular situation, the right to take part in trade union activities and to freely join trade unions, in accordance with article 26 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.⁴⁷

39. The Special Rapporteur on minority issues was concerned that, despite the relevant role played by women, particularly minority women, in civil society initiatives, during her visit in 2014, she had encountered hardly any women participating in Government and political leadership.⁴⁸

40. The Committee on the Elimination of Discrimination against Women remained concerned that women were still underrepresented in the National Assembly, in senior leadership positions in the diplomatic service and at the ministerial level. It recommended the introduction of temporary measures, such as quotas for political appointments and the accelerated recruitment of women to decision-making positions.⁴⁹

41. The Special Rapporteur on minority issues noted that minorities, particularly minority women, were poorly represented in political life at all levels, especially in state and local governments. She urged Nigeria to consider affirmative action measures, including the use of quotas in political parties.⁵⁰

4. Prohibition of all forms of slavery⁵¹

42. The Committee on the Elimination of Discrimination against Women was concerned that Nigeria remained a source, transit and destination country for trafficking in persons, particularly women and girls, for purposes of sexual and labour exploitation.⁵²

43. The United Nations Population Fund (UNFPA) noted that, in order to address new trends in the crime of trafficking in persons, the 2003 Trafficking in Persons (Prohibition) Law Enforcement and Administration Act had been repealed and the 2015 Trafficking in Persons (Prohibition) Law Enforcement and Administration Act enacted.⁵³

44. The Committee on Migrant Workers recommended that Nigeria continue to vigorously pursue trafficking investigations and prosecutions, ensure adequate sentences for convicted traffickers, provide regular training to police and immigration officials to identify trafficking victims among vulnerable populations, and strengthen the capacity of Nigerian embassies to identify and provide assistance to victims abroad, including through regular and specialized training for diplomatic and consular personnel.⁵⁴

45. The Committee was concerned that the exception in national legislation to the prohibition of child labour applicable to children employed by family members or who took on light work of an agricultural, horticultural or domestic nature might make children vulnerable to be trafficked into domestic work by family members.⁵⁵

5. Right to privacy and family life⁵⁶

46. The Committee on the Elimination of Discrimination against Women was concerned that, under section 26 (2) (a) of the Constitution, Nigerian women married to foreign men could not transmit their nationality to their husbands, unlike Nigerian men married to foreign women. It was also concerned that section 29 (4) (b) on citizenship renunciation legitimized child marriage, as it recognized any woman who was married to be of full age for the purposes of renunciation of citizenship.⁵⁷ The Committee on Migrant Workers raised similar concerns.⁵⁸

47. The Committee on the Elimination of Discrimination against Women was concerned that while sections 218 and 357 of the Criminal Code protected girls under 13 years of age from forced sexual intercourse, section 6 excluded the applicability of those provisions to girls of the same age in customary law marriages. It recommended repealing section 6.⁵⁹

48. The Committee was also concerned that no specific measures had been taken to eradicate polygamous relationships. It recommended that Nigeria eradicate polygamy through awareness-raising campaigns and education.⁶⁰

C. Economic, social and cultural rights

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

49. The same Committee remained concerned about discriminatory provisions in the Labour Act (1990), the Factories Act (1987) and the Police Regulations (1968), which prohibited the employment of women in night work and the recruitment of married women to the police and required women police officers to make a written request for permission to marry.⁶¹

50. The Committee recommended that Nigeria allocate sufficient resources for exit programmes for women wishing to leave prostitution, including by providing alternative income-generating opportunities.⁶²

2. Right to social security

51. The Committee noted the efforts to promote women's economic empowerment and social welfare, including through the adoption of the Social Insurance Trust Fund Act, in 2012, and the Pension Reform Act, in 2014.⁶³

52. The Committee on Migrant Workers recommended that Nigeria ensure, through national legislation and bilateral and multilateral social security agreements, that all migrant workers and members of their families had adequate social protection.⁶⁴

