

FEDERAL REPUBLIC OF NIGERIA



NATIONAL ACTION PLAN

**For the Promotion and Protection
of Human Rights in Nigeria**

2024 – 2028

(Developed pursuant to the recommendations
of the Vienna Declaration and Programme
of Action, adopted at the World Conference
on Human Rights Vienna, Austria 1993)

NATIONAL ACTION PLAN FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN NIGERIA 2024 - 2028

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VISION AND MISSION STATEMENTS

Vision

To be a nation where every person can live a life of dignity, equality and freedom from discrimination; where their inherent rights are recognised and upheld at all levels of society and where human rights and the rule of law are mainstreamed into the fabrics of all policies, programmes and interventions at every level of governance.

Mission

Nigeria is committed to the safeguard of fundamental rights and freedoms enshrined in national, regional and international legal frameworks, acknowledging that all human rights are universal, indivisible, interdependent and interrelated; and that democracy, development and respect for human rights are inter-dependent and mutually reinforcing.

PREFACE

Nigeria with an estimated population of over two hundred million (UN 2021 estimate) is Africa's largest democracy. The journey to the current democracy has been a chequered one. Following the overthrow of President Alhaji Shehu Usman Shagari's democratically elected government on 31 December, 1983 by the Nigeria's Armed Forces, human rights, especially fundamental freedoms, took the backstage. The country further witnessed political and economic challenges, following the annulment of the June 12th elections in 1993. The political imbroglio and crisis that ensued, and the execution of Ken Saro Wiwa on 10 November 1995 caused sanctions to be imposed on Nigeria by the international community, especially the EU countries and the USA.

The above scenario birthed the National Human Rights Commission of Nigeria in 1995 and the present democracy in 1999. The restoration of democracy, and a new Constitution - the 1999 Constitution, gave people the opportunity to once more, enjoy their fundamental freedoms. However, human rights are more encompassing than the traditional freedoms. They are indivisible and mutually reinforcing and span every facet of human existence-including business.

It is in recognition of the foregoing that several laws have been enacted since 1999 to promote, protect and enforce human rights in Nigeria. These laws are in the areas of:

- a. Civil and Political rights
- b. Economic, Social and Cultural Rights
- c. Women and Children's Rights
- d. Rights of Vulnerable Persons
- e. Environment and Sustainability Development, and
- f. Business and Human Rights.

In addition to the above, the administration of President Muhammadu Buhari was committed to building an enduring democracy, marked by good governance, probity and anti-corruption, rule of law and respect for human rights. It put in place a robust Economic Recovery and Growth Plan and recently the National Development Plan (2021 to 2025) for the attainment of the SDGs and the 2030 Agenda. Presently, there is the Open Government Partnership (OGP) which is aimed at economic growth and improved service delivery in governance. It is in furtherance of this that the National Action Plan (NAP) on the Promotion and Protection of Human Rights in Nigeria (2024 - 2028) has been developed, as a guiding document for the promotion, protection and enforcement of human rights in Nigeria, following the expiration of the initial NAP 2009 - 2013.

This National Action Plan reinforces the commitment by the present administration in particular, and the Government of the Federal Republic of Nigeria, in general to the promotion and protection of all human rights as guaranteed by the Universal Declaration of Human Rights and other international and regional instruments, to which Nigeria is a party as well as the Constitution of the Federal Republic of Nigeria. The Plan has been carefully crafted to meet international requirements in the development of Action Plans as

recommended by the Vienna Declaration and Platform for Action, while taking into consideration our national realities.

Lateef Olasunkanmi Fagbemi, SAN

The Honourable the Attorney-General of the Federation and
Minister of Justice,
Federal Republic of Nigeria.

LIST OF ACRONYMS

ACTUs	-	Anti-Corruption and Transparency Units
ACHPR	-	African Charter on Human and Peoples' Rights
AU	-	African Union
Cap	-	Caption
CAT	-	Convention Against Torture
CCB/T	-	Code of Conduct Bureau/Tribunal
CEDAW	-	Convention on the Elimination of All Forms of Discrimination Against Women
CEDAW-OP	-	Optional Protocol to the Convention on the Elimination of all forms of Discrimination Against Women
COVID-19	-	Corona Virus Disease 2019
CRWC	-	African Union Charter on the Rights and Welfare of the Child
CRPD	-	Convention on the Rights of Persons with Disabilities
DSS	-	Department of State Service
DEVAW	-	Declaration on the Elimination of Violence Against Women
ECOSOC	-	Economic and Social Council
ECOWAS	-	Economic Communities of West African States
Etc	-	et cetera
EU	-	European Union
FAO	-	Food and Agricultural Organisation
FCT	-	Federal Capital Territory
FOI	-	Freedom of Information
FRIN	-	Forestry Research Institute of Nigeria
HRE	-	Human Rights Education
HIV/AIDS	-	Human Immunodeficiency Virus/ Acquired Immunodeficiency Syndrome
HYPREP	-	Hydrocarbon Pollution Remediation Project
IAASTD	-	International Assessment of Agricultural Knowledge, Science and Technology for Development
ICARRD	-	Declaration of the International Conference on Agrarian Reform and Rural Development
ICC	-	International Criminal Court
ICCPR	-	International Covenant on Civil and Political Rights
ICESCR	-	International Covenant on Economic, Social and

		Cultural Rights
IDPs	-	Internally Displaced Persons
IDTs	-	International Development Targets
ILO	-	International Labour Organization
INEC	-	Independent National Electoral Commission
IP	-	Intellectual Property
LFN	-	Law of the Federation of Nigeria
MDAs	-	Ministries, Departments and Agencies
N/A	-	Not Applicable
NALDA	-	National Agriculture Land Development Agency
NAP	-	National Action Plan
NESREA	-	National Environmental Standards and Regulations Enforcement Agency
NOSDREA	-	National Oil Spill Response and Emergency Agency
NBC	-	The National Broadcasting Commission of Nigerian
NHRC	-	National Human Rights Commission
NIPP	-	National Intellectual Property Policy
OAU	-	Organisation of African Unity
UN	-	United Nations
UNWGBHR	-	United Nations Working Group on Business and Human Rights
UNDRIP	-	UN Declaration on Rights of Indigenous People
UNESCO	-	United Nations Educational, Scientific and cultural Organization
UNICEF	-	United Nations Children’s Fund
NAFDAC	-	National Agency for Food and Drug Administration and Control
NFP	-	National Forest Policy
NOA	-	National Orientation Agency
REDD	-	Reducing Emissions from Deforestation and Forest Degradation
SUN	-	Scaling Up Nutrition
UNCED	-	United Nations Conference on Environment and Development
UKAID	-	United Kingdom Agency for International Development
UBE	-	Universal Basic Education
UNCRC	-	United Nations Convention on the Rights of the Child
WHO	-	World Health Organization
WPHRE	-	World Programme on Human Rights Education
WSSD	-	World Summit on Sustainable Development

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CHAPTER ONE

INTRODUCTION AND BACKGROUND TO NIGERIA'S NATIONAL ACTION PLAN 2024 – 2028

1.1 A BRIEF HISTORY OF HUMAN RIGHTS IN NIGERIA

The history of human rights in Nigeria predates the advent of colonial rule when human rights and fundamental freedoms were recognized in the traditional Nigerian societies. The idea of rights was not, then, conceived in the modern notion. Such values as right to family, kin and clan membership, freedom of thought, speech, belief, right to enjoy private property and right to participate in governance of the affairs of the society were jealously guarded. However, freedom from discrimination, right to association and equality rights were hardly respected because it was believed that all persons were not born equal. There were sons and daughter of the land, outcastes, freeborn and others.

In areas where the Sharia legal system was firmly entrenched, especially in the Northern parts of the country, human rights and fundamental freedoms were specifically protected and guaranteed in accordance with the tenets of Islam which hold justice and equity in high esteem. When Colonialism came, it brought with it a new set of rights but largely denied Nigerians political and economic rights. It was not until 1922, through the Clifford Constitution, that limited franchise was introduced for the first time in Nigeria by the British Colonial government. The struggle for better political participation by early Nigerian nationalists led to enhanced political rights in the pre-independence constitutions culminating in the Lyttleton Constitution of 1954. In the economic sphere, our agricultural products were hijacked to sustain industries in the west and upon the discovery of oil, the people's right to manage their natural economic resources was lost to the colonial masters. The succeeding governments of the day have entrenched this culture since the end of colonial rule.

The entrenchment of fundamental rights and freedoms in Nigeria in the modern sense could, however, be traced to the Bill of Rights, 1958, which culminated in Chapter III of the 1960 Independence Constitution and those that followed. The inclusion of a chapter on human rights in the Constitution followed the recommendations of the Willink Commission. The Independence Constitution of 1960 and the Republican Constitution of 1963 had provisions for the protection of fundamental human rights, while the 1979 and the 1999 Constitutions went further by providing a Bill of Rights in Chapter IV as well as Fundamental Objectives and Directive Principles of State Policy in Chapter II which recognises Economic, Social and Cultural Rights but made them non-justiciable. The entrenchment of human rights provisions in our Constitutions was aimed at creating a society which protects political freedom as well as the social and economic well-being of Nigerians. It seems the disparity between chapter II and IV of the constitution has adversely affected the progress in the development of civil liberties and socio-economic rights in Nigeria.

Despite the guarantee of fundamental rights and liberties in the Nigerian Constitutions since 1960, the Country has had the misfortune of military interventions. This further compounded

the situation and had far-reaching effects on the promotion and protection of democratic values and fundamental freedoms among Nigerians. Before the new dawn of democracy in Nigeria in 1999, successive military regimes ignored fundamental rights and freedoms of Nigerian citizens. This large-scale denial of human rights reached its peak between November 1994 and June 1998 under the military administration of General Sani Abacha.

The abysmal situation of human rights under the military regime resulted in Nigeria becoming a pariah State in the international arena and the country was put on the agenda of the United Nations Commission on Human Rights for five consecutive years. At the peak of this scenario in 1995, the environmental activist, Ken Saro-Wiwa and other eight Ogoni activists were executed. This resulted in the Commonwealth and some other international bodies and organisations severing either or both economic and diplomatic ties with Nigeria. Nigerians, led by human rights civil society groups and professional bodies, engaged the military in the struggle for a better society, governed by Constitutionalism, the Rule of Law, Social Justice and Respect for Human Rights. This finally resulted in the Constitution of the Federal Republic of Nigeria, 1999, and the emergence of democracy and democratic institutions.

Two major global developments have taken place since the commencement of the second millennium, which have impact on the NAP. The first of these refers to the United Nations Millennium Declaration, signed in September 2000, and which committed world leaders to combat **poverty, hunger, disease, illiteracy, environmental degradation, and discrimination against women**. The millennium Development Goals, MDGs, are derived from this Declaration. The MDGs projected 2015 for the realization of its targets and indicators to monitor progress from 1990 levels. The second is the creation of the Sustainable Development Goals (SDGs) in 2015, a universal call to action to end poverty, protect the planet and improve the lives and prospects of everyone everywhere. The 17 Goals were adopted by all UN Member States in 2015, as part of the 2030 Agenda for Sustainable Development which set out a 15-year plan to achieve the Goals.

There is no gainsaying the fact that democratic rule since 1999 has not automatically translated to realisation of basic freedoms and democratic values. The adoption of National Action Plan (NAP) 2009-2013 is an admission of that fact and therefore justifies the need to put the various NAP programs in place for the progressive realisation of human rights in Nigeria. This current effort is geared towards deepening the promotion and protection of human rights in Nigeria.

1.2 THE CONCEPT OF THE NATIONAL ACTION PLAN FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN NIGERIA, 2024 - 2028

The National Action Plan for the Promotion and Protection of Human Rights (NAP) is the response of the Government of Nigeria to the recommendations of the Vienna Declaration and

Programme of Action, adopted at the World Conference on Human Rights in Vienna, Austria in 1993. This requires that:

“Each state considers the desirability of drawing up a national action plan identifying steps whereby the state would improve the protection and promotion of human rights”

The Government of Nigeria has fully associated itself with the Vienna Declaration and Programme of Action, which emphasizes that all human rights are universal, indivisible, interdependent and interrelated; and that democracy, development and respect for human rights and fundamental freedoms are inter-dependent and mutually reinforcing. In developing a National Action Plan, governments are called upon to:

- (a) Assess the current measures in place to protect and promote human rights
- (b) Identify areas that need improvement
- (c) Commit to improving the monitoring, protection and promotion of human rights.

1.2.1 Objectives

The Nigerian National Action Plan is an integrated and systematic national strategy to help realize the advancement of human rights in Nigeria. In addition, it is:

- (a) An audit of the human rights situation in Nigeria, identifying areas in need of promotion, protection and improvement
- (b) A commitment to concrete measures that can be adopted to build and entrench a culture of human rights for the enjoyment of all
- (c) A framework for sustained and coordinated ways for the country as a whole to monitor, promote and protect human rights in the next five years (in the short run) and ten years (in the long run)
- (d) A basis for collaboration and support by civil society organizations, the international community and development partners.

The NAP presents an opportunity for identifying and agreeing on areas of cooperation between Government Departments, the Private Sector, Civil Society Organisations in general, and other role players, so that together, all stakeholders can improve the monitoring, protection and promotion of human rights in the country. It will be used by the Government, organs of the Civil Society and the International Community to monitor and assess the observance of human rights, and to gauge the commitment of the Government to the promotion and protection of human rights in the Country.

1.3 DEVELOPING NIGERIA’S NATIONAL ACTION PLAN FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

The process for the NAP of 2024 - 2028 began with the expiration of the tenure of the first NAP in January 2014. Consultations commenced between the National Human Rights Commission and Ministries, Departments and Agencies (MDAs) as well as civil society groups, targeted at reviewing the implementation of the previous NAP and documenting the

lessons learnt. The said lessons learnt, form a major guide in the development of the NAP 2024 - 2028.

1.3.1 Consultative meetings with Ministries, Departments and Agencies of Government

From January to December 2014, the National Human Rights Commission (NHRC) hosted consultations with all Government Ministries and Justice Sector institutions. The purpose of these consultations was to explain the expiration of the first NAP, request MDAs to submit reports on the annual implementation of NAP 2009-2013 and document lessons learnt in the implementation of the previous NAP. The MDAs were also intimated with the obligations of the respective ministries, agencies and institutions in the process of developing the new NAP that would succeed the previous one.

These consultations continued over the years and in 2018, elaborate consultations were carried out in the six geo-political zones of the country where inputs from State MDAs were harnessed to enrich the content of the NAP. Although activities on the NAP slowed down in 2019 due to logistic challenges, they picked up in 2020 and final consultation with MDAs took place in January and February 2021 via virtual platforms in conformity with the COVID-19 guidelines and protocols.

1.3.2 Consultations with Civil Society

The Commission held several consultations with civil society organisations from 2015 to 2018 some of which were with the MDAs. The consultations were aimed at documenting the experiences of the civil society in the implementation of the previous NAP and seeking their input in the development of the successor NAP. These consultations provided a forum for identifying and agreeing on areas of improvement, inadequacies and emphasis to guide development of the NAP 2024 - 2028.

From December 2015 – April 2016, the National Human Rights Commission embarked on one of the largest public education programmes since its inception, the *National Human Rights Public Awareness Programme*. This programme was implemented with the support and collaboration of members of the National Assembly. The programme was implemented in all the 36 States of the Federation. Specifically, the programme was targeted at communities, towns and villages outside state capitals. The purpose of this project was to engage communities frequently referred as “grassroots”, first, on the appreciation of their rights, and the workings of the National Human Rights Commission. Much of the concerns and findings from interactions with these communities have been included in the NAP current document.

1.3.3 Adoption and the Post Adoption Phase

The consultations on NAP 2024 - 2028 were completed in the last quarter of 2020, although they spilled over slightly to January and February 2021. After that, the consultative draft was cleaned up into a final draft and submitted to the Federal Executive Council of Nigeria through the Attorney General of the Federation for consideration and approval as Nigeria’s policy document on Human Rights in April 2023. The approved NAP will be printed, disseminated

to stakeholders and deposited with the Office of the UN High Commissioner for Human Rights in 2024.

1.4 ORGANISING STRUCTURES AND CONSULTATIVE PROCESSES FOR DRAFTING THE NATIONAL ACTION PLAN FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN NIGERIA

1.4.1 Steering Committee

In April 2014, the Federal Government of Nigeria formally inaugurated the Steering and Coordinating Committees of the National Action Plan for the Promotion and Protection of Human Rights. Members of the Steering Committee include:

1. The Attorney General of the Federation – Convener
2. Chairman, Senate Committee on Justice, Human Rights and Legal Matters
3. Chairman, House of Representatives Committee on Human Rights
4. Chairman, National Human Rights Commission

1.4.2 Coordinating Committee

1. The Solicitor General of the Federation – Convener
2. Executive Secretary, National Human Rights Commission
3. Special Adviser to Hon. Attorney-General & Minister of Justice
4. Managing Partner, Legal Resources Consortium

CHAPTER TWO

NATURE OF THE RIGHTS CONTAINED IN THE DOCUMENT

2.1 CIVIL AND POLITICAL RIGHTS

- i. Right to Life
- ii. Right to Dignity of the Human Person
- iii. Right to Personal Liberty
- iv. Right to Fair Hearing
- v. Right to Private & Family life
- vi. Freedom of Thought, Conscience and Religion
- vii. Freedom of Expression and Press
- viii. Right to Peaceful Assembly and Association
- ix. Freedom of Movement
- x. Freedom from Discrimination
- xi. Right to Right to Property

2.2 ECONOMIC, SOCIAL AND CULTURAL RIGHTS

- i. Right to Employment
- ii. Right to Housing and Shelter
- iii. Right to Health
- iv. Right to Food
- v. Right to Portable Water
- vi. Right to Education

2.3 THE RIGHT TO PEACE, PROTECTED ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

- i. Right to Sustainable Development
- ii. Right to Peace
- iii. Right to a Protected Environment
- iv. Right to Human Right Education

2.4 THE RIGHTS OF WOMEN AND CHILDREN

- i. Women in Public Life
- ii. Women and Harmful Traditional Practices
- iii. Women and Crime, Safety and Security
- iv. Women and Access to Justice
- v. Rights of Children to Survival, Development, Protection, and Participation

2.5 OTHER AREAS OF RIGHTS

- i. Rights of Persons with Disabilities
- ii. Rights of Internally Displaced Persons, Refugees and Migrants
- iii. Business and Human Rights

- iv. Racial Discrimination, Xenophobia, Intolerance and Rights of Key Population
- v. Terrorism and Insurgency
- vi. Rights of Older Persons
- vii. Indigeneship, Settlership And Self Determination

These are all emerging areas of challenge that were left out in the first NAP. They have been incorporated as cross cutting issues in all sections. However, Business and Human Rights has been captured as a separate chapter to conform to the format prescribed by the United Nations Working Group on Business and Human Rights (UNWGBHR) for the development of a NAP on Business and Human Rights.

The adoption of the Millennium Declaration and the Millennium Development Goals as a development paradigm in the year 2000 added further impetus to Nigeria's planning process. Invariably, Nigeria has had to domesticate both the MDGs and its successor global development Agenda, the Agenda 2030 and the Sustainable Development Goal Development Goals (SDGs), for implementation within the context of its economic and social realities

In addition, in an attempt to make a deliberate effort to address ignorance of rights which has been identified as one of the factors militating against the full enjoyment of human rights, the country has put in place a national strategy on Human Rights Education (HRE), to promote knowledge, skills, behaviour and attitudes and build a culture for the respect of human rights. This has been done using the platform of the World Programme on Human Rights Education (WPHRE) and captured under the chapter on Sustainable Development using SDG 4.7 which offers a framework and reporting obligation on HRE.

CHAPTER THREE

FRAMEWORK FOR THE EXAMINATION OF RIGHTS

3.1 PRINCIPAL SOURCES OF HUMAN RIGHTS IN NIGERIA

The rights discussed in this document are derived from the sources below:

3.1.1 Nigerian Domestic Laws

- (a) The Human Rights provisions in the Constitution of the Federal Republic of Nigeria, 1999
- (b) The African Charter on Human and People's Rights (Enforcement and Ratification) Act, 1990
- (c) The Child's Rights Act, 2003, and the various States' Child's Rights Laws
- (d) The Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2015
- (e) The various States' Legislation on the Prohibition of Female Genital Mutilation, and the protection of the Girl child such as early Marriages, withdrawal of the Girl Child from School for purpose of Marriage, etc.
- (f) The Administration of Criminal Justice Act 2015 and various state laws
- (g) Discrimination against Persons with Disabilities (Prohibition) Act 2019
- (h) Anti-Torture Act 2017
- (i) National Senior Citizens Centre Act 2017
- (j) Compulsory Treatment and Care for Victims of Gunshots Act 2017
- (k) Freedom of Information Act 2015
- (l) Nigeria Police Force Act 2020
- (m) Nigerian Correctional Services Act 2019
- (n) Violence against Persons Prohibition Law 2015
- (o) E.T.C.

3.1.2 Sub-regional Instruments (ECOWAS Region)

- (a) ECOWAS Revised Treaty 1993
- (b) ECOWAS Conflict Prevention Framework 2016
- (c) ECOWAS Protocol on Democracy and Good Governance 2001
- (d) Supplementary Protocol on ECOWAS Community Court of Justice 2005

3.1.3 African Regional Instruments

- (a) African Convention on the Conservation of Nature and Natural Resources 1968
- (b) African Union Convention Governing the Specific Aspects of Refugee Problems in Africa 1969
- (c) Cultural Charter for Africa 1976
- (d) Convention on the Elimination of Mercenaries in Africa 1977
- (e) African Charter on Human and Peoples Rights, 1981
- (f) African Charter on the Rights and Welfare of the Child, 1990

- (g) Convention on the ban of the import into Africa and the control of Trans-boundary movement and management of hazardous wastes within Africa 1991
- (h) Treaty Establishing the African Economic Community 1991
- (i) African Maritime Transport Charter 1994
- (j) Protocol to the African Charter on Human and Peoples’ Rights on the Establishment of the African Court on Human and Peoples Rights 1998
- (k) OAU Convention on the Prevention and Combating of Terrorism 1999
- (l) Constitutive Act of the African Union, 2000
- (m) Protocol to the Treaty Establishing the African Economic Community Relating to the Pan African Parliament, 2001
- (n) Convention of the African Energy Commission 2001
- (o) Revised Protocol relating to the conservation of nature and natural resources 2003
- (p) Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa 2003
- (q) AU Convention on preventing and combating corruption 2003
- (r) African Charter on Democracy, Elections and Governance 2007
- (s) Africa Youth Charter 2006.
- (t) Protocol on the Statute of the African Court of Justice and Human Rights 2008
- (u) Statute of the African Union Commission on International Law 2009
- (v) The Continental Plan of Action of the African Decade on the Rights of Persons with Disability, 1999-2009 which has now been extended to take effect from 2010 to 2019
- (w) Revised Treaty of the Economic Community of West African States 1993

3.1.4 United Nations Treaties

- (a) The International Covenant on Civil and Political Rights, 1966 (and its two optional Protocols)
- (b) The International Covenant on Economic, Social and Cultural Rights, 1966
- (c) Optional Protocol to the Covenant on Economic Social and Cultural Rights.
- (d) The Convention on the Political Rights of Women, 1953
- (e) Convention on Elimination of All Forms of Discrimination Against Women (CEDAW), 1979
- (f) Optional protocol to the Convention on the elimination of all forms of discrimination against Women (CEDAW-OP)
- (g) The Convention on the Elimination of All Forms of Racial Discrimination, CERD 1963
- (h) The Convention Against Torture and other Cruel, Inhuman or Degrading Treatment (Convention Against Torture), 1984
- (i) Optional Protocol to the Convention against Torture, Cruel Inhuman and Degrading treatment or punishment.
- (j) Convention on the Rights of the Child, 1989
- (k) Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

- (l) Optional Protocol to the Convention on the rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
- (m) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime 2000
- (n) International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families. 1990
- (o) Convention on the Rights of Persons with Disabilities CRPD), 2006
- (p) Statute of the International Criminal Court ICC, 2002
- (q) Convention Concerning Forced or Compulsory Labour, 1930
- (r) Convention Concerning the Abolition of Forced Labour, 1957
- (s) Right to Organise and Collective Bargaining Convention, 1949
- (t) Discrimination (Employment and Occupation) Convention, 1958

3.2 INTEGRATED APPROACH

Effective promotion and protection of human rights requires an integrated approach. The NAP is, therefore, based on the premise that all human rights are:

- i. Universal
- ii. Indivisible
- iii. Interdependent
- iv. Inter-related

3.3 FRAMEWORK FOR EXAMINATION OF SPECIFIC RIGHTS

Each right in this document is discussed in terms of the following -

- (a) Constitutional and Other Legal Obligations
- (b) Regional and International Obligations
- (c) Challenges
- (e) Implementation Plan

3.4 THE INSTITUTIONS FUNCTIONING IN THE FIELD OF HUMAN RIGHTS IN NIGERIA

- (i) **The National Human Rights Commission (NHRC)**
 - a. Functions include to: -
 - b. Promote and protect human rights
 - c. Engender a culture of human rights
 - d. Monitor and assess the observance of human rights in the country
 - e. Investigate all alleged cases of human rights violations
 - f. Assist victims of human rights violations and seek appropriate redress and remedies on their behalf.
 - g. Publish reports and recommendations on issues of human rights.
 - h. Guide the formulation of informed policies and legislations affecting human rights.

(ii) The Auditor-General of the Federation

He/she must audit and report on the accounts, financial statements and financial management of all levels of government.

(iii) The Independent National Electoral Commission (INEC)

Functions include to:

- a. Manage the elections of national and state executive and legislative bodies
- b. Ensure that all elections are free and fair.
- c. Be independent in its appointment, operations and financing.
- d. Provide a level playing field for all stakeholders participating in elections and the electioneering processes.

(iv) National Broadcasting Commission of Nigerian (NBC)

Functions include to:

- a. Regulate broadcasting in the public interest
- b. Ensure a diversity of views that broadly represent the Nigerian society.
- c. Give equal opportunities to all political parties and individuals involved in elections.
- d. Ensure the protection of freedom of expression and information.

(v) Code of Conduct Bureau/Tribunal

Functions include to:

- a. Ensure periodic asset declaration of public servants
- b. Arraign defaulting public servants
- c. Ensure probity and accountability in governance

(vi) Anti-Corruption Institutions

Namely:

- a. Code of Conduct Bureau/ Tribunal
- b. Independent Corrupt Practices and other Related Offences Commission
- c. Economic and Financial Crimes Commission
- d. Fiscal Responsibility Commission
- e. Financial Reporting Council
- f. Nigerian Financial Intelligence Unit

(v) Federal Character Commission

Functions include to:

1. Ensure equitable distribution of political and public offices across the country
2. Ensure compliance and imposes sanctions on defaulting institutions.

(vi). Legal Aid Council

Functions include provision of free legal Services to indigent members of society.

(vii) Institutions Established To Protect Environmental Rights

1. Federal Ministry of Environment

2. National Environmental Standards and Regulations Enforcement Agency (NESREA)
3. National Oil Spill Response and Emergency Agency (NOSDREA)
4. National Agriculture Land Development Agency (NALDA)
5. Forestry Research Institute of Nigeria (FRIN)
6. National Parks Service
7. National Bio-safety Management Agency
8. National Agency for Great Green Wall
9. National Extractive Industries Transparency Initiatives

3.5 NIGERIA'S INTERNATIONAL/REGIONAL OBLIGATIONS

Nigeria has signed and ratified or acceded to most important international and regional human rights instruments. Milestones regarding the incorporation of United Nations and regional human rights treaties include the domestication of the African Charter on Human and Peoples' Rights.

