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**SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER
FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 (C) OF
THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1***

Nigeria

The present report is a summary of ten stakeholders' submissions¹ to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review

* The present document was not edited before being sent to the United Nations translation services.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations

1. The National Human Rights Commission (NHRC) recommended that Bills on CEDAW and the Convention on Persons with Disabilities before the National Assembly be passed without further delay; efforts be streamlined to ensure that Nigeria update its Periodic Reports to all United Nations bodies; the Government ensure the appointment of treaty reporting officers in all Ministries, Departments and Agencies (MDAs); and the Government ratify and “domesticate” the International Convention on the Protection of all Migrant Workers and their Families, and the Convention on the Rights of Persons with Disabilities.²

2. Nigeria’s CSO Coalition on the Universal Periodic Review joint submission (JS1)³ indicated that Nigeria has neither “domesticated”⁴ CEDAW nor implemented the Beijing Platform for Action⁵, also recommending that steps be taken to “domesticate” the 1984 United Nations Convention Against Torture.⁶

B. Constitutional and legislative framework

3. NHRC indicated that while the ICCPR has force of law in Nigeria under Chapter IV of the 1999 Constitution, the ICESCR does not, as the provisions of Chapter II relating to economic, social and cultural rights are non justiciable.⁷

4. NHRC reported that since the “domestication” of the CRC as the Child Rights Act 2003, 18 states have adopted the law in Nigeria. However, adoption of the law in some states in the Northern part of the country continues to be a challenge.⁸

5. According to JS1 a civil society-driven process for reviewing the Police Act of 1943, with a draft Police Bill which embodies modern day techniques of democratic policing and human rights principles, has yet to become law.⁹ JS1 also reported that the current Prisons Act, enacted in 1947, has still to undergo a fundamental reform, with a draft Prisons Bill presented to the federal parliament in 2004 yet to become law.¹⁰

6. The Commonwealth Human Rights Initiative (CHRI) reported that the Nigerian constitution provides that the *sharia* law may be applied to criminal offences only if the National Assembly and the State House of Assembly enact the *sharia* offence and punishment, but the unconstitutional implementation of the *sharia* law has reportedly seen *sharia* courts prescribe corporal punishments, such as limb amputation, and applied discriminatory standards against women in relation to rules of evidence in adultery cases.¹¹

C. Institutional and human rights infrastructure

7. According to the NHRC, it was established by the National Human Rights Act of 1995 for the promotion and protection human rights.¹² Although the Unrepresented Nations and Peoples Organisation (UNPO) welcomed the existence of a NHRC, it reported that its independence is unfortunately not guaranteed: in 2006, Mr. Bello, the head of the NHRC, was removed by the Federal Minister of Justice after he condemned the state’s arrest of two journalists who had criticized the spending policy of president Obasanjo.¹³ CHRI expressed similar concerns.¹⁴

8. NHRC reported that the Government has submitted an Executive Bill to the National Assembly for the purpose of amending the National Human Rights Act of 1995, which is now at an advanced stage to ensure legislative and institutional strengthening of the NHRC.¹⁵

9. Christian Solidarity Worldwide (CSW) welcomed recent efforts of bodies such as the Nigeria Inter-Religious Council (NIREC) towards reducing religious hostility in Nigeria.¹⁶

10. According to NHRC, the implementation of the child rights law in the states has posed a challenge due to the high cost implications of the institutions to be set up to facilitate Child Justice Administration.¹⁷

D. Policy measures

11. NHRC indicated that Nigeria has since 2001 developed a National Action Plan (NAP) for the promotion and protection of human rights, which has currently been renewed to 2008.¹⁸

12. NHRC also reported that, in fulfilment of pledges and commitments, the NHRC has been part of the many legislative and administrative engagements directed towards the “domestication” and dissemination of international human rights instruments to which Nigeria is party.¹⁹

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

13. CHRI indicated that Nigeria has not extended an open invitation to the United Nations Human Rights Council’s Special Procedures.²⁰ UNPO urged Nigeria to extend an invitation to the Special Representative of the Secretary General on human rights and transnational corporations and other business enterprises to investigate the possible human rights violations resulting from activities in the Niger delta.²¹