3. Right to an adequate standard of living⁶⁵

53. The same Committee encouraged Nigeria to facilitate the transfer of remittances by Nigerian migrant workers abroad. It also recommended that Nigeria take measures to facilitate the transfer of earnings and savings by migrant workers in Nigeria with preferential transfer and reception fees, in line with target 10.c of the Sustainable Development Goals, and to make savings plans more accessible to migrant workers and members of their families.⁶⁶

54. The Special Rapporteur on minority issues noted that the Middle Belt region comprised an ethnically, religiously and linguistically diverse mosaic of groups and communities. Over past years, some states in the region had suffered episodes of intercommunal violence that, while exhibiting ethnic and religious dimensions, had root causes that were complex and multifaceted. Federal and state governments had acknowledged that socioeconomic factors, including poverty, high levels of illiteracy, unemployment and insufficient income levels, were among the underlying causes fuelling tensions and violence among groups in that region. She recommended that Nigeria urgently adopt a comprehensive national plan against poverty and social exclusion, with clear objectives and specific benchmarks and timelines for completion.⁶⁷

4. Right to health⁶⁸

55. The Committee on the Elimination of Discrimination against Women noted with concern the high rate of maternal mortality, which was partly attributable to the lack of access to skilled midwives and the high number of unsafe abortions, which itself resulted from the restrictive laws that permitted abortions only in order to save a pregnant woman's life.⁶⁹ UNFPA stated that in 2017, the Government had pioneered an innovative initiative to scale up the capacity of midwives.⁷⁰

56. The Committee on the Elimination of Discrimination against Women recommended that Nigeria amend the relevant provisions of the criminal codes of federal states with a view to legalizing abortion in cases of rape, incest and risk to the physical or mental health or life of the pregnant woman and severe impairment of the fetus, and decriminalize abortion in all other cases.⁷¹

57. The Committee noted with concern reports of high rates of infertility and miscarriage in Zamfara State owing to lead contamination. It recommended that Nigeria ensure that women and girls affected by lead contamination in Zamfara State had access to health care and that the consequences of contamination were continuously monitored with a view to providing necessary medical interventions.⁷²

58. It also noted with concern the limited use of modern forms of contraception by women and girls, the fact that Nigeria had one of the highest HIV rates in the world, which disproportionately affected women and girls, especially women in prostitution, and the prevalence of malaria.⁷³

5. Right to education⁷⁴

59. The Office of the Special Representative of the Secretary-General for Children and Armed Conflict stated that in 2017, the military had occupied 14 schools, contrary to the

commitments made under the Safe Schools Declaration. It encouraged Nigeria to honour its commitments under the Declaration.⁷⁵

60. The Special Rapporteur on minority issues stated that appropriate actions must be taken to ensure that all children, regardless of their social status, had access to compulsory education. Special measures should be adopted to combat school dropouts, including those owing to poverty and socioeconomic factors, and to ensure school attendance of children belonging to minorities, particularly minority girls, including assessments of the situation of minority children, increased provision of minority-language education, increased funding for education and collaboration with state and local governments and civil society organizations.⁷⁶

61. UNESCO encouraged Nigeria to adopt measures to strengthen educational opportunities for girls and women, including programmes to support girls to continue their studies and to encourage those who had dropped out of school to return.⁷⁷

62. The Committee on the Elimination of Discrimination against Women noted with concern that many women and girls in north-east Nigeria had dropped out of school owing to the Boko Haram insurgency.⁷⁸

63. UNESCO encouraged Nigeria to improve the school environment and strengthen educational programmes to counter harmful traditional practices, especially by including them in the human rights education curricula.⁷⁹

64. The Committee on the Elimination of Discrimination against Women recommended that Nigeria ensure adequate funding, logistics and provision of food to schools under the school feeding programme and ensure the sustainability of the programme.⁸⁰

D. Rights of specific persons or groups

1. Women⁸¹

65. The Special Rapporteurs on health, on sale of children and on slavery noted that the Violence against Persons (Prohibition) Act prohibited all forms of violence and criminalized marital rape, female genital mutilation, forceful ejection from home and harmful widowhood practices. The Special Rapporteurs recommended that Nigeria ensure that the Act was adopted in those states that had yet to do so.⁸²