3.5.1 Human Rights Country Reports that Nigeria has submitted to the United Nations and the African Commission on Human and Peoples Rights

- (i) The Initial to the fifth Periodic Reports to the Committee on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), submitted to the UN
- (ii) The Initial to the Fourth Periodic Reports to the Committee on the UN Convention on the Rights of the Child
- (iii) The initial and Periodic Reports on the African Charter on Human and Peoples' Rights, submitted to the African Commission on Human and Peoples Rights
- (iv) The Initial and Periodic Reports on the African Charter on the Rights and Welfare of the Child submitted to the Committee of Experts on the Rights and Welfare of the Child.
- (v) The Second, Third and Fourth Country Reports to the Office of the High Commissioner for Human Rights for the process of Universal Periodic Review of Nigeria.

3.5.2 Institutions Responsible for Monitoring and Implementation of Regional and International Human Rights Instruments

1. The Ministry of Foreign Affairs
2. Federal Ministry of Justice
3. National Human Rights Commission
4. Relevant Committees of National Assembly
5. The National Assembly and its relevant Committees
6. Federal Ministry of Environment
7. The Judiciary
8. Academic Institutions
9. Media Houses
10. Other relevant ministries and extra-ministerial bodies Civil Society Organisations.

CHAPTER FOUR

CIVIL AND POLITICAL RIGHTS

4.1 SCOPE

The implementation of the following rights is discussed in this Chapter -

- i. Life
- ii. Dignity of the Human Person
- iii. Personal Liberty
- iv. Fair Hearing
- v. Private & Family life
- vi. Freedom of Thought, Conscience & Religion
- vii. Freedom of Expression and Press
- viii. Peaceful Assembly and Association
- ix. Freedom of Movement
- x. Freedom from Discrimination
- xi. Property

4.2 RIGHT TO LIFE

4.2.1 Constitutional Obligations

The right to life is provided for in section 33 of the Constitution of the Federal Republic of Nigeria 1999 as follows –

S.33.-(1) 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”.

(2) A person shall not be regarded as having been deprived of his life in contravention of this section, if he dies as a result of the use, to such extent and in such circumstances as are permitted by law, of such force as is reasonably necessary –

- (a) for the defence of any person from unlawful violence or for the defence of property;*
- (b) in order to effect a lawful arrest or to prevent the escape of a person lawfully detained; or*
- (c) for the purpose of suppressing a riot, insurrection or mutiny.”*

4.2.2 Regional and International Obligations

- i. Article 4 of the African Charter of Human and Peoples’ Rights
- ii. Article 5 of the African Union Charter on the Rights and Welfare of the Child
- iii. Article 3 of the Universal Declaration of Human Rights
- iv. Article 6 of the International Covenant on Civil and Political Rights
- v. Article 6 of the International Convention on the Rights of the Child

4.2.3 Challenges

- i. Slow dispensation of criminal justice process in the Country, in particular, weak implementation of the Administration of Criminal Justice Act/Law by the federal/state judiciary.
- ii. Increase in unresolved politically motivated killings, which may affect public attitude towards the abolition of the death penalty.
- iii. The apprehension over the wider expansion of the components of right to life, especially as it relates to sexual and reproductive health, and the right to reproductive choice.
- iv. Extra Judicial killings by security agencies and increasing cases of summary executions and the accompanying impunity resulting from low capacity of the police to apprehend and prosecute offenders.
- v. Difficulty in obeying court orders by security forces.
- vi. Extension of the death penalty to other offences notably kidnapping.
- vii. Non domestication of some relevant international human rights instruments e.g., Optional Protocol on Convention Against Torture, AU Convention for the Assistance of Internally Displaced Persons.
- viii. Concerns over the use of death penalty as the proper sanction in face of challenges in the system of administration of justice.
- ix. Recent introduction of capital punishment for kidnapping by some states.
- x. Inability or difficulty in obeying court orders by Security Agencies and public officers.
- xi. Extension of death penalty to other offences, notably kidnapping and Terrorism.
- xii. Communal Clashes, Herdsmen – Farmers clashes, Terrorism and Armed Insurgences.
- xiii. Non-adoption of the Administration of Criminal Justice Act in many States of the Federation.
- xiv. Delayed and slow investigation of allegations of human rights violations by security forces personnel.
- xv. Poor inter-agency cooperation among security agencies.
- xvi. Inadequate funding of the Police and other law enforcement agencies.
- xvii. Inadequate human rights education, capacity building and exposure to international best practices of the security agents.
- xviii. Inadequate funding of the National Human Rights Commission and other human rights accountability agencies.

4.3 RIGHT TO DIGNITY OF THE HUMAN PERSON

4.3.1 Constitutional Obligations

- S.34. (1) *every individual is entitled to respect for the dignity of his person, and accordingly -*
- (a) *no person shall be subject to torture or to inhuman or degrading treatment;*
 - (b) *no person shall be held in slavery or servitude; and*
 - (c) *no person shall be required to perform forced or compulsory labour.*

(2) For the purposes of subsection (1)(c) of this section, “forced or compulsory labour” does not include

- (a) any labour required in consequence of the sentence or order of a court;*
- (b) any labour required of members of the armed forces of the Federation or the Nigeria Police Force in pursuance of their duties as such;*
- (c) in the case of persons who have conscientious objections to service in the armed forces of the Federation, any labour required instead of such service;*
- (d) any labour required which is reasonably necessary in the event of any emergency or calamity threatening the life or well-being of the community; or*
- (e) any labour or service that forms part of -*
 - (i) normal communal or other civic obligations of the well-being of the community.*
 - (ii) such compulsory national service in the armed forces of the Federation as may be prescribed by an Act of the National Assembly, or*
 - (iii) such compulsory national service which forms part of the education and training of citizens of Nigeria as may be prescribed by an Act of the National Assembly”.*

4.3.2 International Obligations

Our International Obligations are guided by:

- (a) The Universal Declaration of Human Rights
- (b) The International Covenant on Economic, Social and Cultural Rights
- (c) Optional Protocol to the International Covenant on Economic Social and Cultural Rights.
- (d) Convention on Elimination of All Forms of Discrimination Against Women
- (e) Optional Protocol to the Convention on the Elimination of all Forms of Discrimination Against Women
- (f) The Convention on the Elimination of All Forms of Racial Discrimination
- (g) The Convention Against Torture and other Cruel, Inhuman or Degrading Treatment (Convention Against Torture)
- (h) Optional Protocol to the Convention against Torture, Cruel Inhuman and Degrading treatment or punishment.
- (i) Convention on the Rights of the Child
- (j) Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
- (k) Optional Protocol to the Convention on the rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
- (l) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women And Children, Supplementing the United Nations Convention Against Transnational Organized Crime
- (m) International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families
- (n) Convention on the Rights of Persons with Disabilities
- (o) Statute of the International Criminal Court

- (p) Convention Concerning Forced or Compulsory Labour
- (q) Convention Concerning the Abolition of Forced Labour
- (r) Right to Organise and Collective Bargaining Convention
- (s) Discrimination (Employment and Occupation) Convention

4.3.3 Challenges

- i. Provision in the Sharia Penal Codes on Capital Punishment,
- ii. Judicial conservatism.
- iii. Non-ratification of some treaties against torture.
- iv. Impunity and official corruption.
- v. Inadequate legal knowledge.
- vi. Problems of legal aid casework
- vii. The provision of Right to health in Chapter 2 of the Constitution
- viii. Unequal access to basic health care
- ix. Non-co-operation between the private and public health services
- x. Unequal distribution of health resources
- xi. Inadequate health facilities
- xii. Low quantity and service delivery of health personnel
- xiii. Trafficking in persons
- xiv. Prevalence of child abuse
- xv. Harmful traditional practices such as Female Genital Mutilations
- xvi. Inadequate attention to the health care of prisoners, destitute, mentally disabled
- xvii. and other vulnerable groups
- xviii. Gross and inadequate facilities and poor sanitary conditions at police detention centres.

4.4 RIGHT TO PERSONAL LIBERTY

4.4.1 Constitutional Obligations

S.35. (1) Every person shall be entitled to his personal liberty and no person shall be deprived of such liberty save in the following cases and in accordance with a procedure permitted by law –

- (a) in execution of the sentence or order of a court in respect of a criminal offence of which he has been found guilty*
- (b) by reason of his failure to comply with the order of a court or in order to secure the fulfillment of any obligation imposed upon him by law*
- (c) for the purpose of bringing him before a court in execution of the order of a court or upon reasonable suspicion of his having committed a criminal offence, or to such extent as may be reasonably necessary to prevent his committing a criminal offence*
- (d) in the case of a person who has not attained the age of eighteen years for the purpose of his education or welfare*

- (e) *in the case of persons suffering from infectious or contagious disease, persons of unsound mind, persons addicted to drugs or alcohol or vagrants, for the purpose of their care or treatment or the protection of the community; or*
 - (f) *for the purpose of preventing the unlawful entry of any person into Nigeria or of effecting the expulsion, extradition or other lawful removal from Nigeria of any person or the taking of proceedings relating thereto:*
 - Provided that a person who is charged with an offence and who has been detained in lawful custody awaiting trial shall not continue to be kept in such detention for a period longer than the maximum period of imprisonment prescribed for the offence.*
- (2) *Any person who is arrested or detained shall have the right to remain silent or avoid answering any question until after consultation with a legal practitioner or any other person of his own choice.*
- (3) *Any person who is arrested or detained shall be informed in writing within twenty-four hours (and in a language that he understands) of the facts and grounds for his arrest or detention.*
- (4) *Any person who is arrested or detained in accordance with subsection (1) (c) of this section shall be brought before a court of law within a reasonable time, and if he is not tried within a period of -*
 - (a) *two months from the date of his arrest or detention in the case of a person who is in custody or is not entitled to bail; or*
 - (b) *three months from the date of his arrest or detention in the case of a person who has been released on bail, he shall (without prejudice to any further proceedings that may be brought against him) be released either unconditionally or upon such conditions as are reasonably necessary to ensure that he appears for trial at a later date.*
- (5) *In subsection (4) of this section, the expression “a reasonable time” means -*
 - (a) *in the case of an arrest or detention in any place where there is a court of competent jurisdiction within a radius of forty kilometers, a period of one day: and*
 - (b) *In any other case, a period of two days or such longer period as in the circumstances may be considered by the court to be reasonable.*
- (6) *Any person who is unlawfully arrested or detained shall be entitled to compensation and public apology from the appropriate authority or person; and in this subsection, “the appropriate authority or person” means an authority or person specified by law.*
- (7) *Nothing in this section shall be construed -*
 - (a) *in relation to subsection (4) of this section, as applying in the case of a person arrested or detained upon reasonable suspicion of having committed a capital offence; and*
 - (b) *as invalidating any law by reason only that it authorises the detention for a period not exceeding three months of a member of the armed forces of the federation or a member of the Nigeria Police Force in execution of a sentence imposed by an officer of the armed forces of the Federation or of the Nigeria*

police force, in respect of an offence punishable by such detention of which he has been found guilty. “

4.4.2 International Obligations

- a. Our International Obligations are guided by:
- b. Articles 6 and 7 of the African Charter on Human and Peoples’ Rights
- c. Article 17 of the African Union Charter on the Rights and Welfare of the Child
- d. Articles 9 and 11 of the Universal Declaration of Human Rights
- e. Articles 9, 10, 14 and 15 of the International Covenant on Civil and
- f. Political Rights
- g. The United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- h. Articles 37, 39 and 40 of the United Nations Convention on the Rights of
- i. the Child
- j. The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules)
- k. The United Nations Rules for Juveniles Deprived of their Liberty (the Tokyo Rules)
- l. United Nations Standard Minimum Rules for the Treatment of Persons in Detention (Mandela Rules)
- m. United Nations Voluntary Fund for Victims of Torture
- n. All other relevant International and Regional Instruments relating to this right., as well as all other relevant United Nations Standards and Norms in Criminal Justice Administration

4.4.3 Challenges

- i. Sub-standard facilities in Internally Displaced Persons camps, Correctional and Detention Centres
- ii. Non-implementation of human rights principles into all aspects of policing and the criminal justice system
- iii. Excessive, and sometimes lethal, use of force during arrest and detention of people.
- iv. Lack of diversion programmes and access to alternative settlement procedures for juveniles in conflict with the law
- v. Exposure of children to physical and sexual assaults, particularly in police cells or Borstal institutions
- vi. Unlawful practice of Holding Charge in defiance of judicial authority.
- vii. Overloaded legal aid case work
- viii. Citizens’ poor knowledge of their rights
- ix. Impunity
- x. Stringent bail conditions by the courts and the inability of suspects to meet the conditions
- xi. Non-compliance with requirement by the Constitution to establish courts within specified radius
- xii. Inadequate or absence of vocational training facilities in detention centre
- xiii. Extortion of suspects by the Police.

4.5 RIGHT TO FAIR HEARING

4.5.1 Constitutional Obligations

S.36. (1) In the determination of his civil rights and obligations, including any question or determination by or against any government or authority, a person shall be entitled to a fair hearing within a reasonable time by a court or other tribunal established by law and constituted in such manner as to secure its independence and impartiality.”

4.5.2 International Obligations

Our International Obligations are guided by -

1. Article 10 of the Universal Declaration of Human Rights
2. Relevant articles of The International Covenant on Civil and Political Rights
3. Article 7 of the African Charter on Human and Peoples’ Rights
4. UN Guidelines on the Role of Prosecutors (adopted by the UN General Assembly in its Resolution 40/32 1988) All, and other relevant International and Regional Instruments, and Standards and Norms, relating to this right
5. Article 40(2) of the United Nations Convention on the Rights of the Child Article 17(2)(c) of the African Charter on the Rights and Welfare of the Child

4.5.3 Challenges

- a. Prevalence of poverty and corruption.
- b. Lack of legal knowledge by most Nigerians
- c. Overbearing conduct of some security agencies
- j. Lack of awareness of and access to legal aid and assistance
- k. Onerous bail condition
- l. Parading suspects on television
- m. Arrest of innocent relatives in place of suspects
- n. Poor automation of Court processes.
- o. Absence of institutional framework to support legal research.
- p. Congestion of court dockets and slow process in Courts.

4.6 RIGHT TO PRIVATE AND FAMILY LIFE

4.6.1 Constitutional Obligations

S.37 - The privacy of citizens, their homes, correspondence, telephone conversations and telegraphic communications is hereby guaranteed and protected.

Therefore, everyone has the right to privacy, which includes the right not to have their;

- i. person or home searched
- ii. property searched
- iii. possessions seized
- iv. vi, privacy of their communications infringed
- v. family life disrupted

4.6.2 International Obligations

Our International Obligations are guided mainly by:

- i. Article 12 of the Universal Declaration of Human Rights
- ii. Article 17 of the International Covenant on Civil and Political Rights
- iii. Article 16 of the UN Convention on the Right of the Child
- iv. Relevant articles of the International Covenants that provide that people may not be subjected to arbitrary attacks on their reputation, or interference with their:
 - Privacy
 - Home
 - Family
 - Correspondence

4.6.3 Challenges

- i. Forced marriages
- ii. Early marriages
- iii. Discrimination against single female parents
- iv. HIV/AIDS stigma and discrimination
- v. Media trial of suspects

4.7 RIGHT TO FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

4.7.1 Constitutional Obligations

S.38. (1) Every person shall be entitled to freedom of thought, conscience and religion, including freedom to change his religion or belief, and freedom (either alone or in community with others, and in public or in private) to manifest and propagate his religion or belief in worship, teaching, practice and observance.

(2) No person attending any place of education shall be required to receive religious instruction or to take part in or attend any religious ceremony or observance if such instruction ceremony or observance relates to a religion other than his own, or religion not approved by his parent or guardian.

(3) No religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any place of education maintained wholly by that community or denomination.

(4) Nothing in this section shall entitle any person to form, take part in the activity or be a member of a secret society.

4.7.2 International Obligations

Our International Obligations include:

- i. Article 18 of the Universal Declaration of Human Rights
- ii. Article 18 of the International Covenant on Civil and Political Rights
- iii. Article 30 of United Nations Convention on the Rights of the Child
- iv. Article 22 of the African Charter on Human and Peoples Rights

- v. Article 9 of African Charter on the Rights and Welfare of the Child

4.7. 3 Challenges

- i. Culture of intolerance and lack of respect among some Nigeria's religious bodies
- ii. Manipulation of religion and religious issues
- iii. Lack of constitutional clarity on separation of State and religion
- v. Lack of basic knowledge of the tenets of each religion
- vi. Weak implementation of government White Papers on religious crises

4.8 RIGHT TO FREEDOM OF EXPRESSION AND THE PRESS

4.8.1 Constitutional Obligations

S.(39. (1) Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference.

(2) Without prejudice to the generality of subsection (1) of this section, every person shall be entitled to own, establish and operate any medium for the dissemination of information, ideas and opinions: Provided that no person, other than the Government of the Federation or of a State or any other person or body authorised by the President on the fulfillment of conditions laid down by an Act of the National Assembly, shall own, establish or operate a television or wireless broadcasting station for, any purpose whatsoever.

(3) Nothing in this section shall invalidate any law that is reasonably justifiable in a democratic society –

(a) for the purpose of preventing the disclosure. of information received in confidence, maintaining the authority and independence of courts or regulating telephony, wireless broadcasting, television or the exhibition of cinematograph films; or

(b) imposing restrictions upon persons holding office under the Government of the Federation or of a State, members of the Armed Forces of the Federation or members of the Nigeria Police Force or other Government security services or agencies established by law”.

4.8.2 International Obligations

Our International Obligations are guided by:

- i. Article 19 of the Universal Declaration of Human Rights, which includes the right to freedom of opinion and expression
- ii. Articles 19 and 20 of the International Covenant on Civil and Political Rights;
- iii. Article 5 (d) (viii) of the International Convention for the Elimination of All forms of Racial Discrimination;
- iv. Article 3 of the Convention on the Elimination of all forms of Discrimination Against Women;
- v. Article 13 of the Convention on the Rights of the Child;
- vi. Article 7 of the African Charter on the Rights and Welfare of the Child

- vii. Article 9 of The African Charter on Human and People's Rights

4.8.3 Challenges

- i. Lack of independence of media regulatory bodies
- ii. Lack of access to information for indigent people and rural communities
- iii. Media stereotyping of women and children
- iv. Inability to strike a balance between harmful material and freedom of expression
- v. Piracy of artistic creativity
- vii. Exorbitant license fees for the practice of journalism.
- viii. The Official Secrets Act, 1962
- ix. The Sedition Laws still found in statute books
- x. The absence of legislation to prohibit and punish hate speech
- xi. The prevalence of fake news
- xii. Low compliance with the provision of Freedom Of Information Act, 2011

4.9 RIGHT TO PEACEFUL ASSEMBLY AND ASSOCIATION

4.9.1 Constitutional Obligations

S.40. Every person shall be entitled to assemble freely and associate with other persons, and in particular he may form or belong to any political party, trade union or any other association for the protection of his interests. Provided that the provisions of this section shall not derogate from the powers conferred by this Constitution on the Independent National Electoral Commission with respect to political parties to which that Commission does not accord recognition.”

4.9.2 International Obligations

Our International Obligations include –

- i. Articles 20 and 21 of the Universal Declaration of Human Rights
- ii. Articles 21, 22 and 25 of the International Covenant on Civil and Political Rights
- iii. Article 8, International Covenant on Economic, Social and Cultural Rights
- iv. Article 15 of the United Nations Convention on the Rights of the Child
- v. Article 8 of the African Charter on the Rights and Welfare of the Child
- vi. Articles 10, 11 and 13 of the African Charter on Human and People's Rights
- vii. Other relevant International and Regional Instruments relating to this right.

4.9.3 Challenges

- i. Inadequate voter education especially in the rural areas
- ii. Lack of provision for Affirmative Action for ensuring equitable women participation in the electoral process.
- iii. Low voter turn-out for registration
- iv. Low voter turn-out at elections
- v. Prevalence of electoral fraud

- vi. Abuse of the Public Order Act and Police Permit
- vii. Use of thugs for electoral campaigns
- viii. High level of violence and other criminal conduct in elections
- ix. Involvement of security agency in electoral malpractices
- x. Inadequate resources and political will to ensure the independence of State institutions, as guaranteed by the Constitution
- xi. Lack of provision for persons with disability to participate in the political process.

4.10 RIGHT TO PROPERTY

4.10.1 Constitutional Obligations

S.43. Subject to the provisions of this Constitution, every citizen of Nigeria shall have the right to acquire and own immovable property anywhere in Nigeria.

S.44. (1) No moveable property or any interest in an immovable property shall be taken possession of compulsorily and no right over or interest in any such property shall be acquired compulsorily in any part of Nigeria except in the manner and for the purposes prescribed by a law that, among other things; (a) Requires the prompt payment of compensation therefore, and

(b) Gives to any person claiming such compensation a right of access for the determination of his interest in the property and the amount of compensation to a court of law or tribunal or body having jurisdiction in that part of Nigeria.

(2) Nothing in subsection (1) of this section shall be construed as affecting any general law.

- (a) for the imposition or enforcement of any tax, rate or duty;*
- (b) for the imposition of penalties or forfeiture for breach of any law, whether under civil process or after conviction for an offence;*
- (c) relating to leases, tenancies, mortgages, charges, bills of sale or any other rights or obligations arising out of contracts.*
- (d) relating to the vesting and administration of property of persons adjudged or otherwise declared bankrupt or insolvent, of persons of unsound mind or deceased persons, and of corporate or unincorporated bodies in the course of being wound-up;*
- (e) relating to the execution of judgments or orders of court;*
- (f) providing for the taking of possession of property that is in a dangerous state or is injurious to the health of human beings, plants or animals;*
- (g) relating to enemy property;*
- (h) relating to trusts and trustees;*
- (i) relating to limitation of actions;*
- (j) relating to property vested in bodies corporate directly established by any law in force in Nigeria;*
- (k) relating to the temporary taking of possession of property for the purpose of any examination, investigation or enquiry;*

- (l) providing for the carrying out of work on land for the purpose of soil-conservation; or (m) subject to prompt payment of compensation for damage to buildings, economic trees or crops, providing for any authority or person to enter, survey or dig any land, or to lay, install or erect poles, cables, wires, pipes, or other conductors or structures on any land, in order to provide or maintain the supply or distribution of energy, fuel, water, sewage, telecommunication services or other public facilities or public utilities.

(3) Notwithstanding the foregoing provisions of this section, the entire property in and control of all minerals, mineral oils and natural gas in under or upon any land in Nigeria or in, under or upon the territorial waters and the Exclusive Economic Zone of Nigeria shall vest in the Government of the Federation and shall be managed in such manner as may be prescribed by the National Assembly.

4.10.2 International Obligations

- i. Article 14, African Charter on Human and Peoples' Rights
- ii. Article 17, Universal Declaration of Human Rights
- iii. Articles 5, 13, 15 and 16, by implication, of the Convention on Elimination of all forms of Discrimination Against Women.
- iv. International Covenant on Civil and Political Rights
- v. International Covenant on Economic, Social and Cultural Rights
- vi. Other relevant International and Regional Instruments relating to this right

4.10.3 Challenges

- i. Displacement of people by indiscriminate eviction and demolition.
- ii. Non-payment, inadequate or delay in the payment of compensation by government to victims of compulsory acquisition of land.
- iii. Discriminatory land policies for indigenes/non-indigenes and religious groups.
- iv. Government disobedience to court orders with respect to demolitions, evictions or payment of compensation.
- v. Difficulties in accessing mortgage facilities.
- vi. Weak enforcement mechanism for the protection of intellectual property Rights
- vii. Unstable, unfavourable and inconsistent housing policies by government.
- viii. Insurgency and conflicts leading to loss of property

4.11 RIGHT TO FREEDOM OF MOVEMENT

4.11.1 Constitutional Obligations

S. 41. (1) *Every citizen of Nigeria is entitled to move freely throughout Nigeria and to reside in any part thereof, and no citizen of Nigeria shall be expelled from Nigeria or refused entry thereby or exit there from.*

(2) Nothing in subsection (1) of this section shall invalidate any law that is reasonably justifiable in a democratic society-

(a) imposing restrictions on the residence or movement of any person who has committed or is reasonably suspected to have committed a criminal offence in order to prevent him from leaving Nigeria; or

(b) providing for the removal of any person from Nigeria to any other country to:-

(ii) be tried outside Nigeria for any criminal offence, or

(iii) undergo imprisonment outside Nigeria in execution of the sentence of a court of law In respect of a criminal offence of which he has been found guilty:

Provided that there is reciprocal agreement between Nigeria and such other countries in relation to such matters.”

4.11.2 International Obligations

Our International Obligations are guided by:

- i. Article 13 of the Universal Declaration of Human Rights
- ii. Articles 12 and 13 of the International Covenant on Civil and Political Rights
- iii. Treaty of the Economic Commission of West African States
- iv. African Charter on Human and Peoples’ Rights
- v. Other relevant International and Regional Instruments relating to this right

4.11.3 Challenges

- i. Poor infrastructures limiting the freedom of movement, especially in rural areas
- ii. Lack of safety and security on the roads
- iii. Lack of conducive conditions for investment in Nigeria’s aviation and inland waterways sectors
- iv. Discrimination based on States and Local Government of Origin
- v. Lack of access to public buildings and other facilities by physically challenged persons
- vi. The continued existence of police road-blocks on the roads and highways.

4.12 RIGHT TO FREEDOM FROM DISCRIMINATION

4.12.1 Constitutional Obligations

S.15 (2) National integration shall be actively encouraged while discrimination on the grounds of place of origin, sex, religion, status, ethnic or linguistic association or ties shall be prohibited

S.42. (1) A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not, by reason only that he is such a person:

- (a) be subjected either expressly by, or in the practical application of, any law in force in Nigeria or any executive or administrative action of the government, to disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religion or political opinions are not made subject; or*

- (b) be accorded either expressly by, or in the practical application of, any law in force in Nigeria or any such executive or administrative action, any privilege or advantage that is not accorded to citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religion or political opinions.*
 - (2) No citizen of Nigeria shall be subjected to any disability or deprivation merely by reason of the circumstances of his birth.*
 - (3) Nothing in subsection (1) of this section shall invalidate any law by reason only that the law imposes restrictions with respect to the appointment of any person to any office under the State or as a member of the armed forces of the Federation or member of the Nigeria Police Forces or to an office in the service of a body, corporate established directly by any law in force in Nigeria.”*
- S. 42(2) No citizen of Nigeria shall be subjected to any disability or deprivation merely by reason of the circumstances of his birth.*

The Nigerian Legal system does not make express provision for the concept of racial discrimination as it currently exists. The prohibition of discrimination on the basis of race may be read into the Constitutional provision prohibiting discrimination based on place of origin. This provision is in fulfillment of Nigeria’s regional and global obligations in the fights against racial discrimination.

Accordingly the Government recognizes that everyone in Nigeria has the right to be protected under the law and should not be subjected to discrimination or segregation as a result of the following factors:

- i. Gender
- ii. Race
- iii. Ability or disability as the case may be
- iv. Tribe
- v. Religion
- vi. Ethnicity
- vii. Status
- viii. Health status of any other factor for that matter.