14. CHRI also reported that, as a member of the United Nations Human Rights Council, Nigeria has attempted repeatedly to limit Special Procedures of the Council to a code of conduct.²²

15. NHRC reported it is partnering with other stakeholders to create a national mechanism that will ensure broad consultation in the preparation of Nigeria’s periodic reports to treaty bodies and the implementation of concluding observations and recommendations.²³

B. Implementation of international human rights obligations

1. Equality and non discrimination

16. NHRC reported that in Nigeria women experience discrimination due to the slow pace at which laws relating to women’s rights are passed by the legislature at different levels and the poor enforcement mechanisms of existing legislation.²⁴

17. Human Rights Watch (HRW) reported that Government policies that discriminate against individuals who are deemed not to be “indigenes” (descendants of the original inhabitants) of their communities have made issues of local citizenship in Nigeria increasingly contentious, and the government’s failure to combat worsening poverty has also exacerbated many

intercommunal conflicts as competition for scarce economic resources becomes increasingly desperate.²⁵

18. CSW reported that Non-Muslims in the northern and central “*sharia* States” are generally denied the same rights, societal advantages and governmental protection that Muslims enjoy, and to which they are entitled. Some states have forcibly deprived Christians of their churches and premises, denying them compensation. Christians are rarely reimbursed adequately for losses incurred during episodes of religiously- motivated violence. They do not always receive sufficient protection from state authorities when such violence occurs, nor are their attackers ever prosecuted; religious repression to some degree condoned by the local authorities.²⁶

19. CSW also reported discrimination towards Christians in obtaining state sector jobs, and in progressing in their professions, with such deliberate exclusions extending to representation within local government authorities and the education system. CSW indicated that Christian students being denied the opportunity of attending higher educational facilities or of receiving scholarships to assist in the pursuit of further studies.²⁷

2. Right to life, liberty and security of the person

20. The Civil Liberties Organisation with the support of the International Federation for Human Rights (JS2) indicated that capital punishment is still applicable under the Nigeria’s laws, including under the *Sharia* Penal Code which is in force in twelve northern states and according to which adultery is punishable to death by stoning, with people continuing to be sentenced to death, even those convicted of armed robbery.²⁸ HRW reported that since 2000, *Sharia* courts have had jurisdiction over criminal cases, including capital offenses, in 12 of Nigeria’s 36 states, with provisions for sentences that amount to cruel, inhuman, and degrading treatment, including floggings, amputations, and death sentences, and that although capital sentences have been thrown out on appeal or simply not carried out, *Sharia* courts continue to hand down death sentences.²⁹ CHRI noted reports of allegations that a number of inmates have been executed secretly while in detention, with at least seven executions by hanging in the past two years.³⁰

21. NHRC reported receiving daily complaints on the use of cruel, inhuman and degrading means to extract “confessions” from suspects, with 40 per cent of complaints received related to torture and extra-judicial killings by the police and other vigilante groups.³¹ JS1 indicated that torture, in the form of dehumanizing custodial conditions, and corporal torture are selectively applied against poor, uneducated and powerless citizens.³² JS2 also reported law enforcement agents, including the police, illegally arrest, detain, whip, torture, extort and kill people, with innocent citizens unlawfully arrested and, if found with money or valuable property, tortured or shot dead and classified as “armed robbers” in order to deceive the public.³³ Similar concerns over deeply entrenched patterns of extortion, torture, and other forms of ill treatment by the police were expressed by HRW, which also reported that the government has failed to provide adequate resources and training to police officers and has made no significant effort to hold members of the security forces accountable for these crimes.³⁴

22. JS1 reported that extrajudicial executions are also widespread, with internal and external oversight mechanisms for investigating misconduct and ensuring accountability weak and grossly inadequate.³⁵ CHRI indicated that law enforcement agencies like the police are known for killing persons at check points, in custody and at “escort grounds,” hidden places where the police usually shoot suspects extra-judicially and cover up the act from public knowledge.³⁶ HRW reported that the police continue to be implicated in numerous extrajudicial killings in the

course of police operations, with official sources indicating that some 10,000 Nigerians have been shot and killed by Nigeria's police since 2000.³⁷ JS2 indicated that high profile and targeted killings of politicians and voices of dissent are sponsored by the government and its agencies³⁸, while Reporters Without Borders (RSF) said credible investigations have to be led on the two recent killings of journalists and that a real program of fight against impunity should be initiated by the federal authorities against civil servants, officials, policemen responsible for the frequent attacks on Nigerian journalists.³⁹