66. The Committee on the Elimination of Discrimination against Women also recommended that Nigeria ensure that the Violence against Persons (Prohibition) Act was applicable in all federal states and that it expedite the drafting and adoption of its “enforcement procedure” framework, which should be focused on developing a comprehensive prevention strategy for gender-based violence against women.⁸³

67. Referring to the relevant recommendations from the previous review, the United Nations country team stated that the Violence against Persons (Prohibition) Act prohibited female genital mutilation, which had been banned in 12 of the 36 states. The country team considered the implementation of those recommendations to be ongoing.⁸⁴

68. The Committee on the Elimination of Discrimination against Women recommended that Nigeria raise awareness among religious and traditional leaders and the general public about the criminal nature of female genital mutilation, including so-called female circumcision, and its adverse effect on the human rights of women.⁸⁵

69. UNFPA stated that the humanitarian emergency in insurgency-affected states in north-east Nigeria had significantly impacted on the lives of women and girls with increased displacement, threats of and exposure to gender-based violence, challenges obtaining and utilizing life-saving services and rising incidence of domestic violence. The Government had established a gender-based violence coordination mechanism to address those issues.⁸⁶

70. The Special Rapporteurs on health, on sale of children and on slavery stated that, while all women and girls who experienced sexual violence during the insurgency faced stigmatization, the stigma and rejection from families and communities was greater for

those who were perceived to have been associated with Boko Haram as abductees, those living in Boko Haram controlled areas or those who had been compelled and forced to become “wives” of Boko Haram insurgents. Often referred to by communities as “Boko Haram wives” or “Sambisa women”, they were shunned and marginalized, even in camps for internally displaced persons.⁸⁷

71. The Committee on the Elimination of Discrimination against Women recommended that Nigeria prohibit and eliminate child marriage, wife inheritance and polygamy.⁸⁸

72. The Committee was concerned that section 55 of the Criminal Code permitted wife battery as chastisement as long as no grievous bodily harm was inflicted. It recommended that Nigeria expedite the repeal or amendment of all discriminatory laws.⁸⁹

73. It was concerned that women owned less than 7.2 per cent of the total land mass in Nigeria and that their land rights in rural areas were not guaranteed. It recommended reviewing the Land Use Act (1990), the Land Administration Act (1978) and related land laws and repealing any provisions that prevented women’s access to land.⁹⁰

2. Children⁹¹

74. In 2017, the Secretary-General stated that Boko Haram had used children in direct hostilities and as human shields to protect its elements during military operations. Many children had also been subjected to forceful religious conversion and forced marriage and used for sexual purposes.⁹² The Special Rapporteurs on health, on sale of children and on slavery stated that girls had been subjected to sexual violence and used as sexual slaves by insurgents, which had resulted in many becoming pregnant.⁹³

75. In 2017, the Secretary-General called on Nigeria to ensure that all children allegedly associated with armed groups were primarily treated as victims. He encouraged the Government to put in place a protocol for the handover to civilian authorities of children encountered during the course of military operations.⁹⁴

76. He stated that the Civilian Joint Task Force had recruited children as young as 9 years old.⁹⁵ He called on the Government and the Task Force to ensure an end to the recruitment and use of children by the Task Force.⁹⁶

77. The Office of the Special Representative of the Secretary-General for Children and Armed Conflict noted that, on 15 September 2017, the Civilian Joint Task Force had signed an action plan to end the recruitment and use of children, to be facilitated by the Ministry of Justice. The Office encouraged the Task Force to continue making progress on the plan.⁹⁷

78. The Office also encouraged Nigeria to release all detained children to civilian actors and to adopt a handover protocol for children who had previously been associated with armed groups.⁹⁸

79. While noting that the lack of harmonization between sharia law and civil law was allegedly one of the challenges that had prevented states from adopting the Child Rights Act, the Special Rapporteurs on health, on sale of children and on slavery recommended that Nigeria ensure that the Act was adopted in those states that had yet to do so, and enforced.⁹⁹

3. Persons with disabilities¹⁰⁰

80. Referring to the relevant supported recommendation from the previous review, the United Nations country team stated that the seventh National Assembly had passed legislation to domesticate the Convention on the Rights of Persons with Disabilities, but that it had not been signed into law before the dissolution of the parliament, and had therefore lapsed. Similar legislation was currently under consideration by the eighth parliament. The country team considered the implementation of that recommendation to be ongoing.¹⁰¹