4.12.2 International Obligations

Our International Obligations are guided by:

- i. The African Charter on Human and Peoples’ Rights
- ii. African Charter on the Rights and Welfare of the Child
- iii. Protocol to the African Charter on the Rights of Women
- iv. Protocol to the African Charter on the Rights of Persons with Disabilities in Africa
- v. The Universal Declaration of Human Rights
- vi. The International Covenant on Civil and Political Rights

- vii. The International Covenant on Economic, Social and Cultural Rights
- viii. The International Convention on the Elimination of all forms of Racial Discrimination
- ix. The International Convention on the Elimination of all forms of Discrimination Against Women
- x. The United Nations Convention on the Rights of the Child
- xi. Convention on Rights of Persons with Disability
- xii. International Convention on the Elimination of all forms of Racial Discrimination
- xiii. Discrimination (Employment and Occupation) Convention

The international Conventions enshrine the principle of non-discrimination, which means that –

- a. All human beings are created equal and are endowed with equal rights
- b. All their rights should be protected and promoted equally regardless of the sex, language, religion, social and economic status, national and social origin or on grounds of disability

4.12.3 Challenges

- i. Discrimination on grounds of ethnicity and religion
- ii. Continued existence of gender discrimination
- iii. Inequality and discrimination exist on the basis of:
 - Disabilities
 - HIV/AIDS status
 - Age
 - Economic status
- iv. Harmful traditional practices such as harmful widowhood practices and disinheritance of women.
- v. The Caste System in some States and communities
- vi. Non-domestication the ICERD
- vii. The misinterpretation and misapplication of the Same Sex Marriage Prohibition Act 2014
- viii. Discrimination as a result to sexual orientation

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IMPLEMENTATION PLAN - CIVIL AND POLITICAL RIGHTS								
RIGHT TO LIFE								
Objective	Legal Framework	Current Status (Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
1. Protection of all Persons against extra-judicial killings and ethnic/ Community clashes	Administration of Criminal Justice Act 2015 Nigeria Police Act 2020 Anti-Torture Act 2017 Violence Against Persons Prohibition Act 2015 The Police Service Commission Reform Bill 2020 National Human Rights Commission (Amendment) Act 2010 Legal Aid Act, 2011	National Committee Against Torture in Nigeria Police Force Order 237 on the Use of Force of 2019 Human Rights Practice Manual 2015 Incorporation of human rights into training curricula of security agencies	Ensure training and retraining of security personnel on the use of force. Develop and implement proper guidelines on policing in Nigeria Ensure that erring Officers are held accountable Institutionalise Community Policing Educate citizens on their rights and responsibilities	Number of security personnel trained Number of States/LGAs that adopt community policing Number of states that have human rights education institutions and mechanisms	Conflict related deaths per 100,000 population, by sex, age and cause Number of persons who understand their constitutional rights Conflict related deaths per 100,000 Population	The Police Service Commission Nigeria Police Force	Ministry of Police Affairs Ministry of Interior Ministry of Defence The Judiciary National Orientation Agency National Human Rights Commission. Ministry of Justice Nigerian Bar Association	

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							The Nigeria Police Force Department of State Services Nigeria Correctional Services Civil Society Organisations Nigerian Drug Law Enforcement Agency Nigerian Customs Service Nigerian Immigration Service Nigerian Security and Civil Corps	
2.Compensation for families of victims and survivors of human rights abuses and extra-judicial killings	Administration of Criminal Justice Act 2015 Nigeria Police Force Act 2020	Establishment of Victims Support Fund 2014 Establishment of North East	Ensure full implementation of government policies in supporting families of victims and	Number of court orders enforced with respect to compensation of families of victims of extra judicial killings	Percentage increase in the number of the families of victims and survivors compensated by	The Judiciary Ministry of Justice	Nigerian Bar Association Nigeria Police Force	

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	Anti-Torture Act 2017 Violence Against Persons Prohibition Act 2015 National Human Rights Commission (Amendment) Act 2010 North East Development Commission (Establishment) Act 2017	Development Commission Existence of National Human Rights Commission	survivors of human rights violations and extra-judicial killings Ensure obedience to court orders with respect to compensation of families of victims of extra judicial killings		Federal Government	National Human Rights Commission	Civil Society Organizations Nigerian Correctional Services Nigerian Military North East Development Commission The Nigerian Immigration Service Nigerian Customs Service Department of State Services Economic and Financial Crimes Commission The Independent Corrupt Practices and Other Related	
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							Offences Commission	
							Federal Road Safety Corps	
3. Review of the death penalty policy in Nigeria	Nigerian Constitution 1999 Criminal Code Act 1990 Penal Code Act 1960 Sharia Law 1999	N/A	Develop an Advisory on the death penalty in Nigeria Adopt a moratorium on death penalty Amend the Constitution to abolish the death penalty	A country wide strategy developed on the abolition of death sentence Bills submitted to the National Assembly seeking to amend the death penalty.	Number of death sentences commuted to life imprisonment Percentage reduction in the judgements leading to death penalty	Ministry of Justice	The Presidency State Governments National and State Houses of Assembly National Human Rights Commission The Judiciary Ministry of Justice Civil Society Organizations Nigerian Correctional Services	
4. Domestication of Optional Protocol to Convention Against Torture	Administration of Criminal Justice Act 2015	National Committee Against Torture in Nigeria	Develop a draft Bill to be submitted to the National Assembly on	Bill on criminalization of torture submitted to the National	Proportion of population subjected to physical, psychological	Ministry of Justice	National Human Rights Commission	

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	Nigeria Police Act 2020 Anti-Torture Act 2017 Violence Against Persons Prohibition Act 2015 The Police Service Commission Reform Bill 2020 National Human Rights Commission (Amendment) Act 2010 Legal Aid Act, 2011	Police Force Order 237 on the Use of Force of 2019 Human Rights Practice Manual 2015	criminalization of torture Ensure passage of bill into law to domesticate the optional protocol to the Convention Against Torture Incorporation of human rights into training curricula of security agencies	Assembly for consideration Optional Protocol on the Convention Against Torture domesticated at country wide level.	or sexual violence in the previous 12 months		Federal and State Judiciaries National and State Houses of Assemble Nigerian Bar Association The Nigeria Police Force Nigeria Correctional Services Civil Society Organisations Nigerian Drug Law Enforcement Agency Nigerian Customs Service Nigerian Immigration Service	
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							Nigerian Security and Civil Defence Corps	
5. Address security challenges of insurgency, banditry, kidnapping and emerging crimes	Administration of Criminal Justice Act 2015 Nigeria Police Act 2020 Anti-Torture Act 2017 Violence Against Persons Prohibition Act 2015 National Human Rights Commission (Amendment) Act 2010 Legal Aid Act, 2011	National Committee Against Torture in Nigeria Police Force Order 237 on the Use of Force of 2019 Human Rights Practice Manual 2015	Ensure training and retraining of security personnel Ensure prosecution of insurgents, bandits and kidnappers Institutionalize Community Policing Educate citizens on their rights and responsibilities Ensure provision of social amenities to reduce vulnerability to insurgency, kidnapping and banditry	Number of security personnel trained on counter-insurgency, banditry and kidnapping Number of insurgents, bandits and kidnappers arrested and prosecuted by security agents Percentage increase in public sensitization on insurgency, banditry and kidnapping	Percentage reduction on number of insurgencies, banditry and kidnapping cases in each state. No of positive steps moved on the UN Counter Terrorism Index	The Nigeria Police Force The Nigeria Military	The Police Service Commission Ministry of Interior Ministry of Police Affairs Ministry of Defence The Judiciary National Human Rights Commission. Ministry of Justice Nigerian Bar Association Nigeria Correctional Services Civil Society Organisations	

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							Nigerian Drug Law Enforcement Agency Nigerian Customs Service Nigerian Immigration Service Nigerian Security and Civil Defence Corps	
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RIGHT TO DIGNITY OF THE HUMAN PERSON								
Objective	Legal Framework	Current Status (Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
6. Respect for the dignity of the human person	Administration of Criminal Justice Act 2015 National Human Rights Commission (Amendment) Act 2010 Nigeria Police Force Act 2020 Anti-Torture Act 2017 Nigerian Correctional Services Act 2019 National Agency for Prohibition of Trafficking in Persons Act 2015	National Committee on Torture Human Rights Practice Manual 2015 National Crime Prevention Strategy	Ensure training and retraining of law enforcement officials to respect the rights and dignity of citizens Incorporation of human rights into training curricula of security agencies Improve conditions and facilities in Correctional Centres and other places of detention Ensure conducive working conditions and reduce hazardous work, especially	Percentage increase in the number of law enforcement officials trained on principles of human rights Percentage increase in the number of prosecutorial cases against violators Implementation of tenets of restorative justice	Proportion of victims of violence in the previous 12 months who reported their victimization to competent authorities or other officially recognized mechanisms Number of unsentenced detainees as a proportion of prison population	National Human Rights Commission Nigeria Correctional Service The Judiciary	Police Service Commission Nigeria Police Force Nigeria Correctional Services Ministry of Justice Civil Society Organisations	

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			in the private sector					
7. Reduction of torture and other human rights violations by security agencies	Administration of Criminal Justice Act 2015 Administration of Criminal Justice Laws of Various States Nigeria Police Act 2020 Correctional Service Act 2019 Anti-Torture Act 2017 National Human Rights Commission (Amendment) Act 2010 Police Service Commission Amendment Bill 2020 Public Complaints Commission Act 1975	Force Order 237 Fundamental Human Rights Enforcement procedure rule 2009 National Committee on Torture	Review training curriculum for security agencies Ensure training and retraining of security officials Update the Rules of Engagement for Security Agencies Strengthen internal and external accountability mechanisms Ensure due process in the recruitment of security agents	Training curriculum for security agencies reviewed and validated	Proportion of reduction in cases of torture and other human rights abuses by security agencies Number of human rights abuse cases filled in court in the previous 12 months.	National Human Rights Commission Police Service Commission	National Human Rights Commission The Judiciary Police Service Commission The Nigeria Police Force National Orientation agency Civil Society Organisations	
8. Protection of the rights of suspects	Administration of Criminal Justice Act 2015	Fundamental Human Rights enforcement	Develop a protocol for ensuring	Percentage increase in number of legal	Number of Suspects who	The Judiciary	Legal Aid Council	

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	Administration of Criminal Justice Laws of various States Correctional Service Act 2019 Nigeria Police Force Act 2020 Anti-Torture Act 2017 Legal Aid Council Act 2011 National Human Rights Commission (Amendment) Act 2010	procedure Rule 2009 Force Order 20 Duty Solicitor Scheme 2017 Administration of Criminal Justice Monitoring Committee	availability of legal representatives for suspects Establish clear framework and regulation for granting access to suspects Develop clear procedure on communication with suspects in a language they understand	representatives available for suspects Percentage increase in the number of interpreters available to suspects Percentage decrease in the number of confessional statements obtained under duress	don't have legal representatives Number of suspects who admit to giving statements under torture in court	National Human Rights Commission Police Service Commission	Nigeria Police Force Civil Society Organisations Ministry of Justice Nigerian Correctional Service Nigeria Police Force	
9. Adoption and implementation of new practice guidelines for the Nigerian security sector to meet with international standard	Administration of Criminal Justice Act 2015 Correctional Service Act 2020 Police Act 2020 Anti-Torture Act 2017	Fundamental Human Rights Enforcement Procedure Rule 2009	Ensure periodic/annual review of the practice guidelines for the security sector Ensure training and retraining of security personnel on new practice guidelines	Number of practice guidelines and code books reviewed Number of security personnel trained on new practice guidelines	Number of persons wrongfully detained in the past 12 months	Nigeria Police Force Nigerian Military	Police Service Commission Ministry of Defence National Human Rights Commission United Nations Agencies	

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	Nigeria Security and Civil Defence Corps Act 2003 Nigeria Armed Forces Act 1994 National Human Rights Commission (Amendment) Act 2010		Ensure compliance with new practice guidelines	Number of erring officials sanctioned			International Committee of the Red Cross Civil Society Organisations	
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RIGHT TO PERSONAL LIBERTY								
Objective	Legal Framework	Current Status (Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
10. Timely bail for detained suspects as prescribed by law	Police Reform Act 2020 Administration of Criminal Justice Act 2015 Administration of Criminal Law of States Nigerian Correctional Service Act 2019 Economic and Financial Crimes Commission Act 2004 Corrupt Practices and Other Related Offences Act 2000 National Drug Law Enforcement Agency Act	Administration of Criminal Justice Monitoring Committee Presidential Committee on Prison Reform	Establish a reliable database of inmates. Ensure the creation of a bail review committee for Awaiting Trial inmates Regulatory mechanism that ensures a suspect is not detained beyond the stipulated hours	Availability of reliable inmates database Existence of a bail review committee for awaiting trial inmates Number of police commands that have regulatory mechanism on number of hours for detention	Percentage increase in bail application granted by the court Percentage decrease in the number of Awaiting Trial Inmates in correctional facilities across the country. Average number of hours suspects are detained, as reported by the National Human Rights Commission and other monitoring bodies	Ministry of Interior National Human Rights Commission (Amendment) Act 2010	Nigerian Bar Association Nigeria Police Force Ministry of Police Affairs Ministry of Justice Legal Aid Council Civil Society Organisations The Judiciary Economic and Financial Crimes Commission Independent Corrupt Practices and Other Related	

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	National Human Rights Commission (Amendment) Act 2010						Offences Commission National Drug Law Enforcement Agency	
11. Fast tracking criminal cases in courts	Nigeria Police Act 2020 Administration of Criminal Justice Act 2015 Administration of Criminal Law of States. Evidence Act 2011	Administration of Criminal Justice Monitoring Committee Non-custodian sentencing guidelines Fundamental Human Rights Enforcement Procedure Rule 2009 Federal High Court Civil Procedure Rules 2009 FCT High Court Rule 2018 Piloting of fast track system in three courts across the country	Ensure regular Correctional Centres visitations by the Chief Judges /Magistrates Ensure accurate data and records of convictions Ensure adequate logistics for court attendance by inmates Ensure that cases are properly investigated before arraignment	Percentage increase in the number of visitations of Magistrates to correctional facilities per state Existence of accurate data of convictions in every state and the FCT Percentage increase in number of convicts sentenced to non-custodial sentencing Percentage of data collected on prisoners and detainees	Percentage increase in number of convicts sentenced to non-custodial sentencing	The Judiciary	Ministry of Justice Nigeria Correctional Service Nigeria Bar Association Nigeria Police Force The Nigeria Security and Civil Defence Corps The Nigerian Armed Forces Civil Society Organisations Economic and Financial Crimes Commission	

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							Independent Corrupt Practices and Other Offences Commission National Drug Law Enforcement Agency	
11. Access to courts within reasonable time	Administration of Criminal Justice Act 2015 Administration of Criminal Law of States Evidence Act 2011 Legal Aid Act 2011 National Human Rights Commission (Amendment) Act 2010	Administration of Criminal Justice Monitoring Committee	Ensure timely investigation of cases Ensure effective judicial oversight in making sure that courts are created within close radius of the detention centres	Enhanced capacity of the police to investigate cases Number of police trained on modern investigation techniques Increase in perfection of bail by suspects Reduced arraignment time	Number of of accused people who are yet to be arraigned in a court	Judiciary The Nigeria Police	Ministry of Justice, Economic and Financial Crime Commission, Independent Corrupt Practices Commission The National Judicial Council The Judiciary, Ministry of Justice, Nigeria Bar Association	

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							Civil Society Organisations	
RIGHT TO FAIR HEARING								
Objective	Legal Framework	Current Status	Action	Performance Indicator	Outcome Indicator	Responsible lead Agency	Cooperating Partners	Time Frame
12.Independence of the Judiciary	Administration of Criminal Justice Act 2015 Administration of Criminal Law of States Evidence Act 2011	Fundamental Human Rights Enforcement Procedure Rule 2009 National Judicial Policy	Ensure financial independence of the judiciary Ensure non-interference in judicial administration	Adequate and increased resources available to courts Fist line charges of Judicial Funds	Number of controversial and politically linked judgments by the courts	The Judiciary National Judicial Council	Nigeria Bar Association Ministry of Justice Legal Aid Council Civil Society Organisations National Human Rights Commission	
13.Abolishment of media trial of suspects	National Human Rights Commission (Amendment) Act 2010 National Broadcasting Commission	Fundamental Human Rights Enforcement Procedure rules 2009	Provide practice guidelines on arraignment of suspects Ensure compliance by law enforcement	Practice guideline on arraignment of suspects developed Number of erring agencies sanctioned	Percentage decrease in media trial of suspects Number of suspects paraded by	The Nigeria Police Ministry of Justice National Human Rights Commission	The Judiciary Nigeria Law Reform Commission Police Service Commission	

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	(Amendment) Act 2004 Nigerian Communications Commission Act 2003		agencies and the media		media in the last 12 months		Nigerian Communications Commission National Broadcasting Commission Nigeria Bar Association.	
14. Clear understanding of the proceedings of the court by suspects	Administration of Criminal Justice Act 2015 Administration of Criminal Law of States Evidence Act 2011 Nigeria Police Force Act 2020 Legal Aid Council Act	Fundamental Human Rights Enforcement Procedure Rule 2009 Police Duty Solicitor Scheme 2017	Ensure engagement of adequate number. of interpreters for the criminal justice system Ensure implementation of the Police Duty Solicitors Scheme	Percentage increase in the number of interpreters available to suspects Percentage increase in the number of police prosecutors who adhere to the Police Duty Solicitors Scheme Percentage increase in compliance to the provisions of the police duty solicitor scheme	Number of persons standing trial who admit to understanding of court proceedings	The judiciary The Nigeria Police Force Legal Aid Council	Ministry of Justice Nigeria Bar Association National Human Rights Commission Police Service Commission Civil Society Organisations	

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RIGHT TO PRIVATE AND FAMILY LIFE								
Objective	Legal Framework	Current Status (Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Responsible lead Agency	Cooperating Partners	Time Frame
15. Adoption and effective implementation of the Child Rights Act and Child Rights laws in states	Child Rights Act 2003 and Child Rights Laws of various States Marriage Act 1914 Matrimonial Causes Act 1970 National Agency for Prohibition of Trafficking in Persons Act 2015 National Human Rights Commission Act 2010 Criminal Code Act Administration of Criminal Justice Act 2015 Administration of Criminal Justice Laws of states	National Child Policy 1989 Matrimonial Causes Rules 1983 Fundamental Human Rights Enforcement Procedure Rules 2009	Ensure the adoption and implementation of Child Rights Laws across the states	Number of states that adopt Child Rights Law Increase in the number of measures put in place to ensure the protection of children across the country Level of implementation of the Child Rights Act/law.	Proportion of and number of children aged 5-17 years engaged in child labour, by sex and age. Proportion of children aged 5-17 forced into marriage or who are victims of rape and abuse	Ministry of Women Affairs National Human Rights Commission	Ministry of Justice Nigeria Law Reform Commission Nigeria Bar Association Civil Society Organisations Ministry of Youths and Sports National Agency for the Prohibition of Trafficking in Persons	

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	Evidence Act 2011 Nigeria Police Act 2020							
16. Ensure the protection of citizen's right to privacy	National Human Rights (Amendment) Act 2010 Nigerian Communications Commission Act 2003 Nigeria Postal Service Act 2004 Nigeria Postal Services Act 1992 Nigeria Data Protection Regulation Act 2019	Fundamental Human Rights Enforcement Procedure rules 2009 Nigerian Postal Communication Bill 2018 Implementation Framework for Nigeria Data Protection Regulation	Ensure passage of laws to protect right to privacy Review operational guidelines of communication companies in Nigeria with respect to privacy Ensure compliance with the guidelines on the search of premises and protection of personal data	Number of bills on right to privacy passed into law at state and federal levels Number of operational guidelines reviewed. Percentage increase in protection of personal data	Percentage decrease in the number of premises searched without warrant	The Judiciary Ministry of Communications and Digital Economy	Ministry of Justice Nigeria Information Technology Development Agency Nigeria Law Reform Commission Nigeria Bar Association National Human Rights Commission	

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RIGHT TO FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION								
Objective	Legal Frame Work	Current Status (Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	
17. Effective promotion of religious and cultural tolerance and respect among Nigerians	National Hajj Commission Act 2006 Nigerian Christian Pilgrims Commission Act 2017 National Human Rights Commission Amendment Act 2010 National Orientation Agency Act 2004 Institute for Peace and Conflict Resolution (Establishment) Act 2007 National Commission for Museums and Monuments Act 1990 African Charter on Human and Peoples' Rights (Enforcement	Interfaith Dialogue Forum for Peace Christian Association of Nigeria Nigerian Supreme Council for Islamic Affairs (NSCIA) National Peace Committee Advisory Council on Religious Affairs National Inter-Religious Council	Set up mechanisms frameworks that promote cultural and religious tolerance among Nigerians. Carry out awareness and sensitization programmes on religious tolerance	Guidelines and mechanisms that promote cultural and religious tolerance Existence of government backed sensitization programs on religious tolerance	Number of cases of religious conflicts and violence by state and region	Ministry of Information and Culture. Institute for Peace and Conflict Resolution	National Human Rights Commission The Judiciary Ministry of Justice Nigeria Bar Association Ministry of Information and Culture National Orientation Agency Ministry of Foreign Affairs National Institute for Cultural Orientation	

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	and Ratification) Act, 1983 Criminal Code Act 1990 Penal Code Act 1960 Sharia Penal Codes of States Evidence Act 2011 Administration of Criminal Justice Act 2015 Administration of Criminal Justice Law of states Freedom of Information Act 2011 National Institute for Cultural Orientation Act 1993						The Media Civil Society Organisations	
18. Imbibing the basic knowledge of the tenets of each religion	Administration of Criminal Justice Act 2015 National Hajj Commission Act, 2006	Interfaith Dialogue Forum for Peace Christian Association of Nigeria	Strengthen religious institutions to maintain peace and harmony in Nigeria	Number of religious institutions committed to teachings of peace and co – existence	Percentage reduction in media statements and writings negatively targeted at faith	Ministry of Religious Affairs in the States	National Human Rights Commission The Judiciary	

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	Nigerian Christian Pilgrims Commission Act 2017 National Human Rights Commission Amendment Act 2010 National Orientation Agency Act 1993 Institute for Peace and Conflict Resolution (Establishment) Act, 2007 African Charter on Human and Peoples' Rights (Enforcement and Ratification) Act, 1983 Criminal Code Act 1990 Penal Code Act 1960 Sharia Penal Codes of States Evidence Act 2011	Nigerian Supreme Council for Islamic Affairs (NSCIA) Advisory Council on Religious Affairs National Peace Committee Fundamental Human Rights Enforcement Procedure rules 2009 National Inter-religious Council	Promote the study of the basic tenets of the major religions in primary and secondary schools	Number of states that have religious studies in their curricula for primary and secondary schools Percentage reduction in religious conflicts in Nigeria	groups and organisations	Ministry of Information and Culture Ministry of Education	Ministry of Justice Nigeria Bar Association Ministry of Information and Culture National Orientation Agency The Media Civil Society Organisations Institute for Peace and Conflict Resolution	
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	Administration of Criminal Justice Law of states							
	Freedom of Information Act 2011							
RIGHT TO FREEDOM OF EXPRESSION AND THE PRESS								
Objective	Legal framework	Current Status (Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating partners	Time Frame
19. Professionalisation of media practice in Nigeria	Nigerian Press Council Act (Amendment) Bill, 2019 National Broadcasting Commission Act 2004 Freedom of Information Act, 2011 Advertising Practitioners Registration Act Cap A7 of 2004	Nigeria Broadcasting Code, 2020 National Defence Policy 2017 National Security Strategy 2019 National Counter Terrorism Strategy 2016	Create an enabling environment to promote high professional standards for the Nigerian Media Transform the National broadcasting omission into a genuinely independent media regulatory body Address complaints emanating from members of the public about the	Number of media practitioners maintaining high level of professionalism NBC Act amended Nigeria Broadcasting Code amended	Reduction in the number of media houses sanctioned by Government for unethical practices Reduction in the number of complaints received by government agencies against the media	Ministry of Information Nigerian Union of Journalists	Newspapers Proprietors Association of Nigeria Nigerian Guild of Editors National Broadcasting Commission The Press Council	

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	National Film and Video Censors Board Act of 1993 News Agency of Nigeria Act of 1976 Nigerian Television Authority Act of 1976 Nigerian Film Corporation Act 1979 Nigerian Film Corporation Act (Repeal and Enactment) Bill, 2019 Nigerian Communication Commission Act, 1992 Nigerian Institute of Public Relations Practitioners Act 1990 National Human Rights Commission (Amendment) Act 2010		conduct of the Media					
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	Freedom of Information Act 2011							
20. Free, virile, and independent press/media	Freedom of information Act 2011 Cybercrimes (Prohibition, Prevention etc) Act 2015 National Broadcasting Commissions Act 2004 Administration of Criminal Justice Act 2015 and Administration of Criminal Justice Laws in various states Nigerian Press Council Act, 1992 Criminal Code Laws of States in the South Penal Code Laws of States in the North	National Broadcasting Code 2020 Nigeria Data Protection Regulation 2019	Implement laws that ensure freedom of the press/media Ensure unhindered access to information Increase radio and television broadcast to rural communities Diversify ownership of the media	Number of freedom of information requests granted by government agencies Number of mechanisms put in place for facilitate access to information Percentage increase in number of license granted	Improved ranking of Nigeria on global peer review indexes like “freedom house index” and “journalists without borders”	Ministry of Information The Press Council	Ministry of Communications and Digital Economy Ministry of Justice The National Broadcasting Commission National Human Rights Commission Civil Society Organisations The Media	

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	Cinematograph Act, 1963 African Charter on Human and Peoples' Rights (Enforcement and Ratification) Act, 1983 National Film and Video Censors Board Act 1993 Freedom of Information Act 2011							
21. Protection of citizens against misinformation, disinformation and fake news	Nigerian Press Council Act (Amendment) Bill, 2019 Penal Code (Northern States) Federal Provisions Act (Amendment) Bill, 2019 Criminal Code Act (Amendment) Bill, 2019 Cybercrimes (Prohibition,	National Broadcasting Code 2020 Nigeria Data Protection Regulation 2019 Anti-Social Media Bill 2019 Hate Speech (Prohibition) Bill, 2019	Ensure access to information for all especially rural communities Improve accountability in information dissemination Deploy fact checking in journalism	Number of policies adopted by the government to protect freedom of expression Number of policies implemented by the government Number of journalists who use fact checking in disseminating information	Proportional decrees in number of libel suits filed for misinformation and misrepresentation	National Broadcasting Commission Nigerian Press Council	National Human Rights Commission Radio and Television Association Workers Union (RTAWU) Nigerian Bar Association The Judiciary Ministry of Justice	

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	Prevention etc) Act 2015 Freedom of information Act 2011	Nigeria Data Protection Regulation 2019 National Security Strategy 2019 National Defence Policy 2017 National Counter Terrorism Strategy 2016 Cyber Security Policy and Strategy 2014					Ministry of Defence Ministry of Police Affairs Civil Society Organizations	
22. Reduction in the cost of broadcasting in Nigeria	National Broadcasting Commission Act 2004 Nigerian Communication Commissions Act 2003 Nigerian Press Council Act (Amendment) Bill, 2019 National Broadcasting Commission Act	National Broadcasting Code 2020	Simplify the process of obtaining broadcasting licences Improve infrastructure for broadcasting	Number of applications for licences approved Percentage increase in infrastructure for broadcasting Percentage improvement in the ease of broadcasting	Percentage reduction in the cost of licence for broadcasting	Nigerian Broadcasting Commission Ministry of Communications and Digital economy Nigerian Communications Commission	Broadcasting Organisation of Nigeria Radio and Television Association Workers Union Nigerian Press Council	

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	(Amendment) Bill, 2019							
23. Affordable internet access for all citizens	National Broadcasting Commission Act 2004 Nigerian Communication Commissions Act 2003	Nigerian Communications Commission Act (Amendment) Bill, 2019 Licensing and regulation of internet service providers	Review laws and policies on right of way on internet access Improve infrastructure for internet services Establishment of Galaxy Backbone Establishment of NigComSat	Percentage improvement in internet access Existence of a Galaxy backbone in the country NigComSat successfully launched	Number of active internet subscribers in Nigeria per 1000 people Proportion of schools with access to the Internet for pedagogical purposes	Nigerian Communications Commission	Ministry of Communications and Digital economy Telecommunication Companies Civil Society Organisations	
RIGHTS TO PEACEFUL ASSEMBLY AND ASSOCIATION								
Objectives	Legal Framework	Current Status (Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
24. Conducive environment for the right to universal adult suffrage	The Electoral Act (as amended 2015) National Human Rights Commission (Amendment) Act 2010	Independent National Electoral Commission Bill 2020 Guidelines for conducting Elections during the COVID-19	Ensure that the 2021 Electoral Amendment Bill is signed into law Promote voter participation	Electoral Amendment Bill signed into law by the President	Assessment of elections by international and national observers Percentage of elections carried	Independent National Electoral Commission Ministry of Labour	Political Parties National Orientation Agency	