23. HRW reported that more than 11,000 Nigerians have died in violent intercommunal clashes since 1999, and though intercommunal violence remains common, the government has failed to take measures to effectively address these problems.⁴⁰ CSW also indicated that in recent years a number of religiously motivated assaults, riots and killings have originated in educational establishments usually following unsubstantiated accusations of blasphemy, and that efforts by local authorities to protect Christians have been woefully inadequate in most of the *Sharia* States. The actions of some state authorities even suggest a degree of culpability or complicity in some incidents.⁴¹

24. NHRC also indicated that gender-based violence is a problem, especially domestic violence, and that the poor response of law enforcement agents and the administration of justice system is resulting in low levels of reporting. NHRC also reports that rape and other sexual offences, human trafficking and cultural practices (child marriage, Female Genital Mutilation, harmful widowhood practices etc.) are challenges in this area.⁴²

25. JS1 reported that Nigeria's prison system is beset with problems, including high awaiting trial population occasioning congestion, poor sanitary and health facilities, and decaying infrastructure. The government has set up several panels for reform in the past four years. These panels recommended far-reaching reforms, but unfortunately, successive governments have shown apathy towards implementing these.⁴³

26. NHRC reported that 85 per cent of the existing infrastructure and facilities in the prisons were constructed before independence in 1960 and have undergone little or no effective renovation since construction.⁴⁴ NHRC indicated that in some instances, congestion in the prisons and detention centres located in the cities exceed 200 per cent while the suburbs are less congested.⁴⁵

27. NHRC indicated that children are trafficked and exploited daily regardless of the laws against these practices, with the sale of babies becoming a disturbing phenomenon in some parts of the country.⁴⁶

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

28. HRW reported that the government has failed to take any action to ensure accountability for past atrocities committed by military personnel, including the military's complete destruction of the town of Odi in Bayelsa State in 1999 and the massacre of several hundred civilians in Benue State in 2001.⁴⁷

29. NHRC indicated that the administration of criminal justice in Nigeria is bedevilled with: outdated legislation; corruption; and poor access to justice, with lapses that occur in the course of criminal justice administration often leading to multiple violations of human rights; and that measures put in place by the Federal Government relating to efficient justice delivery are yet to yield the desired result.⁴⁸

30. CHRI reported that overcrowding in prisons has causing young children to be detained in the same cell as adult males⁴⁹, while NHRC reports that special needs and considerations for women, children, people with disabilities, the elderly and other vulnerable groups in the prisons and detention centres are grossly inadequate, with children generally kept with adult inmates; the special needs of women such as sanitary items hardly provided; some nursing mothers delivering their babies in prison instead of the hospital; and that the supply of drugs for HIV/AIDS inmates is not regular while most psychiatric inmates are kept in prison and seldom taken to psychiatric hospitals.⁵⁰

31. JS1 indicated that prison officials assault inmates, violating constitutional guarantees against cruel, inhuman and degrading treatment, and deny them good nutrition; and that access to medical care is also impeded by the absence of adequate health facilities.⁵¹ NHRC also reported that prisons have no vocational plans for the Awaiting Trial Inmates (ATMs) who leave the detention centres and prisons without any form of reformation or rehabilitation.⁵²

32. JS1 reported that in many states, persons arrested for crimes bearing the capital punishment are arraigned before courts that lack jurisdiction over such offences and remanded in prison custody for extended periods, ostensibly to conclude investigations. In many cases, these suspects are detained for 3-10 years as there is yet no mechanism to ensure they are brought before the courts within a reasonable time limit.⁵³ JS1 also believes that the patent absence of guidelines regarding sentences for judicial officers whose mandate extends to criminal matters is intricately linked to congestion in prisons; and that this category of judicial officer almost always resorts to imprisonment as a punishment and correctional option.⁵⁴