81. The Committee on the Elimination of Discrimination against Women was concerned that women and girls with disabilities faced physical and economic barriers in various fields, especially in gaining access to health care, education and employment.¹⁰²

4. Minorities and indigenous peoples¹⁰³

82. The Special Rapporteur on minority issues stated that minorities were often among the most disadvantaged populations and experienced the worst socioeconomic conditions. She recommended that Nigeria urgently adopt a comprehensive national plan against poverty and social exclusion that contained measures focusing on the most vulnerable groups and paid specific attention to the issues of minority women.¹⁰⁴

83. In 2014, she considered the distinction between indigenes and settlers to be potentially damaging to intergroup relations and coexistence. It had opened and reinforced ethnic and religious cleavages and contributed to tensions and conflict. Some groups regarded indigene status as a safeguard of their rights in the light of the growing numbers, influence and economic dominance of other groups, while others considered it a breach of the right to equality and non-discrimination. If the distinction was to be maintained, further legal clarity would be required to regulate the indigeneship status and guarantee that no person was unfairly discriminated against or excluded from access to services and resources, land or the right to participate fully in economic, social, cultural and political life.¹⁰⁵ The United Nations country team stated that Nigeria had not implemented the relevant recommendation from the previous review.¹⁰⁶

5. Migrants, refugees, asylum seekers and internally displaced persons¹⁰⁷

84. The Committee on Migrant Workers recommended that Nigeria ensure that migration management measures respected the rights of migrants, including children, guaranteed by international human rights, refugee and humanitarian law, including the principle of non-refoulement.¹⁰⁸

85. The Committee also recommended that Nigeria adopt concrete and effective measures to ensure access to medical care, especially for the children of migrant workers in an irregular situation, and to make it possible for such children to enter and remain in the education system.¹⁰⁹

86. Referring to the relevant supported recommendation from the previous review, the United Nations country team noted that Nigeria had yet to incorporate into its domestic legal framework the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention). There were currently two parallel processes under way, one through the executive and the other through the parliament. The country team considered the implementation of that recommendation to be ongoing.¹¹⁰

87. The Special Rapporteurs on health, on sale of children and on slavery stated that the insurgency and security responses to counter it had caused massive displacement of people in north-east Nigeria. That had had grave consequences on the human rights of those affected, including access to food, water and sanitation facilities and livelihood opportunities inside and out of camps. The Special Rapporteurs recommended that Nigeria fund income-generation skills training, skills development and livelihood opportunities to help ensure that displaced persons had the necessary skills and opportunities to build normal lives.¹¹¹

88. In 2017, the Special Rapporteur on the human rights of internally displaced persons stated that the situation of internally displaced persons remained grave and responses must be stepped up and better coordinated. Credible evidence of widespread human rights violations against internally displaced persons and other members of the civilian population by non-State armed groups and State actors alike required recognition of the situation as a human rights crisis requiring urgent and ongoing measures to protect all civilians from violence and abuse. The Special Rapporteur recommended that the Government adopt a legal and policy framework for the protection of the human rights of internally displaced persons, in conformity with international and regional standards, and strengthen the institutional framework for responses.¹¹²

89. The Committee on Migrant Workers recommended that Nigeria cease the detention of children on the basis of their or their parents' immigration status and adopt alternatives to detention that allowed children to remain with family members and/or guardians in non-

custodial, community-based contexts while their immigration status was being reviewed, in line with the principles of the best interests of the child and the child's right to family life.¹¹³

90. The Committee also recommended that Nigeria ensure that abused migrant domestic workers seeking help from Nigerian diplomatic missions abroad were provided with shelter, legal assistance, medical and psychosocial care and interpreters.¹¹⁴

91. The Committee on the Elimination of Discrimination against Women recommended that Nigeria expedite the adoption of the draft national policy on internally displaced persons and ensure that it integrated a gender perspective in addressing internal displacement.¹¹⁵