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	The 1999 Constitution (Ammended)	Outbreak in Nigeria 2020 Public Order Quarantine Act (Repeal and Re-enactment) Bill, 2020 INEC Regulations and Guidelines for the conduct of Elections 2019	through voter and civic education Ensure non-discrimination of women and other vulnerable groups in political activities Implement code of conduct for political parties Support the adoption of Affirmative Action by political parties	INEC Guidelines for 2023 elections include provision for 35% affirmation for women in politics Electoral training programmes mounted on non-discrimination of women in politics Number of political parties that offer incentives for women to participate in politics	over to another day Number of Polling centers and stations that receive election materials before the opening of polls Reports of interference of the executive branch in INEC operations More vulnerable groups participate in elections in Nigeria	National Human Rights Commission	Ministry of Information and Culture Civil Society Organisations Ministry of Women Affairs Ministry of Youth	
25. An independent and effective election management body	The Electoral Act 2010 (As Amended) National Human Rights Commission (Amendment) Act 2010	Independent National Electoral Commission Bill 2020	Strengthen the Legal Framework for Elections in Nigeria Ensure that elections are held in conformity with the provisions of	Nigeria's electoral laws adjudged as meeting the global benchmarks for credible democratic elections.	Assessment of elections by international and national observers Percentage of elections carried over to another day	Independent National Electoral Commission National Human Rights Commission	Political Parties The Media International Development Partners	

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	The 1999 Constitution (Amended)		the Legal Framework Ensure that appointment of INEC Members are made in strict compliance with the Constitution Ensure that removal or suspension of INEC Members are done within the provisions of the Constitution Ensure that INEC participates effectively in decision of the Joint Election Security Committee in the deployment of security forces to areas during voting, counting, collation and transmission of results	National Assembly carries out oversight function on appointment, removal and suspension of INEC Members by the President Number of Security missions deployed during election without INEC's consent.	Number of Polling centers and stations that receive election materials before the opening of polls Reports of interference of the executive branch in INEC operations More vulnerable groups participate in elections in Nigeria	National Orientation Agency	Civil Society Organisations	
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26. Non-interference in the conduct of labour union affairs	Nigeria Police Act, 2020 Public Order Act 1979 Trade Union(Amendment) Act 2005 National Human Rights Commission (Amendment) Act 2010 Freedom Of Information Act 2011	Trade Unions Act (Amendment) Bill, 2019	Ensure the protection of the right to peaceful protests by labour unions Ensure non— interference in Labour Union elections Ensure protection of labour rights and promote safe and secure working environments for all workers	Number of labour union protests allowed by government Minimum work environment standard established by law	Whether or not there exists labour rights(freedom of association and collective bargaining) based on International Labour Organisation (ILO) textual sources and national legislation, by sex and migrant status	Ministry of Labour National Human Rights Commission National Industrial Court	Trade Unions Civil Society Organisations	
27. Safe environment for peaceful protests	Nigeria Police Act 2020 Public Order Act 1979 National Human Rights Commission (Amendment) Act, 2010	Community Policing Initiative 2020	Protect the right to peaceful protest. Train law enforcement officers on protest or crowd management Ensure public enlightenment on peaceful protest	Number of law enforcement officers trained on protest or crowd management. Existing programmes on public enlightenment on peaceful protests	Number of peaceful protests carried out by Nigerian citizens Percentage increase in the number of protests that are peaceful Percentage decrease on use of force during protest	Nigeria Police Force	Ministry of Justice National Human Right Commission Ministry of Interior Civil Society Organisations	

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							National Orientation Agency	
RIGHT TO FREEDOM OF MOVEMENT								
Objectives	Legal Framework	Current Status (Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
28. Unhindered movement of persons, goods and services across the country	Police Reform Act 2020 Federal Road Safety Corps (Amendment) Bill, 2019 Federal Road Safety Corps (Establishment) Act 2007 National Human Rights Commission (Amendment) Act 2010	Revised Nigerian Highway Code 2016 The Road Traffic (Amendment) Regulations 2016 Petroleum Tankers Safety Bill, 2019	Provide conducive and enabling environment to aid the movement of persons, goods and services across the country	Reduction in number of police check points mounted across the country Established procedure of police checks on highway in without violation of rights of motorists	Number of accidents reported on the highways in the past 12 months Number of robbery incidents reported on the highway in the past 12 months	Ministry of Transport Federal Road Safety Corps	Nigeria Police Force Ministry of Works Federal Roads Maintenance Agency Civil Society Organisations	

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29. Adequate transport infrastructures across the nation	Infrastructure Concession Regulatory Commission (Establishment, ETC) Act, 2005	National Road Safety Strategy 2019-2023 National Roads Fund Bill, 2019	Ensure construction and maintenance of roads, waterways, airports and railways.	Number of new roads, railways and airports constructed	Passenger freight volumes by mode of transport	Ministry of Transport Ministry of Trade and Industry Ministry of Works and Housing	Nigerian Railway Corporation	
	Federal Highways Act 1971 Federal Roads Maintenance Agency of Nigeria (Amendment) Act 2007		Ensure security of roads, waterways, airports and railways	Presence of security forces on the highways, at airports and railway stations	Percentage increase in the free flow of traffic in different parts of the country Percentage decrease in the number of road casualties across the country Reduction in accidents due to bad roads		Nigerian Airports Authority Nigerian Airspace Management Agency Nigerian Meteorological Agency Nigerian Maritime Administration and Safety Agency National Inland Waterways Authority The Nigeria Police Force Federal Roads Maintenance Agency	

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							Federal Road Safety Commission	
							Private Sector	
30. Conducive environment for investment in the aviation industry	Nigeria Immigration Services Act 2015 Civil Aviation (Repeal and Re-enactment) Act 2006 Nigerian Airspace Management Agency Act 1999	Immigration Act (Amendment) Bill, 2019 Federal Airports Authority of Nigeria Act (Amendment) Bill, 2019 Civil Aviation (Amendment) Bill, 2019 Immigration regulations 2017	Improve efficiency of air transportation in Nigeria Promote safety of aircrafts, persons and property through regulation Ensure the provision of incentives for airline investors Provide adequate infrastructure for the aviation industry	Improvement in aviation services and air passenger safety Number of foreign investments in the aviation industry Number of safety trainings and retraining conducted for airline staff and management Number of routine maintenance carried out by airlines on aircrafts Existing national regulations for safety of aircrafts and passengers	Improved business environment in the aviation industry. Number of air mishaps recorded in the country Relative Ease of travelling by air in the country in terms of check in time, timely departure of flights and customer service	Ministry of Aviation Ministry of Trade and Industry	Federal Airport Authority of Nigeria Nigeria Civil Aviation Authority Ministry of Foreign Affairs Nigerian Meteorological Agency Nigerian Airspace Management Authority	

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				Number of waivers granted to airline investors				
RIGHT TO FREEDOM FROM DISCRIMINATION								
Objectives	Legal Framework	Current Status (Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
31. Conducive environment devoid of discrimination	National Agency for the Control of AIDS Act 2004 The Discrimination Against Persons with Disability (Prohibition) Act 2019 National Human Rights Commission Amendment Act 2010 African Charter on Human and Peoples Rights (Enforcement and Ratification) Act 1983	National Workplace Policy (HIV/AIDS) Employment and Labour Laws and Regulations 2020	Implement Federal Character principle in employment opportunities Eradicate discrimination in the public service Mainstream persons with disability into public and private sectors Promote public enlightenment and education on diversity and special needs	Number of citizens employed using the Federal Character principle Number of violators punished. Number of public enlightenment and political stability programmes held Number of mechanisms to checkmate discrimination in the public service provided	Geographic spread by zones and states, in terms of employment, from statistics of Federal Character Commission Number of persons with disability left unemployed	Federal Civil Service Commission Federal Character Commission National Human Rights Commission National Orientation Agency	National Commission for Persons with Disability Ministry of Trade Public Complaints Commission National Agency for the Control of AIDS Ministry of Sports Ministry of Youth	

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				Diversified educational mechanism provided			Ministry of Women Affairs Ministry of Labour	
32. Inclusive education especially for children with disabilities	Discrimination Against Persons with Disabilities (Prohibition) Act 2019 National Human Rights Commission (Amendment) Act 2010	National Policy on Education for Persons with Disabilities	Implement the Universal Basic Education Policy for all children without discrimination Integrate children with disabilities into regular education system Promote equal access of girls to primary and secondary education	Enhanced inclusive education for vulnerable children in Nigeria Number of schools that have adopted inclusive policy in their education system in relation to vulnerable children by state and zone	Number of out of school children with disabilities at primary and secondary levels Parity indices(female/male, rural/urban, bottom/top0 for all education indicators that can be disaggregated Access to compulsory primary and secondary education for the girl child	Ministry of Education Ministry of Women Affairs Education Departments in the LGAs	Ministry of Science and Technology National Mass Education and Adult Literacy Commission National Commission for Persons With Disabilities National Human Rights Commission UNICEF UNESCO Civil Society Organisations	
33. Equitable allocation of resources	Nigerian Minerals and Mining Act 2007	Financial Transparency policy 2019	Ensure equitable allocation of resources to states and local	Monthly allocations received by states	Improved equitable allocation of resources	Ministry of Finance	National Bureau of Statistics	

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	Nigerian Populations Commission Act 1998 Niger Delta Development Commission Act 2000	Allocation of Revenue (Federation Account) (Amendment) Bill, 2019	governments in the country Ensure that citizens have equal access to government services	and local governments Percentage number of developmental projects carried out by states and local government using the federal allocations	Proportion of resources allocated by the government directly for poverty reduction programmes Proportion of total government spending on essential services(education , health and social protection	Revenue Mobilisation and Fiscal Commission	Civil Society Organisations	
34. Equal opportunities for both gender	Nigeria Police Act 2020 National Centre for Women Development Act 1995 Violence Against Person Prohibition Act 2015 National Agency for the Prohibition of Trafficking in Persons 2003 National Human Rights Commission	National Gender Policy in Agriculture, 2019 National Gender Policy 2006	End all forms of discrimination against all women and children everywhere Review laws and practices that are discriminatory to women Create enabling environment to promote equal participation of women in public life Increase advocacy targeting policy	Number of laws reviewed and amended to remove discrimination against women and girls Number of reviewed systematic conditions, policies, laws and institutional mechanism Percentage number of audience reached	legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex Proportion of seats held by women in the National Assembly and local governments Proportion of women in managerial positions	Ministry of Women Affairs Ministry of Information	National Human Rights Commission National Orientation Agency Public Complaint Commission Nigerian Law Reform Commission Civil Society Organisations	

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	(Amendment) Act 2010		makers, traditional and religious leaders		Average monthly earnings of female and male employees, by occupation, age and persons with disability			
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RIGHT TO ACQUIRE AND OWN IMMOVABLE PROPERTY								
Objective	Legal Framework	Current Status (Policies and Administrative Steps)	Action	Performance Indicator	Outcome indicator	Lead Agency	Cooperating Partners	Time Frame
35. Conducive environment for acquisition of land and other properties in any part of the country	Company and Allied Matters Act 2020 National Human Rights Commission (Amendment) Act, 2010 Bureau for Public Enterprises Act 1999 Land Use Act 1978 National Housing Fund Act 1992 Federal Mortgage Bank Act of Nigeria 1993	Federal Land Registry (Miscellaneous Provisions) Bill, 2019 National Urban Development and Regional Planning Commission (Establishment, etc) Bill, 2019 Federal Government Housing Policy 1990	Address barriers to the acquisition of properties in any part of Nigeria Undertake reforms to give women equal rights to economic resources as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws Adopt and strengthen sound policies and enforceable legislation for the promotion of	No of measures and reforms undertaken give women rights to acquisition and ownership of land and other financial resources, especially inheritance Existence of legislations that promote gender equality	Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex; and share of women among owners or rights-bearers of agricultural lands	Ministry of Works Ministry of Land	Federal Housing Authority Federal Mortgage Bank of Nigeria Organised Private Sector Civil Society Organisations International Financial Institutions	

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			gender equality and the empowerment of all women and girls at all levels					
36. Rights-based approach to compulsory acquisition of properties by government	National Human Rights Commission (Amendment) Act 2010 Land Use Act 1978	National Policy on Internally Displaced Persons in Nigeria 2012	Ensure payment of compensation to affected citizens Adopt human right principles in acquisition of land or properties	Prompt payment of compensation of citizens on compulsory acquisition of land by government	Percentage number of citizens that received prompt payment from government	Ministry of Works and Housing Urban Development Agencies National Human Right Commission	The Judiciary Federal and State Housing Authorities	
37. Protection of intellectual property rights	Trade Malpractices (Miscellaneous offences) Act 2011 Copyright Act (as amended) 2004 Patents and Designs Act 2004 Merchandise Marks Act 2004 Trade Marks Act 2004	Trade Malpractices (Miscellaneous offences) Act (Amendment) Bill, 2019	Develop a national policy on intellectual property as a matter of urgency Ensure the inculcation of the provisions of the National Intellectual Property Policy (NIPP) into school curricula from the Secondary School level to higher institutions of learning	Number of legal practitioners skilled and experienced in IP law Number of updated IP laws with the trends of the 21 st century Number of syllabuses on intellectual property protection in schools	Percentage number of citizens that gets justice in IP related cases in law courts Percentage decrease in reported cases of copyright infringement. .	Nigerian Copyright Commission Nigerian Broadcasting Commission Trademarks, Patents and Designs Registry National Office for Technology Acquisition	Intellectual Property Lawyers Association of Nigeria The Nigerian local chapter of the International Association for the Protection of Intellectual Property	

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			Strengthen the Copyright Commission to effectively protect intellectual property rights Integrate the developed NIPP into national consciousness through vigorous public awareness campaigns	Existing framework for reform of Copy Rights Commission		and Promotion	Anti-Counterfeiting Collaboration Copyrights Collecting Societies Federation of Intellectual Property Owners National Orientation Agency	
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CHAPTER FIVE

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

5.1 SCOPE OR RIGHTS

The implementation of the following rights is discussed in this Section:

- a. Right to Work
- b. Right to Shelter
- c. Right to Health
- d. Right to Food
- e. Right to Water and Sanitation
- f. Right to Education
- g. Right to Culture

In considering the above Economic, Social and Cultural (ESCR) recourse is had to the provisions of Chapter II of the Constitution, titled The Fundamental Objectives and Directive Principles of State Policy. They are generally considered to be non-justiciable under the Constitution, unlike the Fundamental Rights under Chapter IV of the Constitution, having regard to the provision of its Section 46.

However, given the inter-dependence and inter-relatedness of all human rights wherein the realization of a justiciable right is dependent on the protection of the so called non-justiciable right, this National Action Plan gives equal importance to all categories of rights. In addition, the ESC rights contained in the Chapter 2 of the Constitution are equally provided for under the African Charter on Human and Peoples' Rights (ACHPR), which is now domesticated under CAP 10 LFN 1990. Article 7(1)(a) of that Charter confers upon every individual the right to an appeal to competent national organs against acts violating his fundamental rights as recognized and guaranteed by conventions, laws, regulations, and customs in force. Accordingly, it would seem that these rights are enforceable through competent national organs, including the courts. Further, as has been decided by the Indian Supreme Court, these rights can be enforced via the Fundamental Rights. Thus, for example, the rights to food, housing, education, etc., have been interpreted to be included in the right to life, in the sense that they are components of the quality of life. Also, these rights can now be enforced through the African Commission for Human and Peoples' Rights, the African Court of Human Rights, when established, and possibly, through the ECOWAS Court.

Over time, several mechanisms have been developed for enforcing these in court through judicial review of administrative actions, originating summons and applications for enforcement of Fundamental Rights. Having regard to the nature of its obligations to respect, protect and fulfill Economic, Social and Cultural Rights, government recognizes the need to establish necessary institutions to work towards the progressive realization of these rights.

5.2 RIGHT TO WORK

5.2.1 Constitutional Obligations

S.17(3) “The State shall direct its policy towards ensuring that-

- (a) 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;*
- (b) conditions of work are just and humane, and that there are adequate facilities for leisure and for social, religious and cultural life;*
- (c) the health, safety and welfare of all persons in employment are safeguarded and not endangered or abused;*
- (d) there are adequate medical and health facilities for all persons;*
- (e) there is equal pay for equal work without discrimination on account of sex, or on any other ground whatsoever;*
- (f) children, young persons and the age are protected against any exploitation whatsoever, and against moral and material neglect;*
- (g) provision is made for public assistance in deserving cases or other conditions of need; and*
- (h) the evolution and promotion of family life is encouraged.*

5.2.2 International Obligations

Our International Obligations include:

- i. Article 23 of the Universal Declaration of Human Rights which guarantees everyone the right to work, to free choice of employment, to just and favourable conditions of work, and to protection against unemployment.
- ii. Article 6 of the Covenant on Economic, Social and Cultural Rights, which sets out: the right to form trade unions and the right to strike; the right to social security and social insurance; and the right to an adequate standard of living
- iii. International Labour Organisation Conventions ratified by Nigeria.
- iv. Article 5 of the African Charter on Human and Peoples’ Rights, which recognizes the right to work under equitable and satisfactory conditions, and the right to equal pay for equal work

5.2.3 Challenges

- i. High level of unemployment
- ii. Existence of discrimination against women and persons with disabilities in employment
- iii. Discrimination on the basis of HIV/AIDS Status
- iv. Discrimination on the basis of ethnicity/State of origin
- v. Increase in the number of Internally Displaced Persons (IDPs) and the consequent loss of livelihood
- vi. Poor understanding and implementation of the Pension Reform Act
- vii. Poor Co-operative Society Culture

- viii. Non-adoption of Rights–Based–Approaches in formulation and Implementation of Government Policies and Programmes, especially privatization and sale of Federal Government Houses.
- ix. Casualization of labour
- x. Poor and unsafe work environment
- xi. Prevalence of child labour and trafficking
- xii. Victimization/Intimidation of workers based on political comments/affiliation
- xiii. Loss of livelihood and other negative impact of COVID-19 on the economy and employment

5.3 RIGHT TO SHELTER

5.3.1 Constitutional Obligations

This right is directly guaranteed in the Constitution of the Federal Republic of Nigeria 1999, under section 16(2)(d), which can be said to be indirectly complemented by the provisions of sections 14(2)(b), 16(1)(b), 17(2)(b), 33(1), 34(1), 37, 42(1), 43 and 44(1).

5.3.2 International Obligations

Our International Obligations are guided by:

- i. Article 25(1) of the Universal Declaration of Human Rights, 1948
- ii. Article 11(1) of the International Covenant on Economic, Social and Cultural Rights, 1966
- iii. Article 14(2)(h) of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- iv. General comments No 4 by the Committee on Economic, Social and Cultural Rights, 1991
- v. Resolution 14/6 - Report of Habitat: United Nations Conference on Human Settlements, 1976
- vi. The United Nations Millennium Declaration, 2000
- vii. Articles 4, 5, 14, 22, and 24 of the African Charter on Human and Peoples' Rights, 1981
- viii. Other relevant International and Regional Instruments relating to this right.

5.3.3 Challenges

- i. Loss of economic base due to demolitions
- ii. Internally displaced and disoriented families
- iii. Discrimination in the implementation of the Federal Government Monetization Policy.
- iv. High cost of building materials
- v. Indiscriminate demolition of houses
- vi. Urban slums arising from poor planning
- vii. Non-review of the Land Use Act, 1978
- viii. Exorbitant rent charges

- ix. Continued existence of illegal structures
- x. Over reliance on imported building materials
- xi. The dearth of long-term housing finance for home buyers
- xii. Weak enforcement of development control regulations
- xiii. Lack of adequate capital for mass housing projects
- xiv. Natural disasters such as Flooding and erosion

5.4 RIGHT TO HEALTH

5.4.1 Constitutional Obligations

S. 17(3)(d) - Government has a responsibility to ensure that “*there are adequate medical and health facilities for all persons*”:

5.4.2 International Obligations

Our International Obligations are guided by:

- i. Article 16 of the African Charter on Human and People’s Rights
- ii. Article 14 of the African Charter on the Rights and Welfare of the Child
- iii. Article 25 of the Universal Declaration of Human Rights
- iv. Article 12 of the International Covenant on Economic, Social and Cultural Rights
- v. Article 24 of the United Nations Convention on the Rights of the Child
- vi. Article 12 of the United Nations Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)
- vii. ESC Rights Committee General Comments no. 14 on the Right to Health
- viii. Any other relevant International and Regional Instruments relating to these rights.

5.4.3 Challenges

- i. Frequent industrial action in the Health Sector
- ii. The provision of the Health Rights in Chapter 2 of the Constitution
- iii. Limited implementation of the National Health Insurance Scheme only in the public service sector.
- iv. Poor primary healthcare services
- v. Unequal access to basic health care
- vi. Lack of cooperation between the Private and Public Health Services
- vii. Uneven distribution of health resources
- viii. Inadequate facilities for Health Care Services
- ix. Inadequate qualified health personnel
- x. Poor Service Delivery by health personnel
- xi. Overcrowded public hospitals
- xii. High rates of infant and maternal mortality
- xiii. Lack of database for Health Workers
- xiv. Illiteracy and unemployment
- xv. Inconsistency in Government Policies on health
- xvi. Poverty

- xvii. Absence of effective and dedicated geriatric care unit in public hospitals
- xviii. Shortage of drugs to people requiring advance treatment for AIDS
- xix. Lack of effective community mobilization in areas of sanitation and harmful traditional practices.
- xx. Lack of adequately equipped functional trauma centres in the country
- xxi. Inadequate geriatric care for older persons.
- xxii. Inadequate functional senior citizen centres
- xxiii. Exclusion of older persons in National Health Insurance Scheme

5.5 RIGHT TO FOOD

5.5.1 Constitutional Obligations

S.16(2)(d), ...*the State shall direct its policy towards ensuring that suitable and adequate food is provided for the citizens.*

S.13 - *It shall be the duty and responsibility of all organs of government, and of all authorities and persons, exercising legislative, executive or judicial powers, to conform to, observe and apply the provisions of this Chapter of this Constitution.*

Thus, the government recognizes that it must take reasonable legislative, administrative as well as other measures to achieve the progressive realization of the right to adequate food for its citizens.

5.5.2 International Obligations

Our International Obligations are guided by:

- i. Article 25 of the Universal Declaration on Human Rights
- ii. Article 11 of the International Covenant on Economic, Social and Cultural Rights.
- iii. Article 24(2)(c) and 27(3) of the Convention on the Rights of the Child.
- iv. General Comment of the UN Committee on Right to Food (ECOSOC)
- v. Universal Declaration on Eradication of Hunger and Malnutrition
- vi. Voluntary Guidelines on the Right to Food developed by the Intergovernmental Working Group of the FAO
- vii. Article 17 of the Draft Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women
- viii. The 1981 International Code of Marketing of Breast-milk Substitutes
- ix. Article 12 Paragraph 2, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979
- x. The 1993 Declaration on the Elimination of Violence Against Women (DEVAW)
- xi. The 1995 Beijing Platform for Action at ensuring women's rights
- xii. ILO Conventions 87, 98 and 169
- xiii. The International Assessment of Agricultural Knowledge, Science and Technology for Development (IAASTD)
- xiv. World Declaration on Nutrition adopted at the International Conference on Nutrition in 1992

- xv. The International Conference on Population and Development, 1994;
- xvi. The Copenhagen Declaration on Social Development, 1995
- xvii. The 2002 Plan of Implementation of the World Summit on Sustainable Development
- xviii. Declaration of the World Food Summit Five Years Later in 2002
- xix. The final Declaration of the International Conference on Agrarian Reform and Rural Development (ICARRD), 2006
- xx. The UN Declaration on Rights of Indigenous People (UNDRIP), 2007
- xxi. The Scaling Up Nutrition (SUN) Framework and Roadmap
- xxii. Goal 1, Millennium Development Goals (MDGs)
- xxiii. Rome Principles for Sustainable Global Food Security, 2009
- xxiv. African Charter on Integrated Agricultural Development

5.5.3 Challenges

- i. Perception on non-justiciability of the right to food
- ii. Lack of food security
- iii. Lack of access to modern agricultural techniques and equipment
- iv. Inadequate and obsolete storage facilities
- v. Inadequate infrastructural facilities
- vi. Obsolete farming techniques
- vii. Bottlenecks in accessing credit facilities
- viii. Poor food preservation and high loss of perishable foods
- ix. Lack of storage facilities to reduce post-harvest loss of agricultural products
- x. Inadequate power supply
- xi. Poor access to land for farming
- xii. Impact of Farmers-Herders clashes, terrorism and other internal conflicts
- xiii. leading to displacement, on food production
- xiv. Climate Change
- xv. Rural-Urban drift

5.6 RIGHT TO WATER AND SANITATION

5.6.1 Constitutional Obligations

“The State shall protect and improve the environment and safeguard the water, air and land, forest and wildlife of Nigeria.”

5.6.2 International Obligations

- a. Article 24 of the African Charter on Human and Peoples Rights on the right to a general satisfactory environment favourable to (peoples’) development
- b. UN General Assembly Resolution A/RES/64/292 of July 2010 which recognized water and sanitation as a Human Right
- c. UN Human Rights Council Resolution 18/1 of September 2011

- d. Articles 11(1) & (2)(a), 12(1) & (2) (b) & (c) and 15 (10 & (2) of the International Covenant on Economic, Social and Cultural Rights
- e. Article 14(2)(h) of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- f. General Comment No. 15 (2002) of UN ECOSOC on the Right to Water

5.6.3 Basic Principles of the Right to Water and Sanitation

- i. Non-discrimination: Universal and devoid of abuse of power
- ii. Participation: Through information and education to foster sense of ownership and responsibility
- iii. Sustainability: Enduring operations with entrenched culture of maintenance
- iv. Accountability: Entrenched system for complaint response and resolution
- v. Impact: Progressive availability
- vi. Availability: Measurable minimum literage per person per day
- vii. Quality and Safety: Hygienic and harmless
- viii. Acceptability: Sensitivity to user values and sensitivities
- ix. Accessibility: Distance and method-friendly
- x. Chargeability: Affordable and cost-friendly

5.6.4 Challenges

- a. Unplanned population mobility
- b. Adverse climate change
- c. Draught and desertification
- d. Flooding
- e. Forced movement/displacement
- f. Prevalence of open defecation in parts of the Country
- g. Inadequate funding
- h. Contamination during distribution
- i. Obsolete infrastructure
- j. Improper waste management

5.7 RIGHT TO EDUCATION

6.7.1 Constitutional Obligations:

S.18. (1) *Government shall 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.

6.7.2 International Obligations

Nigeria's International Obligations are guided by the provisions of:

- a. Article 26 of the Universal Declaration of Human Rights
- b. Article 13 of the International Covenant on Economic, Social and Cultural Rights,
- c. Article 29 of the Convention on the Rights of the Child,
- d. General Comment on the Right to Education by the International
- e. Covenant on Economic, Social and Cultural Rights Committee
- f. Other relevant International and Regional Instruments relating to right to education

6.7.3 Challenges

- a. Low enrolment of children, particularly, the girl child.
- b. Low completion of basic education, i.e., high rate of dropout, boys in the South-Eastern Zone of the Country.
- c. Shortage and poor-quality infrastructures in schools, e.g. classrooms, water, electricity, toilets and furniture
- d. Low capacity of teachers and inadequate remuneration of trained ones.
- e. Low access to technological and scientific equipment for learning
- f. Inadequate sporting and recreational facilities.
- g. Lack of adequate facilities for vulnerable groups, especially people with disabilities
- h. Poor coordination of adult literacy programmes
- i. Child labour
- j. Inadequate provision for technical and vocational training in the existing educational curricula
- k. Weak regulatory mechanism on quality assurance and affordability of private higher institutions.
- l. Poor condition of learning especially in public schools.
- m. High disparity in cut-off marks among students from different States into federal institutions
- n. Inadequate security for students and teachers in parts of the country where banditry and insurgency occur.
- o. Slow implementation of Safe School Declaration across the Country
- p. Abduction of students and educators.