Notes

- ¹ Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Nigeria will be available at www.ohchr.org/EN/Countries/AfricaRegion/Pages/NGIndex.aspx.
- ² For relevant recommendations, see A/HRC/25/6, paras. 135.1–135.7, 135.10, 135.35, 135.44, 137.1–137.5, 137.23 and 137.25.
- ³ See CMW/C/NGA/CO/1, para. 14, and CEDAW/C/NGA/CO/7-8, para. 52.
- ⁴ See CMW/C/NGA/CO/1, paras. 14 and 52 (f).
- ⁵ *Ibid.*, para. 13.
- ⁶ United Nations country team submission for the universal periodic review of Nigeria, p. 1, referring to A/HRC/25/6, para. 135.35 (Azerbaijan), para. 135.36 (Niger), para. 125.37 (Chad) and para. 135.38 (Ghana).
- ⁷ United Nations country team submission, p. 1, referring to A/HRC/25/6, para. 135.39 (Costa Rica), para. 135.40 (Bulgaria) and para. 135.41 (Hungary).
- ⁸ For relevant recommendations, see A/HRC/25/6, paras. 135.8–135.9, 135.11–135.12, 135.14–135.20, 135.22–135.25, 135.27–135.33, 134.42–135.43, 135.48, 135.50, 135.53–135.54, 137.6–137.7 and 137.74.
- ⁹ See CEDAW/C/NGA/CO/7-8, para. 9.
- ¹⁰ United Nations country team submission, p. 2, referring to A/HRC/25/6, para. 135.8 (Burkina Faso), para. 135.14 (France), para. 135.15 (Ghana), para. 135.16 (Iraq), para. 135.17 (Hungary), para. 135.19 (Kenya), para. 135.20 (Sierra Leone), para. 132.22 (Nicaragua), para. 135.23 (Niger), para. 135.28 (Thailand) and para. 135.29 (Togo).
- ¹¹ United Nations country team submission, p. 2, referring to A/HRC/25/6, para. 135.10 (Estonia) and para. 135.30 (Tunisia).
- ¹² See A/HRC/32/32/Add.2, para. 90 (a).
- ¹³ See CMW/C/NGA/CO/1, para. 11.
- ¹⁴ For relevant recommendations, see A/HRC/25/6, paras. 135.5, 135.66–135.67, 135.165, 138.1–138.4, 138.7 and 138.9–138.10.
- ¹⁵ See CEDAW/C/NGA/CO/7-8, paras. 9–10.
- ¹⁶ *Ibid.*, para. 12 (b) and (c).
- ¹⁷ United Nations country team submission, p. 2, referring to A/HRC/25/6, para. 135.7 (Brazil), para. 135.18 (Indonesia), para. 135.21 (Ireland) and para. 135.25 (Russian Federation).
- ¹⁸ See A/HRC/32/32/Add.2, paras. 24 and 90 (d). See also UNFPA submission for the universal periodic review of Nigeria, p. 3.
- ¹⁹ See CMW/C/NGA/CO/1, paras. 27–28.
- ²⁰ For relevant recommendations, see A/HRC/25/6, paras. 135.167–135.169 and 137.34.
- ²¹ See A/HRC/28/64/Add.2, para. 79.
- ²² *Ibid.*, paras. 85–86.
- ²³ See CEDAW/C/NGA/CO/7-8, paras. 39–40.
- ²⁴ For relevant recommendations, see A/HRC/25/6, paras. 135.73, 135.75–135.78, 135.81 and 135.170–135.172.
- ²⁵ See A/HRC/30/67, para. 81 (c).
- ²⁶ *Ibid.*, paras. 79 and 81 (b).
- ²⁷ For relevant recommendations, see A/HRC/25/6, paras. 135.68–135.70, 135.72–135.73, 135.75, 135.80, 135.82, 135.106–135.112, 137.10–137.13, 137.22, 137.24 and 137.28–137.30.
- ²⁸ United Nations country team submission, p. 4, referring to A/HRC/25/6, para. 135.70 (United Kingdom of Great Britain and Northern Ireland), para. 135.71 (United States of America) and para. 135.72 (Canada).

- ²⁹ United Nations country team submission, p. 4, referring to A/HRC/25/6, para. 135.73 (Hungary) and para. 135.74 (Sweden).
- ³⁰ See A/HRC/30/67, paras. 22, 55, 64 and 81 (a) and (d).
- ³¹ *Ibid.*, para. 60.
- ³² See S/2017/304, para. 89.
- ³³ *Ibid.*, para. 91.
- ³⁴ See A/HRC/32/32/Add.2, para. 36.
- ³⁵ See S/2017/304, paras. 69–74. See also A/HRC/30/67, paras. 29–31.
- ³⁶ See CEDAW/C/NGA/CO/7-8, paras. 15–16.
- ³⁷ United Nations country team submission, p. 6, referring to A/HRC/25/6, para. 135.107 (Austria).
- ³⁸ For relevant recommendations, see A/HRC/25/6, paras. 135.71, 135.79, 135.113–135.114 and 135.116–135.121.
- ³⁹ United Nations country team submission, pp. 7–8, referring to A/HRC/25/6, para. 135.116 (Turkey), para. 135.117 (Austria), para. 135.118 (Belgium) and para. 135.119 (Switzerland).
- ⁴⁰ See A/HRC/32/32/Add.2, paras. 80–81 and 98.
- ⁴¹ See A/HRC/28/64/Add.2, para. 82.
- ⁴² United Nations country team submission, p. 6, referring to A/HRC/25/6, para. 135.113 (France).
- ⁴³ See CEDAW/C/NGA/CO/7-8, para. 13.
- ⁴⁴ For relevant recommendations, see A/HRC/25/6, paras. 135.122–135.128, 135.160 and 137.31.
- ⁴⁵ United Nations country team submission, p. 3, referring to A/HRC/25/6, para. 135.66 (Argentina) and para. 135.67 (Botswana).
- ⁴⁶ See UNESCO submission for the universal periodic review of Nigeria, paras. 6 and 17.
- ⁴⁷ See CMW/C/NGA/CO/1, para. 40.
- ⁴⁸ See A/HRC/28/64/Add.2, para. 64.
- ⁴⁹ See CEDAW/C/NGA/CO/7-8, paras. 29–30.
- ⁵⁰ See A/HRC/28/64/Add.2, para. 91.
- ⁵¹ For relevant recommendations, see A/HRC/25/6, paras. 135.90–135.91.
- ⁵² See CEDAW/C/NGA/CO/7-8, para. 27.
- ⁵³ UNFPA submission, p. 3.
- ⁵⁴ See CMW/C/NGA/CO/1, para. 56.
- ⁵⁵ *Ibid.*, para. 55.
- ⁵⁶ For the relevant recommendation, see A/HRC/25/6, para. 138.6.
- ⁵⁷ See CEDAW/C/NGA/CO/7-8, paras. 31–32.
- ⁵⁸ See CMW/C/NGA/CO/1, para. 27.
- ⁵⁹ See CEDAW/C/NGA/CO/7-8, paras. 45–46.
- ⁶⁰ *Ibid.*, paras. 45–46.
- ⁶¹ *Ibid.*, paras. 35–36.
- ⁶² *Ibid.*, para. 28.
- ⁶³ *Ibid.*, paras. 39–40.
- ⁶⁴ See CMW/C/NGA/CO/1, para. 37.
- ⁶⁵ For relevant recommendations, see A/HRC/25/6, paras. 135.129–135.130 and 135.132–135.134.
- ⁶⁶ See CMW/C/NGA/CO/1, para. 48.
- ⁶⁷ See A/HRC/28/64/Add.2, paras. 76 and 80.
- ⁶⁸ For relevant recommendations, see A/HRC/25/6, paras. 135.135–135.140 and 135.143.
- ⁶⁹ See CEDAW/C/NGA/CO/7-8, para. 37.
- ⁷⁰ UNFPA submission, p. 6.
- ⁷¹ See CEDAW/C/NGA/CO/7-8, para. 38.
- ⁷² *Ibid.*, paras. 37–38.
- ⁷³ *Ibid.*, para. 37.
- ⁷⁴ For relevant recommendations, see A/HRC/25/6, paras. 135.144–135.55 and 136.1–136.3.
- ⁷⁵ Office of the Special Representative of the Secretary-General for Children and Armed Conflict submission for the universal periodic review of Nigeria, pp. 2–3.
- ⁷⁶ See A/HRC/28/64/Add.2, para. 101.
- ⁷⁷ See UNESCO submission, para. 14.
- ⁷⁸ See CEDAW/C/NGA/CO/7-8, para. 33.
- ⁷⁹ See UNESCO submission, para. 16.
- ⁸⁰ See CEDAW/C/NGA/CO/7-8, para. 34.
- ⁸¹ For relevant recommendations, see A/HRC/25/6, paras. 135.21, 135.45–135.46, 135.55–135.65, 135.97, 135.100–135.102, 135.104–135.105, 137.8, 137.16 and 137.27.
- ⁸² See A/HRC/32/32/Add.2, paras. 21 and 90 (a).
- ⁸³ See CEDAW/C/NGA/CO/7-8, paras. 25–26.