6.8 RIGHT TO CULTURE

6.8.1 Constitutional Obligations

S.21 (a)(b) 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; and encourage development of technological and scientific studies which enhance cultural values.

Thus the government recognizes that it must take steps legislative, administrative as well as other measures to protect, preserve and promote the cultures of its citizens.

6.8.2 International Obligations

Our International Obligations are guided by:

- a. Article 27 of the Universal Declaration on Human Rights
- b. Article 15 of the International Covenant on Economic, Social and Cultural Rights.
- c. Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide.
- d. Article 1 UNESCO Principles on International Cultural Co-operation
- e. Article 1 the UN Declaration on the Right to Development
- f. The Vienna Declaration and Programme of Action
- g. Article 17 and 22 of the African Charter on Human and Peoples' Rights

6.8.3 Challenges

- a. Lack of official disaggregated data on the language, religious and ethnic composition of the population
- b. Inadequate protection and promotion of the cultural identity of minority groups
- c. The failure to include minority languages in the school curriculum
- d. Prevalence of some discriminatory and harmful traditional practices
- e. Poor maintenance, preservation and restoration of the cultural heritage
- f. Polarization of ethnic and religious Characteristics
- g. Lack of provisions for language education in lesser used languages
- h. Problem of environmental degradation in the Niger Delta due to frequent oil spills have deprived affected communities of their traditional livelihood
- i. Increased pressure exerted by languages spoken by large populations of speakers and the abandonment of native languages in favour of Nigerian Pidgin or English, among others

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IMPLEMENTATION PLAN - ECONOMIC, SOCIAL AND CULTURAL RIGHTS								
RIGHT TO WORK								
Objective	Legal Framework	Current Status (Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
1. Conducive policy, legal, regulatory and fiscal environment for businesses	National Directorate of Employment Act of 1989 Discrimination Against Persons with Disabilities (Prohibition) Act 2019 The Small and Medium Enterprises Development Agency Act 2003 Companies and Allied Matters Act 2020 Federal Inland Revenue Service	Bank of Industry National Workplace Policy on HIV/AIDS National Policy on Employment Anchor Borrowers Programme Economic Recovery and	Ensure full implementation of the Government's executive order on ease of doing business in Nigeria. Ensure the simplification of legal, fiscal and monetary requirements for small businesses. Implement tax incentives for enterprises development	Stage of implementation of the Government Order on ease of doing business New and simplified legal, fiscal and monetary requirements for doing small businesses introduced at federal and state levels	Percentage reduction in cost of business registration Percentage Reduction in timeframe for the registration of businesses Number of fiscal and tax incentives introduced and implemented Percentage increase in number of Internally Displaced Persons who are	Central Bank of Nigeria Ministry of Commerce and Industry Presidential Enabling Business Environment Council (PEBEC)	Small & Medium Enterprises Development Agency Corporate Affairs Commission Federal Ministry of Trade and Investment Federal & State Inland Revenue Services	

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	(Establishment) Act 2007	Growth Plan (2017-2020)		Number of businesses that accessed fiscal and tax incentives introduced	able to register their businesses easily		Ministry of Labour and Employment	
	Child Rights Act, 2003	Executive Order No. 001 (2017) on the promotion of transparency and efficiency in the business environment			Percentage of new businesses registered		Manufacturer s Association of Nigeria	
	Trafficking in Persons (Prohibition) and Enforcement Act, 2003						Standard Organisation of Nigeria	
	Pension Reform Act 2004					Number of businesses that accessed fiscal and tax incentives introduced	Copy Right Commission	
	Company Income Tax Act 1961						National Competiveness and Consumer Protection Council	
	Trade Union (Amendment) Act, 2005						National Agency for Food and Drug Administration and Control	
	Central Bank of Nigeria Act 2007							
	Agricultural Credit Guarantee Scheme Fund Act, 1977							
	National Salaries and Wages Commission 1993							

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	Federal Character Commission (Establishment) Act 1996 Copy Right Act 2004 National Agency for Food and Drug Administration and Control (NAFDAC) Act 2004 Federal Competition and Consumer Protection Act 2018						Nigeria Immigration Service	
2. Equal opportunities for gainful employment for both gender, Internally Displaced Persons and Persons with Disability	North East Development Act 2017 Niger Delta Development Commission Act 2000 Discrimination Against Persons with Disabilities (Prohibition) Act 2019	National Social Investment Program (N-SIP): N-Power Scheme Government Enterprise and Empowerment Program (GEEP)	Ensure aggressive implementation of sustainable national, state and local government poverty reduction programmes. Embark on massive skill acquisition and development for internally displaced persons and persons with disability.	Number of federal, state and local government poverty eradication programmes being implemented. Number of skill acquisition and development programmes established for	Rate of unemployment by the end of the lifespan of this Action Plan Number of businesses created and supported by government for internally displaced persons.	The Presidency /Office of the Secretary to the Government of the Federation (OSGF)	Central Bank of Nigeria. Ministry of Youth and Sports Development North-East Development Commission	

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	Federal Character Commission Act 1996	National Youth Investment Fund MSME Support Scheme (2020) North East Development Commission National Home-Grown School Feeding Program (NHGSFP) National Social Safety Net Coordinating Office National Social Protection Policy 2013	Ensure that people with special needs like the IDPs are given access to empowerment scheme or programmes of government. Ensure there is a scale-up in funding and mobilization for IDPs across the country	IDPs and persons with disability by region and sex	Number of persons that have been lifted out of poverty through various empowerment programs of government	Ministry of Labour and Employment National Directorate of Employment	Ministry of Women Affairs Ministry of Humanitarian Affairs, Disaster Management and Social Development	
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Objective	Legal Framework	Current Status (Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
3. Protection of children and other vulnerable groups from economic exploitation	Child Rights Act (2003) Discrimination Against Persons Living with Disability Act (2018) National Agency for the Prohibition of Trafficking in Persons Act 2015 National Human Rights Commission (Amendment) Act 2010	Economic Diversification and Industrialization Policy. Government Initiative on Digital Skill Acquisition, Employability, Entrepreneurship, and Leadership (DEEL)	Ensure the full implementation of child rights laws in all the states Improve vocational, technical and entrepreneurial education at all level	No of states that have implemented the Child Right law Verified integration of vocational, technical and entrepreneurial education in academic institutions Number of persons trained in diverse skills by sex and age	Number of children and other vulnerable groups who are not economically exploited. Proportion and number of children aged 5-7 years engaged in child labour Unemployment rate, by sex, age and persons with disabilities	Ministry of Education Ministry of Labour and Employment	Ministry of Science and Technology National Board for Technical Education National Educational Research & Development Council National Office for Technology Acquisition and Promotion (NOTAP) Industrial Training Fund (ITF)	

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							National Directorate for Employment National Human Rights Commission	
4. Access to credit for individuals and small & medium scale businesses	Banks and Other Financial Institutions Act (2020) Small and Medium Enterprises Development Agency of Nigeria Act 2003 Central Bank of Nigeria Act 2007 National Directorate of Employment Act 1989	Anchors' Borrowers Programme Youth Investment Programme Agri-Business /Small and Medium Enterprise Investment Scheme Artisanal and Small-Scale Miners Fund Graduate Entrepreneurship Fund Bank of Industry Bank of Agriculture	Reduce bottlenecks that inhibit access to credit/loans for individuals, small and medium scale businesses Increase awareness of credit schemes and physical points of contacts for accessing credit to community levels Reduce interest rates on loans for individuals, small and medium scale enterprises.	Existing laws and policies that address access to credit/loans for individuals, small and medium scale businesses Percentage increase in number and volume of funds set aside to support individuals and business enterprises	Number of persons or enterprises that access loans at low-interest rates Number of start-up businesses that have benefitted from various loan scheme provided by the government.	Central Bank of Nigeria	National Directorate for Employment Bank of Agriculture Small & Medium Enterprises Development Agency Nigeria Incentive-Based Risk Sharing System for Agricultural Lending	

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		Youth Ignite Initiative MSME Scheme National Youth Investment Fund Nigeria Incentive-Based Risk Sharing System for Agricultural Lending (NIRSAL)	Strengthen existing entrepreneurship programmes to improve access to credit				Bank of Industry	
5. Improved capacity and capability of relevant agencies to deliver on job creation	Company and Allied Matters Act 2020 National Directorate of Employment Act 1989 Small and Medium Scale Enterprises Agency of Nigeria Act 2003 Industrial Training Fund (Amendment) Act, 2011	Bureau of Public Service Reform Extended Special Publics Works Programme (2020)	Ensure increase budgetary allocation to relevant agencies responsible for job-creation Ensure improved effectiveness of systems and processes used for deployment of job creation schemes Ensure training of staff of agencies to design more relevant, appropriate job creation schemes,	Percentage increase in budgetary allocation to all relevant agencies involved in job creation Measurable framework for job creation schemes Number of staff of staff of job creation agencies trained	Number of jobs created by agencies set up to do so. Proportion of informal employment in non-agriculture employment, by sex	Ministry of Finance	Ministry of Labour and Employment Ministry of Budget and Economic Planning	

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			implement and manage them sustainably	in job creation schemes				
RIGHT TO EDUCATION								
Objective	Legal Framework	Current Status Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
6. Access to quality education for all	Universal Basic Education Act 2004 National Examinations Council Act 2002 National Universities Commission Act 1974 Joint Admission and Matriculation Board Act 1978 National Board for Technical Education Act 1977	Policy on Nomadic Education Policy on Adult and Non-formal Education National Policy on Education for persons with Disabilities	Implement and enforce free and compulsory primary and secondary education at all levels pursuant to the Constitution and Universal Basic Education Act, and as ordered by a Federal High Court. Ensure improved security and safety of schools in the country to encourage enrollment and retention	Number of states with guidelines and/or rules on enforcement of compulsory education. Presence of security personnel in schools Increase in the number of	Participation rate of youth and adults in formal and non-formal education and training in the previous 12 months, by sex Proportion of people	Ministry of Education	Ministry Science and Technology UBEC & SUBEBs National Commission for Nomadic Education Education departments in LGAs National Commission for Mass Literacy, Adult	

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National Open University Act 1983 Discrimination Against Persons with Disabilities (Prohibition) Act 2019 West Africa Examination Council Act 2006 National Commission for Nomadic Education (NCNE) Act 1989 National Commission for Adult Education Mass Literacy and Non-Formal Education (NMEC) Act 1990 National Open University of Nigeria (NOUN) Act 1983		Ensure quality access for all women and men to affordable and quality technical, vocational and tertiary education including university Substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills for employment, decent jobs and entrepreneurship	vocational and tertiary institutions			and Non-Formal Education Ministry of Interior UNICEF UNESCO Civil Society Organisations Traditional Institutions	
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7. Inclusive education for all children	Discrimination Against Persons with Disabilities (Prohibition) Act 2019	National Policy on Education for Persons with Disabilities.	Implement the Universal Basic Education policy for all children without discrimination with focus on integration of children with disabilities Ensure that all boys and girls have access to quality early childhood development, care and pre-primary education so that they are ready for primary education Ensure recruitment and training of special needs teachers. Increase funding for special needs education. Review building codes to require schools to provide disability friendly infrastructure	Number of States with and/or implementing policies/guidelines on access to education for persons with disabilities Number of States implementing policies on equal access to primary and secondary education Number of special needs teachers trained and recruited, by state Inclusive education curriculum and syllabus developed and	Percentage increase in enrollment and retention of girls in primary and secondary schools Proportion of children and young people achieving at least minimum proficiency level in reading and mathematics, by sex Proportion of children under 5 years of age who are developmentally on track in health, learning and psychological well-being, by sex Percentage increase in the number of pupils completing basic education	Ministry of Education Education department in LGAs Ministries of Education at Federal and States levels. Ministry of Works and Education at all levels.	Ministry of Science and Technology Ministry of Women Affairs Universal Basic Education Commission State Universal Basic Education Boards UNICEF UNESCO Civil Society Organisations National Human Rights Commission	
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				deployed at all levels Disability friendly infrastructure – classrooms, administrative blocks, libraries, toilets, elevators, ramps and playgrounds- and teaching and learning resources made available. Percentage increase in resources earmarked for special needs education at all levels. Building Codes passed by National	Percentage increase in enrollment and retention of girls in primary and secondary schools Proportion of children and young people achieving at least minimum proficiency level in reading and mathematics, by sex Proportion of children under 5 years of age who are developmentally on track in health, learning and psychological well-being, by sex Percentage increase in the number of pupils completing basic education			
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				Assembly and signed into law				
8. Quality education at all levels	Nigerian Educational Research Development Council (NERDC) Act 1988 Universal Basic Education Act (2004) National Universities Commission Act 1974 National Commission for Colleges of Education (Amendment) Act 1993 National Board for Technical Education (Amendment) Act 1993	National Policy on Education (2004) Education for Change: A Ministerial Strategic Plan (2018-2022) National Secondary Education Commission (Proposed) Nine-Year Basic Education Curriculum (2015-2024) National Educational Technology Centre	Enhance availability of adequate teaching and learning materials for all Revise curricula periodically and integrate human rights education. Enhance capacity of educational institutions at all levels to develop, budget and implement policies and plans for delivering quality and equitable education. Establish and fund Secondary Education Commission to invigorate secondary education in Nigeria	Increased number of available teaching and learning materials for all. Percentage increase in funding for education. Number of schools with rehabilitated Infrastructure Improved Teacher/ student ratio Establishment of Secondary Education Commission	Improved quality of education at all levels	Ministry of Education Ministry of Finance, Budget and National Planning	National Universities Commission National Commission for Colleges of Education National Education Technology Centre National Education Research and Development Council UNICEF Civil Society Organisations	

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	West African Examination Council Act 1973 Joint Admission and Matriculation Board (Amendment) Act 1989 National Examinations Council (Establishment) Act 2002 National Business and Technical Examinations Board Act 1993							
9.improved government policies on education	Universal Basic Education Act (2004) National Universities Commission Act 1974 National Commission for	Education for Change: A Ministerial Strategic Plan (2018-2022) Education Resource Centres National Teachers Institute	Build capacity of Parent Teachers Association to support school management Strengthen the oversight capacity of education ministry and relevant agencies	Number/proportion of schools with functional Parents. Teachers Association Percentage increase in number of	Existence of Government laws and policies that target quality of education	Ministry of Education. State Basic Education Commissions	Civil Society Organisations Parents Teachers Association	

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	Colleges of Education (Amendment) Act 1993 National Board for Technical Education (Amendment) Act 1993	Teachers Registration Council of Nigeria		schools monitored.				
10. Adequate allocation and efficient management of resources in the education sector	Tertiary Education Trust Fund Act 2011 Universal Basic Education Act 2004 Independent Corrupt Practices and Other Related Offences Act 2000 Economic and Financial Crime Commission 2004 Fiscal Responsibility (Amendment) Act 2011	Education for Change: A Ministerial Strategic Plan (2018-2022)	Increase budgetary allocation to at least 15% of national budget as recommended by UNESCO, “Education for all: 2000-2015” Encourage Public Private Partnership in funding of education Promote transparency and accountability in education management	Percentage increase in allocation to the education sector Percentage increase in Public Private Partnership in education Percentage reduction in cases of misappropriation of resources in education	Increased funding of education Proportion of total government spending on education Proportion of schools with access to electricity, internet, computers, sanitation facilities and basic handwashing facilities as per	Ministry of Finance, Budget and National Planning Ministry of Education	National and State Assemblies Economic and Financial Crime Commission Independent Corrupt Practices and Other Related Offences Commission Fiscal Responsibility Commission	

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	Public Procurement Act 2007				WASH indicator definitions		Auditors-General Civil Society Organisations Bureau for Public Procurement	
11. Retention of children especially girls in schools.	Child Rights Act 2003 Child Rights Laws in States in Nigeria State Laws prohibiting withdrawal of girls from school State laws prohibiting street trading State laws prohibiting early marriage	National Book Policy (Proposed) Home Grown School Feeding Program Unity Schools for girls only Scholarship schemes and bursary awards	Expand access to the Home-Grown School Feeding Programme. Adopt and implement girl- friendly initiatives in education Ensure implementation of laws promoting retention of children in schools Create awareness on importance of education for all children	Number of schools implementing Home-Grown School Feeding programmes Number of girls' friendly initiatives adopted and implemented Number of scholarships and bursaries awarded Number of awareness outreaches conducted Percentage increase in number	Number of children retained in schools per year, by sex	Federal Ministry of Education Ministry of Humanitarian Affairs, Disaster Management and Social Development	National Orientation Agency Ministry of Women Affairs Scholarship Boards The Media Civil Society Organisations Parents Teachers Association	

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				of girls completing basic education				
RIGHT TO HEALTH								
Objective	Legal Framework	Current Status Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
12. Strengthened healthcare delivery system to provide integrated interventions across the health sector	National Health Act 2014 National Primary Healthcare Development Agency Act 1992 Nigeria Institute of Medical Research Act 1977 Nigerian Centre Disease Control Act 2018 Child Rights Act 2003 and Child Rights Laws of States Tobacco Smoking (Control) Act 1990	National Health Promotion Policy (2019) National Health Policy (2016) National Healthcare Financing Policy and Strategy (2017)	Systematically replicate health policies and programmes at all levels of government. Strengthen accountability measures on the right to health.	Extent of coherence between national, state and LGA policies and programmes on health service delivery. Existence of a Monitoring and Evaluation mechanism to measure accountability on the right to health, by state	Coverage of essential health services(defined as the average coverage of essential services based on tracer interventions that include reproductive, maternal, newborn and child health, infectious diseases, non-communicable diseases and service capacity and access, among the general and the most	Federal Ministry of Health	National Health Insurance Scheme National Primary Healthcare Development Agency National Centre for Disease Control Civil Society Organisations World Health Organization (WHO)	

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	National Agency for Food and Drugs Administration and Control Act, 2004 National Human Rights Commission (Amendment) Act 2010 National Health Insurance Scheme Act 2004				disadvantaged population) Number of people covered by the health insurance or a public health system per 1,000 population		European Union (EU) United Kingdom Agency for International Development (UKAID)	
13. Quality health care to all	National Health Insurance Scheme Act 2004 National Health Act 2014 National Primary Healthcare Development Agency Act 1992 Nigeria Institute of Medical Research Act 1977	National Health Promotion Policy (2019) National Healthcare Financing Policy and Strategy (2017) Basic Healthcare Provision Fund (2016) Nigeria Policy Towards Universal Health Coverage (2015-2020)	Expand and strengthen the Health Insurance Scheme. Strengthen Health Institutions at all levels Improve Doctor to patient and nurses to patient ratios Reduce maternal mortality ratio to less than 70 per 1000 live births	Number of states implementing the National Health Insurance programmes Number of tertiary/primary institutions and states offering the insurance scheme. Proportion of births attended to	Number of persons with access to quality health care, by sex, state and LGA. Maternal mortality ratio Number of new HIV infections per 1,000 uninfected	Ministry of Health	National Health Insurance Scheme Ministry of Finance Nigeria Medical Association Medical and Dental Council of Nigeria	

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	Nigerian Centre Disease Control Act 2018 Child Rights Act 2003 and Child Rights Laws of States Tobacco Smoking (Control) Act 1990 National Agency for Food and Drugs Administration and Control Act, 2004 Medical and Dental Practitioners Act 1988 National Human Rights Commission (Amendment) Act 2010	National Policy on Roll back Malaria National Programme on Immunisation policy National Vitamin A Fortification Policy Exclusive Breast-Feeding Policy	End epidemics of AIDS, tuberculosis, malaria and neglected tropical diseases and combat hepatitis, water-borne diseases and other communicable diseases	by skilled personnel	population, by sex, age and key population Tuberculosis incidence per 1,000 population Malaria incidence per 1,000 population Number of people requiring interventions against neglected tropical diseases		National Council for Nurses and Midwives	
14. Reduction of risk factors to the enjoyment of the right to health	National Institute for Pharmaceutical Research & Development Act 1987	Policy on Emergency Medical Services (2016) National Policy on Medical Oxygen in	Achieve national health coverage, including financial risk protection, access to quality essential health care services, effective quality and	Increase in number of facilities adequately equipped for comprehensive	Progressive reduction in infant mortality, especially in high-risk areas	Ministry of Health	National Agency for Food and Drug Administration and Control	

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	National Human Rights Commission (Amendment) Act 2010 National Agency for the Control of AIDS Act 2004 State Agencies for the Control of AIDS Nigeria Centre for Disease Control 2018 National Agency for Food and Drug Administration and Control Act 1992	Health Facilities (2015) National Strategy for the Scale-up of Medical Oxygen in Health Facilities (2017-2022) National Immunization Program Exclusive Breastfeeding Policy National Policy on Rollback Malaria National Vitamin A Fortification Policy National Policy on Food and Nutrition in Nigeria Work-Place Policy on HIV/AIDS	affordable essential medicines and vaccines for all Increase the number of people immunized each year Improve access to maternal healthcare. Create awareness on nutrition, health, hygiene and safety Improve programming on prevention and management of HIV/AIDS Improve disease monitoring and surveillance mechanism	maternal health care Increase in number of maternal health care workers recruited and trained .proportional increase in the number of immunization centers by proximity to the population Percentage increase in the number of health workers engaged. Policy on the use, production and dispensation of Alternative Traditional Medicine	Number of women accessing pre- and post-natal care, especially in high-risk areas. Percentage increase in access to free immunization Percentage increase in access to ante-natal and post-natal care disaggregated by states		National Primary Healthcare Development Agency National Centre for Disease Control International Non-Governmental Organizations Civil Society Organizations UNICEF	
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		National Blood Transfusion Programme		prepared, adopted and disseminated.			United Nations Development Program	
15. Adequate allocation of resources to the healthcare sector	Public Procurement Act (2007) Economic and Financial Crimes Commission Act 2004 Independent Corrupt Practices and Other Related Offences Commission Act 2000 Fiscal Responsibility Act 2007 Bureau for Public Service Reforms Act 2010 National Bureau of Statistics Act 2007	National Healthcare Financing Policy and Strategy (2017)	Increase budgetary allocation to the health sector by progressively working towards achieving the target of at least 15% of total annual budget as provided under the Abuja Declaration on Health (2001).	Percentage of total annual budget allocated to healthcare at federal, state and local government levels.	Percentage increase in the total budgetary allocation to the health sector each year	Ministry of Health Ministry of Finance, Budget and National Planning. National and State Houses of Assembly	Bureau of Public Procurement Civil Society Organizations United Nations International Children Emergency Fund (UNICEF) World Health Organization (WHO)	
16. Improved accountability in healthcare delivery	Public Procurement Act (2007)	Technical Unit on Governance & Anti-Corruption Reforms	Strengthen the Anti-Corruption and Transparency Units	Number of ACTUs	Number of cases of corrupt practices and misconducts	Federal Ministrie	Ministry of Finance	

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	Economic and Financial Crimes Commission Act 2004 Independent Corrupt Practices and Other Related Offences Commission Act 2000 Fiscal Responsibility Act 2007	Whistle Blower Policy Anti-Corruption Units in Ministries, Departments and Agencies	(ACTUs) in the health sector Promote transparency in the health sector Create awareness on Patients' Bill of Rights.	established and strengthened. Number of agencies that regularly publish their financial records and award of contracts Number of awareness creation activities on Patients' Bill of Rights	recorded in the health sector each year	s of Health	Independent Corrupt Practices Commission Bureau of Public Procurement Economic and Financial Crimes Commission Auditor Generals Civil Society Organisations	
17. Effective responses to health emergencies	National Centre for Disease Control Act 2018 National Agency for Food and Drug Administration and Control Act 2004	National Action Plan for Health Security Federal Republic of Nigeria (2018-2022) Nigeria National Pandemic Influenza Preparedness and Response Plan (2013)	Ensure the implementation of policies and action plan on preparedness for public health concerns Promote coordination in health emergency responses	Existence of policy framework on response to health care emergencies Level of synergy and collaboration among health emergency	Number of cases of corrupt practices and misconducts recorded in the health sector each year	Ministry of Health	National Centre for Disease Control National Primary Health Care Development Agency	

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	Standards Organization of Nigeria Act, 2015 Biosafety Act, 2015 National Agency for the Great Green Wall Act 2015	Quarantine Bill (2020) Preparedness and Response to Coronavirus 2019 (COVID-19) at Primary Healthcare and Community Level (2020)	Promote programmes for public awareness on health emergencies	response organizations Number of awareness creation activities on health emergencies.			National Blood Transfusion Centre Health Management Boards National Agency for Food and Drug Administration and Control National Agency for the Control of AIDS National Health Insurance Scheme Non- Governmental Organizations	
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							Nigerian Immigration Services Ministry of Interior	
RIGHT TO SAFE WATER AND SANITATION								
Objective	Legal Framework	Current Status Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
18. Adequate legal frameworks for integration of right to safe water	National Water Resources Institute Act 1985	National Resources Policy (2016) National Water Resources Roadmap (2016-2030) Partnership for Expanded Water Supply, Sanitation, and Hygiene (PEWASH) Programme Strategy (2016-2030) National Action Plan for	Revise existing legal frameworks on right to safe water. Review and revise policy frameworks on access to safe water. Implement existing policies and frameworks on access to safe water	Number of legal frameworks revised/reviewed. Number of policies and frameworks reviewed and revised. Level of implementation of policies and frameworks on access to safe water	Number of cases of corrupt practices and misconducts recorded in the health sector each year	National and State Houses of Assembly Ministry of Water Resources	Ministry of Justice United Nations International Children Emergency Fund United Nations agencies, Nigerian Bar Association National Human	

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		Revitalization of the WASH Sector					Rights Commission National Environmental Standard Regulation and Enforcement Agency	
19. Access to safe water	National Water Resources Institute Act 1985 River Basin Development Authority Act, 1976	National Water Resources Policy Executive Order 009 on Open Defecation in Nigeria	Construct inclusive and affordable safe water facilities in unserved populations and public institutions. Build capacity on rainwater harvesting. Strengthen systems for ensuring sustained water safety and quality.	Number of new water facilities constructed. . Number of capacity building programmes for rain water harvesting Existing legal and policy frameworks for water safety	Number or proportion of unserved populations reached with new water facilities Numbers of people with improved capacity on rain water harvesting Percentage reduction in number of people/communities relying on	Ministry of Water Resources	River Basin Development Authorities Water Boards Africa Development Bank NICEF World Bank European Union Department for International Development	

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					self-help, private boreholes		International Non-Governmental Organizations (INGOs)	
20. Sustainable and functional water infrastructure.	National Water Resources Institute Act 1985 River Basin Development Authority Act, 1976	National Water Resources Roadmap (2016-2030) National Action Plan for the Revitalization of the WASH Sector.	improve water quality by reducing pollution, eliminating dumping and minimizing release of hazardous chemicals and materials, halving the proportion of untreated wastewater and substantially increasing recycling and safe reuse globally Ensure rehabilitation of non-functional, deteriorating or abandoned water facilities. Strengthen management structures for water facilities.	Number of water facilities rehabilitated. Percentage increase in the number of water facilities that are functioning. Proportion of community managed water facilities with basic spare parts in stock. Drainage pattern map updated. Data on water resources updated.	Proportion of wastewater safely treated Proportion of population that can access safe water	Ministry of Water Resources	River Basin Development Authorities Water Boards Food and Agricultural Organization (FAO) United Nations Development Program	

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			Strengthen supply chain for water facility spare parts. Update the drainage pattern map and data on water resources of Nigeria					
21. Adequate legal and policy frameworks on sanitation.	National Water Resources Institute Act 1985	National Water Resources Bill (2020) National Hygiene Promotion Strategy for Nigeria (2016) Executive Order 009 on Open Defecation in Nigeria	Government to review, revise and develop appropriate legal frameworks on clean water Review, revise and develop policy frameworks on sanitation Ensure strict enforcement of regulations that prohibit water and environmental pollution and remediation of polluted water sources	Number of legal frameworks reviewed and revised. Number of policy frameworks reviewed, revised, developed. Number of violations/contravention notices issued. Number of polluted areas remediated	Mortality rate attributed to unsafe water, unsafe sanitation and lack of hygiene (exposure to unsafe Water, Sanitation and Hygiene for All (WASH) services)	Federal Ministry of Water Resources Federal Ministry of Environment Federal Ministry of Health National Environmental Standards and Regulator	Ministry of Environment Environmental Protection Boards Waste Management Boards World Health Organizations United Nations Environmental Programme Civil Society Organizations	

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						ons Enforce ment Agency Local Governm ent Authoriti es		
22. Accountability in enforcement of town planning regulations	National Water Resources Institute Act 1985 Builders Registration Act 2004 Council for the Regulation of Engineering in Nigeria Act 2018	National Water Resources Roadmap (2016-2030) National Urban Development Policy 2006	Ensure effective and functional inter- departmental mechanisms at all levels Undertake periodic audits of private and public buildings. Ensure compliance with laws on sanitation in public and private buildings.	Number of effective and functional inter- departmental mechanisms established. Number of periodic audits undertaken at all levels. Number of measures undertaken to ensure compliance with laws on sanitation.	Whether or not data exists on number of cases of violation of town/urban planning regulations, and the process of enforcement of the relevant laws.	Ministry of Environ ment National Environ mental Standards and Regulations Enforcement Agency	Town Planners Registration Council Urban/Capital Development Authorities Council of Registered Builders of Nigeria	

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23. Improved sanitation and hygiene in public buildings.	Builders Registration Act 2004	National Hygiene Promotion Strategy for Nigeria (2016) Open Defecation Action Plan 2016 W.A.S.H. National Water Sanitation Policy, 2004	Ensure a budget line and allocation for sanitation services Mobilize communities and households against open defecation. Enhance hygiene promotion programmes. Construct sanitation facilities in public places.	Defined budget line for sanitation in federal, state and local government budget.	Proportion of reduction in open defecating Proportion of population practicing good hygiene. Proportion of public institutions with adequate sanitation facilities	Ministry of Environment	Ministry of Finance Ministry of Finance, Budget and National Planning National and State Assemblies National Orientation Agency Ministry of Water Resources UNICEF Civil Society Organizations World Bank European Union	
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24. Improve management of environmental sanitation in public institutions, urban and semi-urban areas and low-income areas.	National Oil Spill Detection and Response Agency Act, 2006 Nigeria Extractive Industries Transparency Initiative Act 2007 National Environmental Standards and Regulations Enforcement Agency (Establishment) Act 2007	Hydrocarbon Pollution Remediation Project (HYPREP) Ogoni Cleanup (2020)	Enhance fecal sludge management systems for sanitation in public institutions and low-income semi-urban areas.	Number of projects targeted at fecal sludge management	Proportion of urban, semi urban, low-income areas and public institutions with access to fecal sludge services.	Federal Ministry Health Federal Ministry of Environment	Civil Society Organizations	
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RIGHT TO FOOD								
Objective	Legal Framework	Current Status Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
25. Access to land for agricultural purposes	Land Use Act 1978 National Food Reserve Agency (Establishment, etc.) Bill, 2019 River Basin Development Authorities Act 1986	Livelihood Improvement Family Enterprise (LIFE) N-Agro Scheme	Review and update laws and policies on access to land for agricultural purposes Address factors that limit women's access to land Address environmental factors that negatively affect the availability of land for agricultural purposes	Number of laws and policies on land for agriculture reviewed. Number of factors that militate against access to land addressed	Average income of small-scale food producers, by sex and indigenous status	National and State Houses of Assembly Ministry of Agriculture	Federal Ministry of Justice Nigeria Law Reform Commission Ministry of Works and Housing	
26. Enhanced access to credit for agricultural purposes	Central Bank of Nigeria Act 2007 Small and Medium Scale Industries Development Agency (Establishment) Act, 2003	Agricultural Credit Guarantees Scheme Fund (ACGSF) Agricultural Credit Support Scheme (ACSS)	Create low interest revolving credit schemes for individuals, cooperative societies and corporate bodies	Number of credit schemes for agricultural purposes established	Number of persons & groups accessing credit for agriculture Proportion of small-scale industries with a	Ministry of Agriculture	Bank of Agriculture Small and Medium Development	

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		Commercial Agriculture Credit Scheme (CACS) Nigerian Incentive-based Risk Sharing System for Agricultural Lending (NIRSAL) N-Agro Scheme Agricultural Credit Guarantee Scheme Bank of Agriculture Bank of Industries	Reduce impediments to access to agricultural loans especially by rural communities		loan or line of credit	Central Bank of Nigeria	Agency of Nigeria Ministry of Humanitarian Affairs, Disaster Management and Social Development African Development Bank World Bank	
27. Increased agricultural output	National Food Reserve Agency (Establishment, etc.) Bill, 2019 Bank of Agriculture Act 1991 Nigerian Institute for Oil Research, 1964	Agro-Processing Agricultural Productivity Enhancement and Livelihood Improvement Support (APPEALS) Nigeria Incentive-Based Risk Sharing System for	Promote mechanized and modern agricultural practices to boost production through extension services Support and strengthen agricultural cooperative societies	Number of farmers/cooperative societies reached through extension services Number of policy directives on the reduction of tariffs for agricultural inputs	Volume of production per labour unit classes of farming/pastoral/forestry enterprise size	Ministry of Agriculture	Agricultural Development Projects River Basin Authorities Revenue Services	

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		Agricultural Lending (NIRSAL) International Institute for Tropical Agriculture (IITA) Federal Institute of Industrial Research, Oshodi	Reduce taxes and tariffs on agricultural inputs Procure and ensure timely distribution of fertilizers to farmers across the country Build irrigation facilities to ensure all-year-round farming	Comparative quantity of fertilizers procured and distributed and time of distribution Number of new irrigation facilities established across the country				
28. Improved value-chain addition in the agricultural sector	Raw Materials Research and Development Council Act 1987 Standard Organisation of Nigeria Act, 2015 National Agency for Food and Drug Administration and Control 2004 Nigeria Research Institutes Act, 2004	Agricultural Credit Support Scheme (ACSS) Agro-Processing Agricultural Productivity Enhancement and Livelihood Improvement Support (APPEALS) Project Development Institute (PRODA)	Improve road, transportation and other infrastructure to support conveyance of both agricultural inputs and products. Establish clusters for the processing of agricultural products	Number of kilometers of agricultural feeder roads constructed Numbers of road and other infrastructures renovated to support the conveyance of agricultural products Number of processing clusters of agricultural	Proportion of small-scale agricultural industries in total industry value added	Ministry of Agriculture	Ministry of Works and Housing Ministry of Science and Technology Ministry of Trade and Investment National Veterinary Research Institute	

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	Universities of Agriculture Act, 1992	Nigeria Institute for Oil Palm Research National Institute for agricultural Research International Institute of Tropical Agriculture Leather Research Institute of Nigeria		products established			Universities of Agriculture Colleges of Agriculture International Institute of Tropical Agriculture Project Development Institute Nigerian Institute For Oil-Palm Research Nigerian Institute of Leather and Science Technology	
29. Attainment of food security	National Food Reserve Agency (Establishment, etc.) Bill, 2019	Synthesis Report of the Nigeria Zero Hunger Strategic Review (2017)	Undertake research on the effects of climate change on food security	Research output on the impact of climate and recommendations	Level of attainment of food security	Ministry of Agriculture	Manufacturers Association of Nigeria	

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	Bank of Agriculture Act 1991 Central Bank of Nigeria Act 2007	National Strategic Grain Reserve Centres	Improve food storage and preservation and reduce spoilage Enhance production of high-yield seedlings and crops Improve food processing through establishment of cottage industries End hunger and ensure access by all people, in particular the poor and people in vulnerable situations, including infants, to safe nutrition and sufficient food all year round.	on how they can be mitigated Percentage reduction in post-harvest spoilage Percentage increase in production of high-yield seedlings and crops Number of agricultural cottage industries established	Prevalence of undernourishment Prevalence of moderate or severe food insecurity in the population, based on the Food Insecurity Experience Scale(FIES)	Ministry of Science and Technology	National Agency for Food and Drug Administration Control All Farmers Association of Nigeria Cattle Rearers Association National Strategic Grain Reserve Civil Society Organizations	
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RIGHT TO SHELTER								
Objective	Legal Framework	Current Status Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
30. Access to affordable and sustainable housing	National Housing Fund (Establishment) Act, 2018 Federal Mortgage Bank of Nigeria Act, 1993 Federal Mortgage Finance Act, 1990 Federal Housing Authority Act, 1973 African Charter on Human and Peoples' Rights (Enforcement and Ratification) Act, 1983 Land Use Act, 1978 National Senior Citizens Center Act, 2017	Nigeria Economic Sustainability Plan (2020) Sustainable Development Goal (SDG) 11 Economic Recovery and Growth Plan (2017-2020) National Adaptation Strategy and Plan Action on Climate Change for Nigeria (NASPA-CCN) 2011.	Ensure rapid development of social housing schemes across the country Support research and development of cheaper local building material alternatives. Embark on massive housing project to lessen housing deficit in Nigeria. Intensify efforts to achieve sustainable housing in order to attain SDG 11. Massively sensitize Nigerians on available housing loan scheme	Number of operational Social Housing schemes at federal and state levels Number of houses delivered at the end of the Nigeria Economic Sustainability Plan. Increased in the numbers of locally made building materials. Numbers of newly constructed houses.	Numbers of individuals with access to affordable and sustaining housing. Proportion of urban population living in slums, informal settlements or inadequate housing Number of beneficiaries of various government loan scheme or plan.	Ministry of Housing and Urban Development	Housing Authorities United Nations Development Programme National Orientation Agency	

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				Increased awareness of the available housing loan scheme among Nigerians.				
31. Improved access to mortgage facilities	Federal Mortgage Bank of Nigeria Act 1993 Central Bank of Nigeria Act 2007	National Housing Fund Loan Scheme National Social Housing Programme (NSHP) 2020	Increase budgetary allocation to mortgage institutions in the country Create a low-interest mortgage regime for individuals and housing cooperative societies	Volume of funds set aside and dedicated to support mortgage financing Increased percentage in budgetary allocation to mortgage institutions in the country.	Number of individuals and cooperative societies who access low interest mortgage facilities	Central Bank of Nigeria	Federal Mortgage Bank of Nigeria Primary Mortgage Institutions	
32. Protection of citizens from illegal evictions and demolitions	National Human Rights Commission (Amendment) Act 2010 Land Use Act, 1978	Nigeria Housing Development Program	Develop legal protocols to regulate demolitions & forced evictions	Legal protocols on forced evictions and demolitions developed and adopted.	Number of people illegally evicted in a year Number of houses demolished without due process	National Human Rights Commission	Ministry of Works and Housing Housing Authorities Civil Society Organizations	

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							The Judiciary Ministry of Justice	
33. Compliance with building codes and regulations	Builders Registration Act 2004 National Environmental Standards and Regulations Enforcement Agency Act (2018) State Urban Development Laws National Human Rights Commission (Amendment) Act 2010 Discrimination Against Persons with Disabilities (Prohibition) Act, 2019 Builders Registration Act 2004	National Occupational Standards for Construction/ Building Trades in Nigeria	Ensure strict enforcement of building regulations and codes in urban areas Develop strong monitoring mechanisms Ensure diligent prosecution of defaulters	Building Code Bill passed in the National Assembly and signed into law Number of contravention notices issued, disaggregated by states Number of monitoring mechanisms developed Clear Framework for prosecution of defaulters	Number of collapsed buildings resulting from violation of building code	Urban Development/ Town Planning Authorities	Council for the Regulation of Engineering in Nigeria Standard Organisation of Nigeria	

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	Council for the Regulation of Engineering in Nigeria, (Amendment) Act, 2019 Standard Organisation of Nigeria, Act 2015							
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RIGHT TO CULTURE								
Objective	Legal Framework	Current Status Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
34. Preservation and intergenerational transmission of culture	National Council for Arts and Culture Act 1975 National Institute for Cultural Orientation Act 1999 National Orientation Agency Act 1993 National Commission for Museums and Monuments Act 1979 National Council for Arts and Culture Act 1975	National Cultural Policy (1988)	Ensure the integration of indigenous languages in basic education curricula Establish museums and cultural heritage locations to promote tourism and preserve culture Review the Nigerian Cultural Policy	Review of existing curricula to confirm the integration of indigenous languages	Number of museums and cultural heritage centers in existence	Federal Ministry of Information and Culture	National Commission for Museum and Monuments National Council for Arts and Culture National Orientation Agency National Institute for Cultural Orientation	
35. Integration of human rights standards into cultural values and practices	National Council for Arts and Culture Act 1975	National Cultural Policy (1988) National Orientation Agency Social	Ensure that cultural practices conform to national and	Number of initiatives to promote the integration of	Number of people who suffer rights violation as a	Ministry of Culture	National Commission for Museum	

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	National Institute for Cultural Orientation Act 1999 National Orientation Agency Act 1993 National Commission for Museums and Monuments Act 1979	Mobilization Guidelines 2019	international human rights principles Ensure eradication of obnoxious traditional practices	human rights into cultural practices Number of judicial decisions in which cultural practices that are against human right principles have been struck down.	result of cultural practices, by sex	and Tourism National Orientation Agency (NOA)	and Monuments National Council for Arts and Culture National Orientation Agency Civil Society Organizations Traditional Institution Ministry of Justice National Human Rights Commission	
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CHAPTER SIX

THE RIGHTS TO PEACE, PROTECTED ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

The following rights are discussed in this Section:

- a) Peace
- b) Protected Environment
- c) Sustainable Development

In addition, Human Rights Education has been discussed using the framework of SDG 4.7 in order to promote knowledge and skill on human rights and advance a culture for the respect of rights.

6.1 RIGHT TO PEACE

6.1.1 Constitutional Obligations

Government has the obligation to ensure that all Nigerians are given equal and meaningful opportunity to attain their maximum potential. These and other instruments at the international, regional and sub-regional levels are guided by the principles of:

1. A people driven process of policy formulation and programme implementation.
2. Peace and Security of all; and
3. Nation building

S 15(1): The motto of the Federal Republic of Nigeria shall be Unity and Faith, Peace and Progress.

6.1.2 International Obligations

1. Article 5 of the International Covenant on Economic, Social and Cultural Rights, which deals with the protection of the rights of others.
2. Articles 1, 2&3 of the convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.
3. Discrimination (Employment and Occupation) Convention, which deals with the prevention of discrimination against the employee and how to redress the issue, with view to ensuring industrial peace
4. Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts.
5. Declaration on the Elimination of Violence Against Women
6. Articles 1-7 of the Declaration on the Rights of Persons belonging to National, Ethnic, Religious or Linguistic Minorities, which deals with the protection of the rights of the minorities.
7. Convention on the Elimination of all Forms of Racial Discrimination
8. Points 12 – 14 of the Basic Principles in the use of Force and Firearms by Law Enforcement Officials which deals with the methodologies to be employed by law enforcement officials to disperse unlawful assembly

9. Statute of the International Criminal Court
10. United Nations Global Conference Development
11. Article 23 (1) (2) a & b page 67, Article 47 and Article 56 of the African charter on Human and Peoples' Rights
12. Conference on Security, Stability, Development and Cooperation
13. Article 9 of the protocol on Africa Court on Human and Peoples' Rights which deals with amicable resolution of cases
14. Articles 4,5,6, 11 of the African Union (AU) Protocol on Rights of Women in Africa
15. Economic Community of West African States (ECOWAS) Protocols on Conflict Prevention, Management, Resolution, Peacekeeping and Security.
16. 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation
17. 1997 International Convention for the Suppression of Terrorist Bombings
18. 1999 International Convention for the Suppression of the Financing of Terrorism
19. 2005 International Convention for the Suppression of Acts of Nuclear Terrorism
20. 1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection
21. Global Counter Terrorism Strategy

6.1.3 Challenges

1. Lack of respect for human rights values
2. Widening economic gap between the rich and the poor
3. High unemployment rate
4. Inadequate and inaccessible social services
5. High rate of illiteracy
6. Corruption
7. Religious intolerance and bigotry, ethnicity and nepotism
8. Political instability
9. Proliferation of small arms and light weapons
10. Growing sense of insecurity
11. Insurgency, Kidnapping and banditry
12. Communal and Religious Crisis
13. Electoral Violence
14. Ethnic agitations
15. Political apathy and indifference
16. Porous borders/Migrant influx
17. Human trafficking
18. Poor synergy between Law Enforcement Agencies
19. Inadequate funding of Law Enforcement Agencies

6.2 RIGHT TO PROTECTED ENVIRONMENT

6.2.1 Constitutional Obligations

S.20 The State shall protect and improve the environment and safeguard the water, air and land, forest and wildlife of Nigeria.

S.17 (2) In furtherance of the Social order ... (d) exploitation of human or natural resources in any form whatsoever for reasons, other than the good of the community, shall be prevented.

Accordingly, the Government recognizes that everyone in Nigeria has the right to:

1. An environment that is not harmful to his or her health or well being
2. Protected environment for the good of present and future generations, through reasonable laws and other ways of:
 - i. Promoting conservation
 - ii. Preventing pollution and ecological degradation
 - iii. Forestation
 - iv. Security ecologically valid economic and social development
 - v. Protection of workers against hazardous work environment

6.2.2 International Obligations

Our International Obligations are guided by:

1. The Vienna Convention on Law of Treaties
2. Convention on the Protection of Ozone Layer (Vienna Convention)
3. The Basel Vienna Convention on the Reduction of the Production of Hazardous Waste and Control/Management of Hazardous waste
4. Convention on the control of Desertification
5. Convention on Co-operation in Protection and Development of Marine and Coastal Environment of West and Central Africa Region.
6. Framework Convention on Climate change
7. The Convention on Biological Diversity
8. Montreal Protocol on Substances that Deplete the Ozone Layer
9. Kyoto Protocol to the Convention on Climate Change on the Reduction of Green House Emissions
10. Protocol Concerning Cooperation in Combating Pollution in case of Emergency
11. Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matters
12. United Nations Convention of the Law of the Sea
13. International Convention of the Law of the Sea
14. International Convention on Oil Pollution Preparedness, Response and Co-operation
15. International convention for the Prevention of Pollution of the Sea by Oil
16. Convention on International Trade in Endangered Species of Wild Fauna and Flora
17. Convention on Fishing and Conservation of the Living Resources of the High Seas

18. Convention on the Control of Trans-boundary Movement of Hazardous Waste Disposal
19. Rotterdam Convention on Prior Informed Consent Procedure on Movement of Certain
20. Hazardous Chemicals and Pesticides in International Trade
21. Ramsar Convention on Wetlands of International Importance
22. International Convention to Combat Desertification in Countries Experiencing Serious Drought and/or Desertification, Especially in Africa
23. Bamako Convention on the Ban of Import into Africa and Trans-boundary movement of Toxic and Hazardous Waste 1991 (Signed by Nigeria in 2000).
24. Other relevant International and Regional instruments Relating to the Environment.

The Government is also guided by the following non-binding instruments, which emanate from the United Nations Conference on Environment and Development (UNCED), also known as the Earth Summit or Rio summit held in Rio de Janeiro in June 1992.

1. The Rio Declaration, which states how individuals are to co-operate and further develop international law in the field of sustainable development
2. International Development Targets (IDTs) set in 1996 to improve economic well-being, social and human development and ensure environmental sustainability and regeneration.
3. Agenda 21, which is a Blueprint and action Plan for the whole international community, linking development action for:
 - i. The fulfillment of basic needs
 - ii. Improved living standards protection
 - iii. Better protected and managed ecosystems
 - iv. A safer and more prosperous future
 - v. The UNCED Forest Principles

6.2.3 Challenges

1. Desertification and deforestation
2. Unchecked gully and soil erosion with life threatening consequences
3. Lack of Waste disposal Management Strategies
4. Lack of adequate Water supply
5. Upsurge in violent activities within the oil producing communities
6. Weak implementation of laws and policies on environmental protection
7. Increase in illegal oil bunkering
8. Proliferation of small arms and illegal weapons
9. Uncontrolled gas flaring and consequent damage to the Ozone layer
10. Increased oil and gas pipeline vandalization
11. Inefficient and inadequate emergency response and prevention strategy
12. Poor implementation of erosion control and management policies
13. Non-enforcement of Environmental impact assessment Laws
14. Low awareness of environmental protection issues by the public
15. Non-domestication of most international instruments already signed or ratified

6.3 RIGHT TO SUSTAINABLE DEVELOPMENT

6.3.1 Constitutional Obligations

Government recognizes its obligation to ensure that all Nigerians should be given equal and meaningful opportunity to develop to their maximum potential. Government must:

- i. Improve the quality of life of all citizens
- ii. Free the potential of every person in Nigeria/Respect, protect, promote and fulfill all political, civil, social, economic and cultural rights
- iii. Ensure a cleaner and healthier environment for Nigerians

6.3.2 International Obligations

- i. African Charter on Human and Peoples' Rights, 1981
- ii. African Charter for Popular Participation in Development, 1990
- iii. African Union Convention on Prevention and Combating Corruption, 2003
- iv. New Partnership for Africa's Development (NEPAD) adopted by OAU IN 2001 and ratified by AU in 2002
- v. Article 5(2) of the African Charter on the Rights and Welfare of the Child 1989
- vi. Article 1(1) of the Declaration on the Right to Development
- vii. The general provisions of Universal Declaration of Human Rights
- viii. United Nations conference on Environment and Development, a.k.a. Rio Declaration of 1992
- ix. The Vienna Declaration and Programme of Action, Adopted by the 1993 UN World Conference on Human Rights
- x. United Nations Convention Against Corruption, 2002
- xi. The UN Global Conferences on:
 - a. Population and development (Cairo) 1994
 - b. Women (Beijing) 1995
 - c. Development (Copenhagen) 1980
- xii. Conference on Security, Stability, Development and Cooperation (Solemn Declaration, 2000)
- xiii. United Nations Framework Convention on Climate Change 1992
- xiv. Kyoto Protocol to the Convention on Climate Change, 1997
- xv. Sustainable Development Goals (Agenda 2030)
- xvi. Article 8, Article 10, Article 11 of the Vienna Declaration and Programme of Action (1993),
- xvii. Article 6(2) of the United Nations Convention on the Rights of the Child,
- xviii. Other relevant International and Regional Instruments relating to this right

6.3.3 Challenges

Misappropriation and misapplication of public funds

- i. Policy inconsistencies
- ii. Corruption

- iii. Implementation of policies that are not human rights compliant downsizing
- iv. in Public Service administration and non-payment of entitlements
- v. Lack of a clear legal framework for Nigeria's development
- vi. Inadequate funding of institutions
- vii. Lack of independence of anti-corruption agencies
- viii. Insurgency, Kidnapping and banditry
- ix. Communal and Religious Crisis
- x. Electoral Violence

6.4 Human Rights Education

6.4.1 International Obligations

- i. Article 26 of the Universal Declaration of Human Rights
- ii. Article 13 of the International Covenant on Economic, Social and Cultural Rights
- iii. Article 29 of the Convention of the Rights of the Child
- iv. Article 10 of the Convention on the Elimination of all Forms of Discrimination against Women
- v. Article 7 of the International Convention on the Elimination of all Forms of Racial Discrimination
- vi. The Vienna Declaration and Programme of Action (Part I, Paras 33-34 and Part II, Paras 78-82)
- vii. The Declaration and Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and related Intolerance (Declaration, Paras 95-97 and Programme of Action Paras 129-139)
- viii. World Programme on HRE Phase I (2005-2009) - integrating human rights education in Primary and Secondary School System.
- ix. World Programme on HRE Phase II (2010-2014) – Human Rights Education in Tertiary Institutions and Human Rights Training for Teachers and Educators, Civil Servants, Law Enforcement Officials and Military Personnel at all levels.
- x. United Nation Declaration on HRE and Training (2011).

6.4.2 Challenges

- i. Lack of an integrated national strategy for the implementation of HRE
- ii. Lack of appropriate curriculum on HRE in the school system and the training institutions for security personnel and other professional groups.
- iii. Poor access to education, especially in the north eastern part of the country
- iv. Inadequate resource allocation to education
- v. Limitation posed by COVID 19 which affects face to face interaction and excludes critical audiences
- vi. Diverse and deep-rooted cultural practices.
- vii. Insurgency and banditry which makes Education in general, and Human Rights Education in particular difficult.