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- ⁸⁴ United Nations country team submission, p. 2, referring to A/HRC/25/6, para. 135.21 (Ireland), para. 135.101 (Austria), para. 135.102 (Japan), para. 135.103 (Netherlands), para. 135.104 (Italy) and para. 135.105 (Holy See).
- ⁸⁵ See CEDAW/C/NGA/CO/7-8, paras. 23–24. See also UNFPA submission, p. 4.
- ⁸⁶ UNFPA submission, p. 3.
- ⁸⁷ See A/HRC/32/32/Add.2, paras. 40, 96 (b) and 97 (a).
- ⁸⁸ See CEDAW/C/NGA/CO/7-8, para. 22.
- ⁸⁹ *Ibid.*, paras. 11–12.
- ⁹⁰ *Ibid.*, paras. 41–42.
- ⁹¹ For relevant recommendations, see A/HRC/25/6, paras. 135.13, 135.26, 135.49, 135.52, 135.83–138.89, 135.92–135.95, 135.161 and 135.163.
- ⁹² See S/2017/304, para. 32.
- ⁹³ See A/HRC/32/32/Add.2, para. 37.
- ⁹⁴ See S/2017/304, para. 92.
- ⁹⁵ *Ibid.*, para. 34.
- ⁹⁶ *Ibid.*, para. 90.
- ⁹⁷ Office of the Special Representative of the Secretary-General for Children and Armed Conflict submission, p. 2.
- ⁹⁸ *Ibid.*
- ⁹⁹ See A/HRC/32/32/Add.2, paras. 20 and 90 (a).
- ¹⁰⁰ For relevant recommendations, see A/HRC/25/6, paras. 135.156–135.159 and 135.162.
- ¹⁰¹ United Nations country team submission, p. 2, referring to A/HRC/25/6, para. 135.15 (Ghana).
- ¹⁰² See CEDAW/C/NGA/CO/7-8, para. 43.
- ¹⁰³ For relevant recommendations, see A/HRC/25/6, paras. 135.164 and 137.33.
- ¹⁰⁴ See A/HRC/28/64/Add.2, para. 80.
- ¹⁰⁵ *Ibid.*, para. 75. See also paras. 20–28.
- ¹⁰⁶ United Nations country team submission, p. 3, referring to A/HRC/25/6, para. 135.164 (Germany).
- ¹⁰⁷ For relevant recommendations, see A/HRC/25/6, paras. 135.166 and 137.32.
- ¹⁰⁸ See CMW/C/NGA/CO/1, para. 12.
- ¹⁰⁹ *Ibid.*, para. 42.
- ¹¹⁰ United Nations country team submission, p. 2, referring to A/HRC/25/6, para. 135.27 (Switzerland).
- ¹¹¹ See A/HRC/32/32/Add.2, paras 42 and. 97 (d).
- ¹¹² See A/HRC/35/27/Add.1, paras. 70 and 74.
- ¹¹³ See CMW/C/NGA/CO/1, para. 34.
- ¹¹⁴ *Ibid.*, para. 50.
- ¹¹⁵ See CEDAW/C/NGA/CO/7-8, para. 44.
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