IMPLEMENTATION PLAN - RIGHT TO SUSTAINABLE DEVELOPMENT

Objectives	Legal Framework	Current Status (Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Agency	Time Frame
1. Proper waste management to protect the environment	Forestry Research Institute Of Nigeria (Establishment) Act 2018 National Agency For The Great Green Wall (Establishment) Act 2015 Associated Gas Re-Injection Act 1979 Nigerian Maritime Administration And Safety Agency Act 2007 Harmful Waste (Special Criminal Provisions, Etc.,) Act, 1988 National Oil Spillage And	The National Policy on Methanol Fuel Technology 2019 Hydrocarbon Pollution Remediation Project Ecological Fund 1981 Blue Box Recycling Initiative of Lagos State National Environmental (Wetlands, River Banks, Lake Shores) Regulations, 2009 National Environmental (Watershed, Mountainous, Hilly	Reduce the adverse per capita environmental impact of cities, including by paying special attention to air quality and municipal and other waste management Develop a roadmap to waste management for economic development Develop an audit for waste management planning	Development of a national waste database Existing roadmap for waste management Development of a strategy for implementation of circular economy	Proportion of solid waste regularly collected and with adequate final discharge out of total urban solid waste generated, cities Annual mean levels of fine particulate matter (e.g. PM2.5 and PM10) in cities (population weighted) Percentage reduction in green-house gas (GHG)	Ministry of Environment	Ministry of Trade and Investment Ministry of Finance Ministry of Water Resources Ministry of Health Ministry of Mines and Steel Development National Environmental Standards and Regulations Enforcement Agency (NESREA) National Office for Technology	

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	Detection Management Agency Act, 2006	and Catchment Areas) Regulation, 2009	Encourage the development a circular economy strategy to encourage sustainable development		emissions in Nigeria		Acquisition and Promotion	
	National Environmental Standards And Regulations Enforcement Agency Act, 2007	National Environmental (Sanitation and Waste Control), 2009	Ensure the development of green economy strategy in Nigeria				Ministry of Agriculture and Rural Development	
	Environmental Health Officers (Registration) Act 2002	National Environmental (Permitting and Licensing System) Regulation, 2009					Waste Management Agencies	
	Nigeria Liquefied And Natural Gas (Fiscal Incentives, Guarantees And Assurances) Act 2004	National Environmental (Mining and Processing of Coal, Ores and Industrial Materials), 2009					Manufacturers Association of Nigeria	
	Petroleum Equalization Fund (Management Board, etc.) Act 1975	National Environmental (Soil Erosion and Flood Control) Regulations, 2011						
	Petroleum Production and	National Oil Spill Contingency Plan						

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	Distribution (Anti-Sabotage) Act 1975 Associated Gas Re-Injection Act 1979							
Objective	Legal Framework	Current Status Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
2. Effective implementation of government policies and programmes on desertification and afforestation	Forestry Research Institute of Nigeria (Establishment) Act 2018 National Emergency Management Agency (Establishment) Act 1999 Nigerian Airspace Management Agency 1999 National Space Research and Development Agency Act 2010	Nigerian Minerals and Mining Regulations, 2011 National Forest Policy (NFP), 2020 National Adaptation Plan (NAP) 2020 National Disaster Management Framework 2010 Ecological Trust Fund 1981 National Disaster Response Plan 2002	Implement policies to combat environmental degradation Ensure stronger implementation of REDD (Reducing Emissions from Deforestation and Forest Degradation) and REDD+ programmes Develop environmentally friendly and sustainable	Progress towards sustainable forest management Percentage reduction in unsustainable mining	Progress towards sustainable forest management Proportion of land that is degraded over total land area	Ministry of Environment	Department of Climate Change National Environmental Standards and Regulation Enforcement Agency (NESREA) Ministry of Agriculture Lake Chad Basin Development Authority Hadejia- Jamare River Basin Development Authority	

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	National Agency for the Great Green Wall (Establishment) Act 2015 Nigerian Hydrological Services Agency Act 2010 Nigerian Meteorological Agency (Establishment) Act 2003 Nigerian Minerals and Mining Act, 2007 National Environmental Standards and Regulation Enforcement Agency, Act 2007 River Basins Development Authorities Act 1986	National Forest Policy 2020 National Livestock Transformation Plan 2019	mining policies and strategy Build climate resilient strategies and empowerment programmes for vulnerable communities and populations against the effects and impacts of natural disasters and environmental degradation Develop Silvo-pastoral systems Develop Agro-Ecology policies and strategies					
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	National Human Rights Commission Amendment Act 2010							
3.Environmental management and sustainable extractive practices	Nigeria Mineral and Mining Act 2007 Petroleum Act 1969 Oil Pipeline Act 1956 Oil in Navigable Waters Act 1968 National Oil Spill Detection and Response Agency Act 2007 Nigerian National Petroleum Act 1977 Nigeria Extractive Industry Transparency Initiative Act 2007	Petroleum (Drilling and Production) (Amendment) Regulations, 2020 Flare Gas (Prevention of Waste and Pollution) Regulations, 2018 Hydrocarbon Pollution Remediation Project Nigerian Mining Industry Roadmap 2017 Nigerian Mineral and Mining Regulations 2011 National Minerals and Metals Policy 2008	Build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters Continue remediation of hydrocarbon, mineral and metal pollution sites Enforce laws for the eradication of	Percentage Increase in the number remediated sites Percentage Reduction in the number illegal extractive practices Percentage increase in the number of loans provided to the mining and extractive sector Increase in the number of offenders investigated and prosecuted	Number of deaths, missing persons and persons affected by disaster per 100,000 people Direct disaster economic loss in relation to global gross domestic product (GDP) Number of states with national and local disaster risk reduction strategies	Ministry of Environment Federal Ministry of Mine and Steel Development	Nigeria National Petroleum Corporation Ministry of Water Resources Corporate Affairs Commission Ministry of Trade and Investment Nigeria Extractive Industry Transparency Initiative Nigeria National Petroleum Corporation Presidential Enabling Business Environment Council	

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		Nigerian Gas Master Plan 2008	illegal extractive practices	Number of public awareness programmes created by government on effect of environmental degradation			Ministry of Trade and Investment	
		National Gas Policy 2017	Provide loans and incentives in the extractive industry to ensure proper environmental management by stakeholders				Federal Ministry of Petroleum Resources	
			Ensure formal registration of companies involved in extractive practices				Federal Ministry of Mining and Steel Development	
			Ensure diligent investigation and prosecution of offenders				Federal Ministry of Environment	
			Ensure continuous public awareness creation on effect of environmental degradation					

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4. Reduction in financial misappropriation and money laundering	Economic and Financial Crimes Commission (Establishment) Act, 2004	Presidential Committee on Asset Recovery	Ensure fair prosecution of corruption cases to serve as a deterrence	Percentage increase in the prosecution of corruption cases across the country	Number of money laundering cases each year, by state	Economic and Financial Crimes Commission	Central Bank of Nigeria	
	Corrupt Practices and Other Related Offences Act, 2000	Whistleblowing Policy, 2016	Ensure aggressive enforcement of laws prohibiting corruption to end impunity	Percentage decrease in corruption cases in the public sector		Independent Corrupt Practices and Other Related Offences Commission	Federal Ministry of Finance	
	Nigerian Financial Intelligence Unit Act, 2018	Bank Verification Number System, 2014	Eliminate factors encouraging money laundering in the financial sector	Percentage decrease in the incidents of money laundering			Bureau of Public Procurement	
	Public Procurement Act, 2007	Treasury Single Account, 2012	Ensure effective deployment of Blockchain technology to Ministries Departments and Agencies to discourage falsification and inflation of financial documents	Percentage decrease in the number of misappropriation cases in MDAs			National Human Rights Commission	
	Administration of Criminal Justice Act, 2015	National Sanction Committee 2018		Percentage increase in government policies and directives to improve on			Fiscal Responsibility Commission	
	Code of Conduct Tribunal Act, 1991	Presidential Advisory Committee Against Corruption 2015					Revenue Mobilization Allocation and Fiscal Commission	
	Money Laundering (Prohibition) Act as Amended, 2011	National Identity Number					Auditors-General	
	Terrorism (Prevention) Act, 2011 (As Amended)	SIM – Card registration					Nigerian Communications Commission	
							GSM service providers	
							The Nigeria Police Force	

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	Fiscal Responsibility Commission Act 2007 Banks and Other Financial Institutions (Amendment) Act 2020 Nigerian Communications Act 2003 National Human Rights Commission Amendment Act 2010			transparency and accountability Number of MDAs that have adopted the Blockchain technology to discourage financial misappropriation			Nigerian Financial Intelligence Unit The Judiciary	
5. Peaceful coexistence through the protection of lives and properties across religious, ethnic and political inclinations	Tribunal of Inquiry Act 1961 and Laws of states Institute for Peace and Conflict Resolution (Establishment) Act 2007 Nigeria Educational Research and	Nigeria Interreligious Council, 1999 National Peace Policy 2015	Incorporate religious tolerance into academic curricular Adopt controlled Silvo-pastoral systems to avoid farmers-herder's conflicts	Curricular changed to accommodate religious tolerance for pupils/ Students Level of adoption of Silvo-pastoral	Number of casualties from ethnic, religious and political violence	Ministry of Justice	Ministry of Education Nigeria Educational Research and Development Council Nigeria Police Force	

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	Development Council Act 1988 National Boundary Commission, etc., Act 1987 National Human Rights Commission (Amendment) Act 2010 National Youth Service Corps Act, 1993 Land Use Act, 1978 Terrorism Prevention Amendment Act 2013 Administration of Criminal Justice Act, 2015 National Orientation Agency Act 1993		Ensure training and retraining of security personnel on conflict management in-line with international best practices and respect for human rights Invest in tech-based intelligence gathering for crime detection and prevention	systems to reduce conflicts Increase in the number of training provided for security officials on principles of peace, justice and democracy Increase in technology assisted intelligence gathering and sharing among security agencies			Nigerian Army Nigerian Navy Nigerian Airforce Nigeria Security and Civil Defence Corps Christian Association of Nigeria Supreme Council for Islamic Affairs in Nigeria Institute for Peace and Conflict Resolution Nigeria Correctional Services	
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6. Human Rights Education in the School System	Universal Basic Education Act	National Policy on Education (2013)	Revision of Curricula to ensure integration of more human rights content.	Curricula revised with Improved Human Rights content	Extent to which (i) global citizenship education and (ii) education for sustainable development, including gender equality and human rights, are mainstreamed at all levels in: (a) national education policies, (b) curricula, (c) teacher education and (d) student assessment	Federal Ministry of Education National Human Rights Commission	National Education Research Development Council National University Commission National Commission for Colleges of Education Universal Basic Education Boards National Teacher's Institute UNICEF Civil Society Organisations	
	National Human Rights Commission (Amendment) Act 2010	Establishment of Human Rights Club in all schools Establishment of Technical committee on the implementation of HRE in the Schools System Establishment of HRE Department in the NHRC Human Rights Education taught under Civic Education/Social Study Human Rights Clubs in Schools	Sensitization and Advocacy for change in Education policy Development of teaching and learning materials for Human Rights in Primary and Secondary Schools Capacity building of academic and non-academic staff in Higher Institutions to serve as models for Human	Number of teaching and learning materials for Human Rights in primary and secondary developed Number of sensitization programmes for advocacy campaign for change in Educational Policy. Number of teaching and non-teaching				

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			Rights learning and practices	staff trained on Human Rights.				
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CHAPTER SEVEN

RIGHTS OF WOMEN AND CHILDREN

7.1 RIGHTS OF WOMEN

The following rights are discussed in this section:

1. Women's rights to protection in peace and armed conflict situations
2. Women's rights against all forms of discrimination, abuse, exploitation and harmful practices etc;
3. Women's rights in public and political life/decision-making;
4. Women's social, economic and cultural rights;
5. Women's rights to equality before the law, access to justice, safety and security;
6. Women's rights to equality in marriage and family relations;
7. Women's reproductive and sexual health rights.
8. Women and HIV/AIDS and related issues
9. Women empowerment and Women living with disabilities

7.1.1 Constitutional Obligations

1. The State is obligated under chapter 4 of the 1999 Constitution to guarantee, promote and protect every citizen's civil and political rights as fundamental rights.
2. The State is obligated under Section 42 of the Constitution to protect citizen's right to non – discrimination on the basis of sex, ethnicity etc.
3. The State is obligated under Chapter 2 of the 1999 Nigerian Constitution to ensure the effective realization of the social, economic, cultural, environmental rights and the participation of all citizens in national development.
4. Section 17 (2) places a duty on the government to ensure equality of rights, obligations and opportunities before the law for every citizen and obligates the state to ensure equal pay for equal work without discrimination on grounds of sex
5. Under Section 21 of the 1999 Constitution, the State is obligated to protect, promote and preserve Nigerian culture that enhance human dignity and are consistent with the fundamental objectives as provided.
6. The state is obligated under Section 34 of the 1999 Constitution to protect citizen's rights to dignity of the human person

7.1.2 International Obligations

1. African Union Charter on the Rights and Welfare of the Child (CRWC)
2. African Union Convention on the Protection of Internally Displaced Persons (Kampala Convention)
3. African Charter on Human and People's Rights
4. African Union Solemn Declaration on Gender Equality, 2004

5. Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa
6. United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
7. Optional Protocol to the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)
8. United Nations Convention on the Rights of the Child (CRC)
9. Optional Protocol to the CRC on the Involvement of Children in Armed Conflict;
10. Optional Protocol to CRC on the Sale of Children, Child Prostitution and Child Pornography;
11. United Nations Convention Against Torture
12. International Covenant on Civil and Political Rights (ICCPR) (and its two Protocols)
13. International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966
14. International Covenant on the Elimination of all forms of Racial Discrimination, 1969
15. Convention on the Political Rights of Women, 1954
16. Protocol relating to the Status of Refugees;
17. Convention relating to the Status of Refugees;
18. Convention on the Rights of Persons with Disabilities
19. International Conference on Population and Development, 1994
20. United Nations Convention Against Transnational Organized Crime; and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
21. International Labour Organization (ILO) Convention (No. 45) Concerning the Employment of Women on Underground Work in Mines of all kinds;
22. ILO Equal Remuneration Convention (1951); and
23. UNESCO Convention Against Discrimination in Education (1960).
24. Rio + 10 World Summit on Sustainable Development (WSSD)
25. Beijing Platform for Action
26. Organization of African Unity Refugee Convention, 1974
27. ECOWAS Declaration on the Fight Against Trafficking in Persons in West Africa;
28. ECOWAS Protocol on Democracy and Good Governance;

7.1.3 Challenges

1. Lack of provision for Affirmative Action for ensuring equitable women participation in the electoral process including access to elective posts
2. Rapid spreading of HIV/AIDS
3. Trafficking in persons and inadequate preventive measures
4. Illiteracy and low enrolment of the girl child
5. Harmful cultural and traditional practices
6. Inadequate constitutional provisions/legislation for women e.g. sexual violence, domestic violence

7. Lack of political will on the part of the government
8. Prevalence of Poverty.
9. Adopted discriminatory practices by government agencies (immigration/taxes)
10. Wrong application of religious doctrines
11. Attitude – culture of silence, stereotyping, etc
12. High level of Corruption
13. High rate of Maternal mortality
14. Lack of coordinated response for Violence Against Women
15. Low presence of Gender Desks in Police formations and in other security agencies
16. Inadequate shelters and rescue centres to respond to Gender Based Violence
17. Multiple factors inhibiting women’s participation in politics
18. Discriminatory inheritance and widowhood practices
19. Lack of gender sensitive data
20. Violence Against Women
21. Inadequate resources for intervention programmes
22. Inadequate enforcement of legislations and policies
23. Discriminatory constitutional provisions e.g. Section 42 (3), Section 26, section 29
24. Discriminatory policies and laws e.g. Section 55 of the Penal Code which permits wife beating and Regulation 121 – 129 of the Police Act, Section 363 of the Criminal Code
25. Discriminatory practices against women in appointment based on State of origin and marriage
26. Inadequate level of awareness of rights
27. Tripartite legal system
28. Low attention to gender sensitive budget and implementation
29. Inadequate gender sensitive training programmes
30. Inadequate budget allocation to the Ministry of Women Affairs
31. Weak coordination between women-focused MDAs and civil society

7.2 THE RIGHTS OF CHILDREN

The following rights are discussed in this section:

- i. Survival
- ii. Protection
- iii. Development
- iv. Participation

7.2.1 Constitutional Obligations

- 1. Every citizen's civil and political rights are protected as Fundamental Rights under Chapter 4 of the 1999 Nigerian Constitution.**
2. The State is obligated under Chapter 2 of the Constitution to ensure the effective realization of the political, social, economic, cultural, educational and environmental rights of the citizens, to participate in national development.
3. Section 42 of the Nigerian Constitution 1999 as amended

7.2.2 International Obligations

Nigeria undertakes to promote and protect Children's Rights under the following:

- i. ECOWAS Declaration on the Decade of a Culture of the Rights of the Child in West Africa
- ii. ECOWAS Declaration on the Fight Against Trafficking in Persons in West Africa.
- iii. ECOWAS Protocol on Democracy and Good Governance.
- iv. African Union Convention the Use of Children in Armed Conflict
- v. African Charter on Human and People's Rights
- vi. Organization of African Unity Refugee Convention
- vii. African Union Protocol on the Rights of Women in Africa
- viii. African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)
- ix. African Union Charter on the Rights and Welfare of the Child
- x. Articles 25(2) and 26 of the Universal Declaration on Human Rights
- xi. Article 24 of the International Covenant on Civil and Political Rights
- xii. Article 10 of the International Covenant on Economic, Social and Cultural Rights
- xiii. United Nations Convention on the Rights of the Child (CRC)
- xiv. Optional Protocol to the CRC on the Involvement of Children in Armed Conflict
- xv. Optional Protocol to CRC on the Sale of Children, Child Prostitution and Child Pornography
- xvi. United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- xvii. Optional Protocol to CEDAW
- xviii. The Hague Convention on Protection of Children and Cooperation in respect of Inter-country Adoption
- xix. United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- xx. International Covenant on the Elimination of all forms of Racial Discrimination
- xxi. Convention Relating to the Status of Refugees
- xxii. Protocol Relating to the Status of Refugees
- xxiii. ILO (1999) Convention on the Elimination of the Worst Forms of Child Labour

- xxiv. ILO Convention (No. 45) Concerning the Employment of Women on Underground Work in Mines of All Kinds
- xxv. ILO Equal Remuneration Convention (1951)
- xxvi. UNESCO Convention Against Discrimination in Education (1960)
- xxvii. United Nations Convention Against Trans-National Organized Crime; and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
- xxviii. Geneva Conventions 1949 on the Use of Children in Armed Conflict

7.2.3 Challenges

1. 1.Lack of proper implementation of the provisions of Child’s Rights Act, 2003 and Child Rights Laws
2. 2.Non-adoption of Child’s Rights Law in some States
3. 3.Non- inclusion of sexual health and reproductive rights education in primary and secondary schools
4. Sexual violence, including rape, incest, defilement and online sexual exploitation
5. Murder/ assault/neglect/abandonment
6. Problem of street, homeless and internally displaced children
7. Prevalent family poverty leading to child labour, child trafficking, child sale, child prostitution, drug abuse, etc
8. Weak enforcement of legislation
9. Low political will leading to inadequate budgetary allocation for child rights issues across child-related sectors
10. Weak implementation of available legislations
11. Illiteracy caused by poverty, high school dropout rates, teenage pregnancies, urban/rural disparities in the education sector, etc
12. Low public knowledge and appreciation of child rights
13. Inadequate initiatives promoting participation of children in decision-making both at home and public settings.
14. Inadequate shelters and rescue centers for integrated response to child survivors of rape, sexual violence, trafficking, domestic violence, prostitution and all forms of violence against children
15. Harmful Cultural Practices/Beliefs/Myths
16. Orphans and Vulnerable Children
17. HIV/AIDS and Mother-to-Child-Transmission of HIV/AIDS
18. Unhindered access and exposure to information technology leading to pornography, general online exploitation, erosion of cultural values and other vices.
19. Low level of disaggregated data on children
20. Non-prioritization of children’s rights in the Constitution

21. Insurgency, interreligious and ethnic conflicts with disproportionate negative impact on children.
22. Inadequate number of Borstal Homes and other prescribed institutions for children in conflict with the law.
23. Slow implementation of Juvenile justice reforms.
24. Prevalent Violence against Children and slow implementation of the recommendations of the National Violence Against Children Survey
25. Child marriage.
26. Absence of practice direction (Rules of Procedure) for Family Courts
27. Non-regulation and monitoring of Orphanages and other privately owned Centres for children
28. Bureaucracy and illegal practices on the adoption process
29. Non or low implementation of fostering system
30. Inadequate focus on child protection in humanitarian settings
31. Non-designation of specialised staff for the Family Courts e.g. Assessors, Counsellors, etc.
32. Imposition of levies and hidden charges for educational items recognized as free under the Universal Basic Education Act
33. A generally slow judicial process affecting children's right to reformation and rehabilitation
34. Weak collaboration and coordination between key MDAs, security agencies and CSOs involved in Child Rights
35. Weak understanding of Child Rights principles with Law Enforcement and judicial systems
36. Non-prioritization of Child Rights issues in national and state budgets.
37. Weak capacity of State Child Rights Implementation Committees
38. Weak implementation of the UBE Act leading to high incidence of Out of School Children
39. Lack of reproductive health information and services
40. Sexual Abuses
41. Drug Abuse
42. Cultism
43. Unemployment
44. Thuggery and Violence
45. Prohibitive cost of education

IMPLEMENTATION PLAN – RIGHTS OF WOMEN, CHILDREN AND YOUNG PERSONS

Objective	Legal Framework	Current Status Policies and Administrative Steps)	Action	Performance Indicator	Outcome Indicator	Lead Agency	Cooperating Partners	Time Frame
1. Protection of women against all forms of discrimination, abuse and exploitation	Administration of Criminal Justice Act 2015 Discrimination Against Persons Living With Disability (Prohibition) Act 2019 National Agency for Prohibition of Trafficking in Persons Act 2015 National Human Rights Commission (Amendment) Act 2010	National Policy on Sexual and Reproductive Health and Rights of Persons with Disabilities with emphasis on Women and Girls, 2018 National Workplace Policy 2005 National Gender Policy, 2007 National Gender Statistics Book, 2007 National Gender Data Bank 2007 National Gender Policy and Strategy for the Acceleration of Girls' Education in Nigeria, 2003	End all forms of discrimination against all women and girls everywhere Ensure Cases of exploitation and discrimination are duly prosecuted in accordance with the law Eliminate discriminatory practices against women in the workplace Address harmful traditional and cultural practices against women	Reduction in number of harmful traditional practices, exploitation and discrimination against women Reduction in discriminatory practices against women in the workplace Number of perpetrators of discrimination, exploitation and abuse against women who are prosecuted	Whether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or	National Human Rights Commission	Legal Aid Council Public Complaints Commission Ministry of Women Affairs National and State Centers for Women Development Office of the Senior Special Assistant on Millennium Development Goals (Presidency)	

	Violence Against Persons Prohibition Act 2015 National Centre for Women's Development Act 1995 National Agency for Mass and Adult Literacy Act 1990	National Policy on Reproductive Health 2006 – 2009 National Policy and Plan of Action for the Elimination of Female Genital Mutilation in Nigeria 2013 - 2017 National Strategic Framework on HIV/AIDS 2017 – 2021 National Strategic Framework and Plan for Visco-Vaginal Fistula (VVF) Eradication in Nigeria 2011 – 2015 National Guidelines and Strategies for Malaria Prevention Control During Pregnancy, 2005 National Reproductive Health and Strategic Framework and Plan 2002 – 2006	Protect women from trafficking		former intimate partner in the previous 12 months, by form of violence and by age Proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence		Ministry of Justice Civil Society Organisations	
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		National Policy on Nutrition National Health Policy 2016 National Policy on Sexuality and Family Life Education						
2. Equal participation of women in politics and decision-making	National Human Rights Commission (Amendment) Act 2010 Electoral Act Amendment Act 2010 Discrimination Against Persons Living with Disability (Prohibition) Act 2019	National Workplace Policy 2005 National Gender Policy, 2007 Policy on Conducting Elections in the Context of COVID-19 Elections 2020 Regulations and Guidelines for the Conduct of Elections 2019	Ensure at least 35% affirmative action for elective positions and appointment into political office in Nigeria Embark on gender training for all government officials including the judiciary, law enforcement agents and political parties Build capacity for improved programme on women	Whether or not legal and policy frameworks exist to enforce 35 percent affirmative action for elective positions and appointments into office Regularity of gender training for all government officials and political parties What capacity building programmes exist for women	Proportion of seats held by women in the National Assembly and State Assemblies Proportion of women appointed into offices Proportion of women in managerial positions	Federal and States Ministries of Women Affairs	National and State Houses of Assembly National Human Rights Commission Civil Society Organisations Public Complaints Commission National and States Centres for Women	

							Development Nigerian Law Reform Commission Independent National Electoral Commission (INEC) and State Independent Electoral Commission ns	
3. Women economic empowerment and self-reliance	Bank of Industry Act, 2001 Central Bank of Nigeria Act 2007 Federal Mortgage Bank Act 1993	National Gender Statistics Book, 2007 National Gender Policy, 2007 National Workplace Policy, 2005 Gender Policy, 2010 Nigerian Incentive-based Risk Sharing System for Agricultural Lending PLC	Embark on full implementation of policies aimed at providing easy access to loan facilities for women. Create more poverty alleviation programs targeted at women in Nigeria	Number of loan facilities available to women Number of poverty alleviation programs targeted at women Number of newly created poverty alleviation	(a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex; and (b) share of women among owners or rights-bearers	Ministry of Women Affairs Central Bank of Nigeria	Ministry of Agriculture Bank of Industry Bank of Agriculture National Center for Women Development	

	Bank of Agriculture and Agricultural Cooperative Act, 1966 Bank of Industry Act, 2001	National Social Protection Policy	Promote skill acquisitions in all States	programs targeted at women	of agricultural land, by type of tenure Number of states where the legal framework (including customary law) guarantees women's equal rights to land ownership and/or control		Nigeria Labour Congress	
4. Protection of women against sexual and gender-based violence	National Agency for the Prohibition of Trafficking in Persons Act, 2003 Administration of Criminal Justice Act, 2015 Criminal Code Act, 1990 Penal Code Act	National Gender Policy, 2007 National Policy on Trafficking in Persons National Policy and Plan of Action on Elimination of Female Genital Mutilation in Nigeria 2002	Diligent prosecution of offenders of sexual and gender-based violence. Establish Sexual Offenders Register throughout the Federation. Provide adequate compensation for victims and survivors of sexual and gender-based violence.	Number of states with sexual offender's register Number of victims and survivors adequately compensated by government Number of the perpetrators prosecuted for sexual and gender-based violence. Number of compensations given to victims	Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of	The Judiciary National Human Rights Commission	Nigerian Police Force Civil Society Organisation Federal and State Ministries of Justice Federal and State Ministries of Women Affairs and	

	Violence Against Persons Prohibition Act, 2015 National Human Rights Commission Act, 2010 Legal Aid Act 2011		Increase advocacy on rights of women targeting traditional rulers, religious leaders, women and youth leaders Designate specialized Courts to deal with matters of SGBV and general Violence Against Women Establish one stop centres for multi-faceted response to survivors of rape, SGBV and domestic violence	and survivors of sexual and gender-based violence No of states with specialized courts to deal with cases of SGBV and general abuse against women	violence and by age Proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence		Social Development National Agency for the Prohibition of Trafficking in Person Legal Aid Council Nigeria Correctional Service' Victim Support Fund	
5. Reduction of Maternal and Infant Mortality rates	National Health Insurance Scheme Act 2004 National Health Act 2014 National Primary Healthcare Development Agency Act 1992	National Health Promotion Policy (2019) National Healthcare Financing Policy and Strategy (2017) Basic Healthcare Provision Fund (2016) Nigeria Policy Towards Universal Health Coverage (2015-2020) National Policy on Roll back Malaria	Provision of Affordable Healthcare Adequate nutrition for pregnant mother and infants Awareness creation on maternal and infant mortality, Immunization and vaccination Preventing Mother to Child	Number of states implementing the National Health Insurance programmes Number of tertiary/primary institutions and states offering the insurance scheme Number of states supporting Exclusive	Number of pregnant women with access to primary health care services Maternal mortality ratio Proportion of births attended by skilled	Ministry of Health	National Health Insurance Scheme Ministry of Finance Nigeria Medical Association Medical and Dental Council of Nigeria	

	Nigeria Institute of Medical Research Act 1977 Nigerian Centre Disease Control Act 2018 Child Rights Act 2003 and Child Rights Laws of States National Agency for Food and Drugs Administration and Control Act, 2004 Medical and Dental Practitioners Act 1988 National Human Rights Commission (Amendment) Act 2010	National Programme on Immunization policy National Vitamin A Fortification Policy Exclusive Breast-Feeding Policy	transmission of HIV/AIDS Training and retraining for Traditional Birth Attendants	Breastfeeding for children Number of states implementing maternity leave with pay for nursing mothers	health personnel		National Council for Nurses and Midwives	
6. Effective primary health care services for women and children	National Primary Health Care Development Agency Act 1992	National Child Policy, 2007 National Policy on Nutrition 2014 - 2019	Strengthen primary health care services to cater for women and children Provide adequate funding for	Number of states implementing basic health care services Proportion of budgetary allocation to the	Number of children who access the rights enshrined in the Child Rights	Ministry of Health National Primary Healthcare	National Human Rights Commission	

	Child Rights Act 2003 and Child Rights Laws of various States Nigerian Centre for Disease Control Act 2018 National Human Rights Commission (Amendment) Act 2010 National Health Act 2014 National Health Insurance Scheme Act 2004	Fundamental Human Rights Enforcement Procedure Rules 2009 Zero Hunger Initiative 2016 National Policy on Infant and Young Child Feeding in Nigeria 2010 Maternal and Child Survival Program 2014 – 2019	primary healthcare facilities Ensure availability of medical personnel and equipment at primary healthcare facilities Improve accountability in primary health care services	health sector at federal and state levels	Act/ Laws in various states Number of cases of sexual and gender-based violence against children investigated Number of children that have acquired numeracy and literary skills Number of perpetrators prosecuted for sexual and gender-based violence against children Number of children with access to quality education	Development Agency	National Orientation Agency State Ministries of Women Affairs Religious and Traditional Institutions Civil Society Organisations	
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7. Free and qualitative universal basic education	Universal Basic Education Act 2004	Fundamental Human Rights Enforcement Procedure Rules 2009	Provide adequate infrastructure and facilities for universal basic education	Number of new educational infrastructure and facilities for universal basic education	Number of children enrolled for universal basic education	Federal and States Ministries of Education	National Human Rights Commission,	
	Discrimination Against Persons with Disabilities (Prohibition) Act 2019	National Homegrown School Feeding Programme	Ensure adequate training and retraining of teachers	Number of teaching staff recruited	Number of children who accessed quality universal basic education		Ministry of Women Affairs and Social Development	
	Child Rights Act 2003 and Child Rights Laws of various States		Review education curriculum periodically	Number of teachers who received training	Number of children completing school		National Orientation Agency	
	National Commission for Nomadic Education (NCNE) Act 1989		Provide incentives to improve school retention		Number of children retained in school		National Teachers Institute	
	National Agency for Prohibition of Trafficking in						National Educational Technological Centre	
							Teachers Registratio	

	Persons Act 2015 National Human Rights Commission (Amendment) Act 2010 National Health Act 2014 National Health Insurance Scheme Act 2004 Labour Act 1971						n Council of Nigeria Civil Society Organisations	
8. Protection of children from exploitation and discrimination	Child Rights Act 2003 and Child Rights Laws of various States Discrimination Against Persons with Disabilities (Prohibition) Act 2019	National Policy on Trafficking in Persons Fundamental Human Rights Enforcement Procedure Rules 2009 National Child Policy, 2007	Enforce laws and policies against child labour Protect children from trafficking and sexual exploitations	Number of offenders prosecuted for discrimination and exploitation of children Number of policies implemented by government to stop exploitation and	Proportion and number of children aged 5-17 years engaged in child labour, by sex and age	Ministry of Humanitarian Affairs, Disaster Management and Social Development	Ministry of Justice Ministry of Education National Agency for Prohibition of	

	National Agency for Prohibition of Trafficking in Persons Act 2015 National Human Rights Commission (Amendment) Act 2010 Administration of Criminal Justice Act 2019 Violence Against Persons Prohibition Act 2015	National Policy on Sexuality and Family Life Education National Humanitarian Action Programme	Support the adoption of VAPP Act by States Enforce laws and policies that address the challenge of street, homeless and internally displaced children Prioritize protection of children in humanitarian settings and emergencies	discrimination of children			Trafficking in Persons National Human Rights Commission Ministry of Women Affairs National Orientation Agency Ministry of Health Civil Society Organisations	
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9. Implementatio n of Child Rights Act and Child Right Laws in states	Child Rights Act 2003 and Child Rights Laws of various States Marriage Act 1914 Matrimonial Causes Act 1970 National Agency for Prohibition of Trafficking in Persons Act 2015 National Human Rights Commission (Amendment) Act 2010	National Home-Grown School Feeding Program Matrimonial Causes Rules 1983 Fundamental Human Rights Enforcement Procedure Rules 2009 National Child Policy, 2007 National Policy on Nutrition 2014 - 2019 National Policy on Sexuality and Family Life Education	Ensure effective implementation of Child Rights Act and Child Rights Laws across the states Ensure prosecution of sexual and gender-based violence against children Promote the enforcement of the Universal Basic Education Act to reduce out-of-school children	Number of states that have adopted Child Rights Law Increase in the application of the Child Rights Act/Law by the Federal and State Governments Existence of sexual and gender based violation units in the police Number of States implementing the Universal Basic Education programme	Number of states that have adopted Child Rights Law Increase in the application of the Child Rights Act/Law by the Federal and State Governments Existence of sexual and gender based violation units in the police Number of States implementing the Universal Basic Education programme	Federal and States Ministries of Women Affairs Federal and States Ministries of Education National Human Rights Commission	Ministry of Justice Law Reform Commission Nigeria Bar Association National Assembly & State Houses of Assembly Ministry of Justice Religious and Traditional Institutions Civil Society Organisations	
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CHAPTER EIGHT

BUSINESS AND HUMAN RIGHTS

8.1 BACKGROUND

The United Nations Guiding Principles on Business and Human Rights (UNGP) gives a framework on how government and businesses are to protect and respect human rights, including what mechanisms are to be put in place to reduce, mitigate and redress business-related violations. This Action Plan seeks to operationalize these principles in practical, real and specific terms, exploring how government discharges the **Duty to Protect** in the context of business and how businesses operationalize the **Duty to Respect** and more importantly how to ensure **Access to Remedy** for individuals or communities adversely affected by business operations. It also encourages adoption of effective grievance mechanism by companies to address human rights issues.

The plan provides clear benchmarks for measuring progress and achievements in the implementation process by allocating roles and responsibilities for each stakeholder group in order to advance human rights and business in Nigeria. It therefore seeks to develop strategies for implementing human rights and business imperatives in Nigeria. It reinforces the three Pillars of the UNGPs which are:

- 1) The State duty to protect human rights
- 2) The corporate duty to respect human rights
- 3) Access to Remedy

The Plan is therefore developed along these three pillars. It outlines actionable items by the Federal Government of Nigeria to address business-related human rights abuses, focusing on institutional backing of appropriate agencies, ensuring FPIC, stakeholder identification and analysis, employment, casualization and contract employment, land acquisition, compensation, gender, mobilization, sensitization and awareness creation, capacity building, resettlement, community development, community consultation and engagement, security, conflict resolution, reporting and monitoring compliance, community responsibility, reward and recognition and exit strategy.

8.2 CONSTITUTIONAL OBLIGATIONS

S.17 (3) - the State directs its policy towards ensuring that-

- (a) *All citizen without discrimination on any group whatsoever have the opportunity for securing adequate means of livelihood as well as adequate opportunity to secure suitable employment;*
- (b) *Conditions of work are just and humane, and that there are adequate facilities for leisure and for social, religious and cultural life;*
- (c) *The health, safety and welfare of all person in employment are safeguarded and not endangered or abused;*

- (d) *There are adequate medical and health facilities for all person;*
- (e) *There is equal pay for equal work without discrimination on account of sex or no any other ground whatsoever;*
- (f) *Children; young persons and the aged are protected against any exploitation whatsoever, and against moral and material neglect;*
- (g) *Provision is made for public assistance in deserving cases or other conditions of need; and*
- (h) *The evolution and promotion of family life is encouraged.*

8.3 DOMESTIC LEGISLATION

National Industrial Court Act 2006

The Companies and Allied Matters Act (CAMA) CAP C20 LFN 2004

The Investment and Securities Act, 2007

The Banks and Other Financial Institutions Act (BOFIA) 2004

The Nigerian Sustainable Banking Principles, 2012

Sustainability Disclosure Guidelines, 2018

Environmental Impact Assessment Act CAP E12 LFN 2004;

Nigeria Labour Law Act 2004

Harmful Waste (Special Criminal Provisions) Act CAP H1 LFN 2004

Oil Pipelines Act 2004

Nigerian Communication Commission Act 2003

Federal Competition & Consumer Protection Act 2019

National Health Act 2014

Nigeria Extractive Industries Transparency Initiative 2007

National Environmental Standards & Regulations Enforcement Agency 2018

8.4 INTERNATIONAL OBLIGATIONS

The African Chapter of Human and Peoples's Rights

The Universal Declaration of Human Rights (UNDHR),

The International Covenant on Civil and Political Rights (ICCPR)

The International Covenant on Economic, Social and Cultural Rights (ICESCR),

The Convention on the Elimination of All Forms of Discrimination (CERD);

The International Convention on the Elimination of all Forms of Racial Discrimination (ICERD);

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);

The United Nations Convention on the Rights of a Child (CRC);

The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The International Labour Organisation (ILO) Convention 54 of 1935

8.5 POLICE AND ADMINISTRATIVE STEPS

Nigerian Code of Corporate Governance, 2018

Nigeria Data Protection Regulation, 2019

Establishment of Committee on public petition, human rights and justice in the National and State Houses of Assembly

Establishment of Investment Tribunal and National Industrial Court

8.6 CHALLENGES

- a. Casualisation of employment, especially in the oil and gas sector, as well as the telecommunications, banking and financial services sectors
- b. Contradictions in the provisions of Nigerian Labour Act with regards to freedom of discrimination on basis of sex at place of employment as provided by Section 42 of the Nigerian Constitution.
- c. Cost of litigation is a major impediment to access to remedy for victims of business human rights abuses.
- d. Enforcement of judgment of court for successful litigants.
- e. Ratification of Convention 176(safety and health in mines 1995).
- f. Ignorance and lack of awareness of rights by communities
- g. Challenges regarding Freedom of Association under the Trade Union (Amendment) Act, 2005.
- h. Limitation of Freedom of Information Act, 2011 to only public institutions, including lack of whistleblower Protection Law.
- i. Lack of Adequate human rights, conflict and environmental impact assessment when land is being acquired for development or business purpose.
- j. Lack of government involvement in observing stakeholder's engagement and consultation to the detriment of the host communities.
- k. The increasing reliance on business by the government to develop communities.

- l. Lack of effective, transparent, sustainable grievance mechanisms for businesses to address conflicts with communities including documenting and reporting of activities of settlement.
- m. Businesses not taking the Local Content Act 2010 into consideration in their employment process.
- n. Certain laws on business and employment being obsolete and not aligned to international standards.
- o. Lack of involvement and inclusion of the community in the design and management of security architecture an operation of businesses that they host.
- p. Lack of human rights training for security providers in their logistic support and general oversight, including the Nigeria Security and Civil Defense Corps (NSCDC).
- q. Lack of inclusive security coverage for every entity in the business value Chain including business facilities, employees, suppliers, contractors, infrastructure and the community.
- r. Inability of Government to adequately monitor and ensure human rights are protected in the provision of security.
- s. Lack of partnership between businesses and public security.
- t. Lack of a realistic, implementable business and human rights reporting mechanism for businesses to report on their business and human rights situation.
- u. Lack of incentives developed by Government for businesses to comply with business and human rights provision.
- v. Lack of a clear policy and guidance note developed by Government on the exit strategy of businesses when their operations come to an end,
- w. Violation of rights to fair hearing by the courts.

PILLAR 1

STATE DUTY TO PROTECT HUMAN RIGHTS

The Nigerian government is the primary duty bearer for the protection and progressive realization of human rights in Nigeria. As part of this duty, government is obligated to regulate business practice and activities within its territory, as well as prevent, mitigate and address adverse impacts of business operations through policies, legislation, regulation, adjudication or other measures. In line with State Duty to Protect, there should be legislative and policy coherence to ensure that state human rights obligations are complied with and applied effectively.

ACTIONABLE ITEMS

A. ESTABLISHMENT OF A NATIONAL WORKING GROUP ON BUSINESS AND HUMAN RIGHTS (NWGBHR)

The government shall establish a National Working Group on Business and Human Rights (NWGBHR) to coordinate all activities of agencies that are involved in dealing with human rights and business-related issues. Membership of the Working Group shall include the following:

- i) Ministry of Justice
- ii) National Human Rights Commission (NHRC)
- iii) Ministry of Trade, Industry and Investment
- iv) Ministry of Mines and Power
- v) Ministry of Petroleum Resource
- vi) Ministry of Environment
- vii) Ministry of Labour and Productivity
- viii) Ministry of Niger-Delta
- ix) Ministry of Environment
- x) Consumer Protection Council (CPC)
- xi) Corporate Affairs Commission (CAC)
- xii) National Environmental Standard Regulatory and Enforcement Agency (NESREA)
- xiii) National Oil Spill Detection and Response Agency (NOSDRA)
- xiv) Niger-Delta Development Commission (NDDC)
- xv) National Agency for Drug Administration and Control (NAFDAC)
- xvi) Standard Organization of Nigeria (SON)
- xvii) Nigerian Investment Promotion Council (NIPC)
- xviii) Nigerian Bar Association (NBA)
- xix) National Association of Chambers of Commerce, Industry, Mines and Agriculture (NACCIMA)
- xx) National Electricity Regulatory Commission (NERC)

- xxi) Federal Airport Authority of Nigeria (FAAN)
- xxii) Manufacturers Association of Nigeria (MAN)
- xxiii) Nigeria Labour Congress (NLC)
- xxiv) Non-Governmental Organization with focus on Human Rights and Business, gender, environment and development.
- xxv) Any other relevant organization.

This composition will be replicated in the states. The Working Group will have the following responsibilities, among others;

- i. To determine the capacity needs of businesses and other agencies in the area of business and human rights.
- ii. Conduct capacity-building trainings for different stakeholders on human rights and business using the UNGP framework.
- iii. Design and agree on a format for reporting human rights and business by stakeholders.
- iv. Review the reports periodically and provide technical support for stakeholders in their area of need.
- v. Drive the process of reviewing the NAP periodically.
- vi. Periodically assess and support the establishment of grievance mechanisms in companies.
- vii. Oversight companies' human rights Due Diligence activities and Human Rights Impact Assessment.
- viii. Convene an Annual Business and Human Rights Forum to review developments in the Field
- ix. Support research and academic work on Business and Human Rights.

B. LEGISLATION AND POLICES

Government shall improve human rights protection in business through legislation, policy initiatives, programmes and seminars interventions in the following ways:

- a. Enforce and review existing laws or enact new legislation that require businesses to respect human rights in their operations.
- b. Ensure that all businesses carry out Human Rights Impact Assessment before commencement of business while those already in business should do so within 2 years.
- c. Mandate businesses to communicate how they address human rights impact of their operations.
- d. Review the Trade Union Act (2005) to address the challenges of freedom of association, the rights to collective bargaining and the right to strike actions.
- e. Enact Whistleblower Protection Laws at the Federal and State levels to protect whistleblowers from any form of victimization or retaliation and encourage employees of both public and private sectors to report cases of human rights abuses and violation without fear of losing their jobs.

The Federal Government of Nigeria and all state governments to include in all contracts, Memoranda of Understanding and other business-related policy documents, a clause that clearly spells out the human rights obligations of the parties including possible sanctions for violations. Lead Agencies to realize this include the Ministry of Trade, Industry and

Investment, Ministry of Finance, Ministry of Budget and National Planning, Corporate Affairs Commission, Nigerian Investment Promotion Council.

C. DUE DILIGENCE FOR HUMAN RIGHTS

Regulatory bodies and agencies shall ensure the conduct of Human Rights Due Diligence and Human Rights Impact Assessment in all business operations.

The Central Bank of Nigeria shall ensure that in every loan agreement in all banks, as part of the conditions for the loan facility, there is a clause that spells out that the loan receiver for business is under obligation to respect human rights in all operations.

Similarly, specialized banks and other financial institutions such as Bank of Agriculture, bank of Industry, and Nigerian Agricultural Insurance Corporation etc. must ensure that as part of their risk assessment and due diligence the client must show that it has a human rights policy and that it has taken measures to conduct human rights due diligence and human rights impact assessment.

D. FREE, PRIOR AND INFORMED CONSENT

Free, Prior and Informed Consent (FPIC) of the host community must be ensured to enable a community have the right to give or withhold consent to proposed project that may affect the lands they customarily own, or otherwise use. FPIC is recognized by the jurisprudence of international treaty bodies. To do this government will use participatory methods of stakeholder identification and analysis to ensure that before the commencement of any project. In this regard, it is necessary to build the capacity of community leaders and decision makers to negotiate with businesses and ensure that their rights are protected at all times.

E. STAKEHOLDER IDENTIFICATION AND ANALYSIS

Government shall ensure that companies conduct a thorough and detailed Stakeholder Identification and Analysis (SIA) in their area of operation to provide invaluable data for sustainable stakeholder consultation and engagement. This enables companies to be aware of the operational environment and sensitivities and helps operational decision-making, as well as implementation of community engagement strategy and prioritizing.

F. ENVIRONMENT

When acquiring land for development or business, government must ensure the conduct of human rights conflict and environmental impact assessment.

In respect of environmental hazards and workplace safety, there will be periodic monitoring and inspection of company premises, operations and surroundings of manufacturing, construction, and extractive industries among others to ascertain their compliance with environmental standards.

G. EMPLOYMENT

In relation to employment, the National Working Group on Business and Human Rights will develop Guidance Notes for companies to manage their employment processes in compliance with human rights standards to ensure nondiscrimination and prevent child labor. In doing so,

the issues of gender, and disability concerns will be taken into consideration pursuant to relevant provisions of extant Labor Laws.

H. CASUALIZATION OF CONTRACT OF EMPLOYMENT

The Ministry of Labour and Employment should take steps to curb the incidence of Casualisation in labour as well as hazardous workplace practices. Accordingly, it should strengthen its monitoring and implementation processes to give effect to applicable laws. Where the laws are not in compliance with human rights standard, they should be reviewed. Adequate education of the public should be carried out to empower them to demand for a letter of contract/engagement from employers irrespective of the nature or duration of the engagement.

I. GENDER

There will be deliberate measures to mainstream gender considerations in Business and Human Rights. Government and Business should ensure that in the award of scholarship or other benefits, employment, contracts and compensation, special consideration should be taken to cater for the interest of women. Accordingly, in all meetings, consultations, dialogue or negotiation, women should represent themselves.

In addition, labour practices that are discriminatory to women with respect to employment, promotion and incentives, will be addressed and eliminated.

J. RESETTLEMENT

Efforts will be made to minimize the negative impact of resettlement. Emphasis must be on the livelihood system of affected communities. Under business and human rights, Nigeria's handling of the resettlement of Bonny and Finima during the construction of the Nigeria Liquefied Natural Gas Project has been acknowledged as a best practice case study.

Where resettlement for business becomes necessary, government and investors will be guided by best practices such as the Principles of Resettlement enunciated by the African Development Bank and the Asian Development Bank.

K. MOBILISATION, SENSITIZATION AND AWARENESS CREATION

Government, through its agencies, will engage in massive mobilization, sensitization and awareness creation on the NAPBHR. The awareness creation will be strategic and involve the three tiers of government.

The National Working Group on Business and Human Rights will enter into negotiation with Manufacturers Association of Nigeria and related bodies to ensure compliance with this plan. It will also carry out robust sensitization of the public to empower them to demand for a letter of contract/engagement from employers irrespective of the nature or duration of the engagement.

Considering the importance of education in human rights protection, government at all levies will develop policies that advance Business and Human Rights Education. This may include introduction of courses on Business and Human Rights in tertiary institutions and the introduction of scholarships, fellowships, research grants, to contribute to knowledge in the

area of human rights and business. The National Working Group on Business and Human Rights is responsible to liaise with Ministry of Education and relevant parastatals to realise advancement of Human Rights Education as a channel to enhance government protection obligation.

L. REWARD AND RECOGNITION AS INCENTIVE

Reward and recognition system is necessary to ensure that businesses get benefits for implementing the Business and Human Rights Action Plan. To promote this, government through the National Working Group on Business and Human Rights is urged to work out incentive packages for businesses that comply with the provisions of NAPBHR.

M. CAPACITY BUILDING

The following capacity building needs have been identified:

- a. Training of Judges to mainstream the norms and tenets of human in their decisions when considering business related human rights cases.
- b. Training business operators to be able to develop a coherent, robust and implementable human rights policy; establish, maintain and monitor their grievance mechanisms. Also, build their capacity on monitoring and reporting compliance with the UNGPs.
- c. Regulatory agencies should be strengthened to enable them monitor and evaluate the implementation of NAPBHR and also provide remedies when violations occur.
- d. Community leaders and decision makers should be capacitated to negotiate with businesses and ensure that their rights are protected at all times.
- e. Governments at all levels will develop policies that will meet these needs. This may include introduction of courses on Business and Human Rights in tertiary institutions and the introduction of scholarships, fellowships, research grants, to contribute to knowledge in the area of human rights and business.

N. SECURITY

When businesses conduct risk assessment, the focus is mainly on the risk posed to their operation within the community without considering the risk their operations pose to communities. This makes them design their security apparatus without community input and consultation.

In addressing the issue of security and human rights in business operations, the Voluntary Principles on Security and Human Rights provides a useful guide. To this end;

- i. Government shall fulfill its obligation as the primary provider of security.
- ii. Communities will be involved in the design and management of company security.
- iii. Government shall provide human rights training for security providers, logistic support and general oversight.
- iv. Government shall monitor and ensure that human rights are protected in the provision of security.

- v. Security arrangement will be all inclusive and offer protection to business facilities as well as employees, suppliers, contractors and the community.

PILLAR 2

CORPORATE RESPONSIBILITY TO RESPECT HUMAN RIGHTS

The Corporate Responsibility to Respect human rights implies that companies must avoid infringing on the rights of individuals and communities but ensure that they do not undermine State ability to protect human rights. They must show willingness to put in place measures to address human rights abuses when they occur. This responsibility obligates compliance of Corporations or other business entities with human rights principles and norms in the course of business as well as prevention or mitigation of adverse impact of their operations. It is different from Corporate Social Responsibility (CSR) which is voluntary. Failure to respect human rights should attract sanctions

ACTIONABLE ITEMS

A. POLICY

Every company will have a clear, simple and understandable human rights policy within their value chain that reflects their commitment to promote human rights in their operations. This policy shall guide all operations of the business and should be conspicuously displayed either on the website, gate or reception area of the company.

In the Policy, the rights of staff should be made clear as it relates to respect for human rights. Staff should also be trained on various aspects of human rights especially as it pertains to company operations. It is expected that the policy will clearly allocate roles and responsibilities and state the department(s) in the company that has responsibility for human right issues. This will be applicable to all companies in relation to size, scope of operations and type of business

B. DUE DILIGENCE FOR HUMAN RIGHTS

Businesses operating in Nigeria will ensure that they conduct Human Rights Due Diligence from onset, which should identify possible human rights violations arising from their operations. Human Rights Due Diligence should address negative human rights impact which may be linked directly or remotely to business operations, products or services. Where a state directly engages in business, government assumes dual roles- i.e. the International Human Rights obligation to Protect is retained; and having delved into business, it also has additional obligation to Respect Human Rights from a corporate perspective.

C. REPORTING HUMAN RIGHTS COMPLIANCE

Business operating in Nigeria will be obligated to report on their human rights compliance, annually. The National Working Group on Business and Human Rights will work closely with various regulatory agencies to incorporate human rights reporting and

monitoring template in their regulatory framework. Appropriate sector specific template and checklist will be developed for this with input from relevant stakeholders in respective sectors.

D. CAPACITY BUILDING

Capacity building is critical in ensuring corporate responsibilities to respect human rights. Businesses will build the capacity of their staff in carrying out human rights due diligence and implementing their human rights policy. They NWGBHR will be available to provide the requisite expertise where necessary.

E. GRIEVANCE MECHANISMS

Businesses are obligated to have an Operational Level Grievance Mechanism. A system shall be put in place for the monitoring and reporting of the activities of the grievance mechanism. This will be established in line with the Eight Effectiveness Criteria of the UNGP and in consultation with the target group. A system shall also be put in place for the monitoring and reporting of the activities of the grievance mechanism to identify issues and areas that require administrative, policy or legislative intervention.

F. COMMUNITY RELATIONS

Business must have a Community Relations Guidelines. This will be developed in conjunction with the community stakeholders. The Community Relations Guidelines shall draw from the report of the Human Rights Due Diligence (HRDD) and Human Rights Impact Assessment (HRIA). The company is also expected to conduct Peace and Conflict Assessment (PCAI) as part of their entry strategy. The extent of these assessments will depend on the kind of business the company is involved in.

The Community Relations Guidelines shall provide for such things as employment, community development, contracts, scholarships etc. to ensure inclusiveness, gender consideration and board representation of all interest shall be taken into account.

G. PARTNERSHIPS

Businesses are encouraged to forge strong and sustainable partnerships and collaborations with any agency, individual or organization that will provide the needed support for the progressive realisation of human rights in their area of operations. Part of this partnership and collaboration include the use of the media and engagement with different government agencies.

PILLAR 3

ACCESS TO REMEDY

Access to remedy for communities or persons who are victims of adverse impact of business operations can be through the following framework;

- i. State-Based Judicial Mechanism
- ii. State-Based Non-Judicial Mechanis
- iii. Non-State-Based Grievance

Access to remedy includes legal, administrative, judicial and non-judicial remedy.

A. STATE BASED-JUDICIAL MECHANISM

State-Based Judicial Mechanism are faced with a number of challenges associated with general justice delivery in Nigeria. These challenges include, delay in the judicial process, overbearing political interference, lack of judicial independence, judicial corruption, low level of judicial awareness of the UNGPs etc.

To address these challenges, the NWAGBHR shall carry out intensive advocacy to the Judiciary in order to effect the issuance of ‘Practice Directions’ that will facilitate speedy resolution of cases of human rights violations by businesses. There will also be a continues sensitization of judges and magistrates on the Action Plan. In addition, Alternative Dispute Resolution approaches will be encouraged.

The NWGBHR shall organise Consultative Engagement Sessions for Judicial Officers at various levels on addressing the problem of delay in resolving business related human rights cases.

The NWGBHR shall encourage Strategic Litigation, not just municipally where these businesses are carried out, but also in the home countries of the respective multinational companies in instances where the violation is caused by transnational corporations. Such litigation would raise awareness on corporate liability for human rights abuses. The Working Group will liaise with the Nigerian Bar Association to explore possibilities of Legal Aid to indigent persons or communities who are adversely affected by business operations but unable to pursue remedy due to cost

B. STATE-BASED NON-JUDICIAL MECHANISM

These consist of State Agencies which though non judicial, exercise statutory powers and regulatory functions pertaining to Business and Human Rights. They have the potential of addressing the greatest number of human rights violations by businesses because they exercise statutory powers and regulatory functions.

They include the following:

- i. National Human Rights Commission (NHRC)
- ii. Public Complaints Commission (PCC)
- iii. National Oil Spill Detection and Response Agency (NOSDRA)
- iv. Consumer Protection Council (CPC)

- v. Nigerian Communications Commission (NCC)
- vi. National Administration of Food and Drug Control (NAFDAC)
- vii. National Bio-Safety Management Agency
- viii. National Environmental Standard and Regulatory Enforcement Agency (NESREA)
- ix. Standards Organisation of Nigeria (SON)
- x. Central Bank of Nigeria (CBN)
- xi. Corporate Affairs Commission (CAC)
- xii. Nigerian National Petroleum Corporation (NNPC)
- xiii. Department of Petroleum Resources (DPR)

In order to improve the effectiveness of State Based non-judicial mechanism, the following plan of action will be implemented:

1. Capacity-building for these agencies to enable them appreciate the human rights component of their mandate and enhance their ability to offer remedy pursuant to their statutory functions
2. Strengthening of the Institute for Peace and Conflict Resolution (IPCR) through capacity building and close partnership to enable the organization to work more effectively with communities, state and businesses to resolve conflicts efficiently.
3. Strengthening of the National Human Rights Commission to discharge its quasi-judicial responsibilities in addressing human rights violations by businesses; and rendering of effective remedy
4. Convening of periodic meeting of regulatory bodies whose functions are relevant.
5. Mapping of these bodies to clearly identify them and properly delineate their mandates so that their operations may be streamlined for speed and efficiency in relation to business and human rights related remedy.
6. Scale up of Community Sensitization on the functions of various agencies.
7. Collation of reports and feedback on progress made by State Based non-judicial mechanism.

C. NON-STATE BASED GRIEVANCE MECHANISM

The law cannot take care of all the complexities of the relationship between the community, the state and corporations. This therefore necessitates the adoption of some non-state-based grievance mechanism to fill the gap. These include all the centres and agencies established by companies, NGOs, Media, CSOs, Labour Unions, Faith-Based Organisations, communities and other sundry agencies. Some of them are formal and some are informal in their operations. Some specialize in advisory services and the provision of information, while others are mainly concerned with referral and monitoring.

D. IMPLEMENTATION STRATEGY

Specific activities will be designed from the initiative contemplated in this plan by the National Working Group on Business and Human Rights in consultation with respective sectors, business operators, relevant agencies of government, Civil Society Organizations and Development Partners in realization of each of the three Pillars.