33. JS1 indicated that the police is under-funded but that there are reported cases of mismanagement of financial resources by top officers, which coupled with poor conditions of service make the police institution vulnerable to corrupt practices. JS1 said that the police have weak internal and external disciplinary mechanisms thereby promoting a culture of impunity.⁵⁵ CHRI said abuse by the police is associated with a pattern of impunity, arbitrary detention and enforced disappearances, which is endemic to unreformed and outdated policing in the Commonwealth. CHRI reported allegations that Nigerian police force and security forces commit rape in many different circumstances, both on and off duty, as well as strategically to coerce and intimidate entire communities.⁵⁶

34. JS2 reported that police stations in Nigeria are filled with suspects who committed no offence except that they refused to bribe police or had no money to bribe them, with some of the detainees summarily executed without recourse to due process of law and labelled as “robbers”. JS2 also reported that Nigerians have also been held hostages in their residences.⁵⁷ According to HRW, the government has thwarted efforts to hold corrupt politicians accountable in 2008, by removing and arresting senior officials from the Economic and Financial Crimes Commission (EFCC), the only institution that had actively pursued criminal prosecutions against high-level government officials accused of corruption and graft. HRW indicated that, although the EFCC has been accused of selectively prosecuting government opponents ahead of the 2007 elections, the anti-corruption commission had scored unprecedented successes including the corruption convictions of former Inspector General of Police Tafa Balogun and former Bayelsa State Governor Diepreye Alamieyeseigha.⁵⁸

35. HRW indicated that many trials in *Sharia* courts fail to conform to international standards of fairness and do not respect due process even as defined by *Sharia* legislation; defendants

rarely have access to a lawyer, while poorly trained judges often fail to inform defendants of their basic rights; and the manner in which *Sharia* is applied discriminates against women, particularly in adultery cases where standards of evidence differ based on the sex of the accused.⁵⁹ Similar concerns were expressed by The Becket Fund (BF).⁶⁰ CSW also noted that despite initial assurances that *Sharia* would only apply to Muslims, non-Muslims are often subject to it.⁶¹

4. Right to privacy, marriage and family life

36. JS2 reported that the country's tripartite legal system (statutory, customary and sharia laws) contributes to contradictions and inconsistencies, particularly in the areas of marriage and family law (divorce, custody of children, inheritance...).⁶²

37. CHRI highlighted the Same-Sex Marriage (Prohibition) Bill 2006, which got fast-tracked through the National Assembly in February 2007, and would be scheduled for a third reading before turning into law. According to CHRI, the Bill proposes five years imprisonment *inter alia* for anyone who undergoes, "performs, witnesses, aids, or abets" a same-sex marriage.⁶³

5. Freedom of religion or belief, expression, association and peaceful assembly, and the right to participate in public and political life

38. CSW indicated that with the introduction of the *Sharia* penal code by twelve of Nigeria's northern and central states, Islam has in effect become the official religion of those states, contravening a provision within the federal constitution that prohibits the adoption of a state religion.⁶⁴

39. CSW reported that, in *Sharia* states, converts from Islam can experience extreme societal pressure and even persecution, since under the genre of *Sharia* law currently prevalent in these states, conversion is seen as apostasy and can mean death. CSW indicated that there are several reports of converts being attacked, imprisoned and even killed for changing their faith⁶⁵, and that once a male member of a non-Muslim family converts to Islam considerable pressure is often exerted on female relatives to convert. CSW said there are increasing reports of Christian women and children being abducted and forcibly converted, some State *Sharia* Commission being implicated in such abductions, with intimidation and threatened violence by the abductors to families attempting to rescue their children.⁶⁶

40. CSW indicated that, since their inauguration in the *Sharia* states of northern and central Nigeria, the *Hisbah*, or *Sharia* law enforcement corps, have frequently been used to harass non-Muslims, including the demolition of local church buildings. CSW reported that in 2006 the Federal Government outlawed the *Hisbah* after receiving intelligence reports indicating that *Hisbah* forces were seeking foreign funding to train 100 *jihadis*, but a Supreme Court ruling on the matter proved indecisive, and the dissolution of these forces has yet to be finalised.⁶⁷

41. RSF indicated that Nigeria's Senate has passed in 2006 a Freedom of Information (FOI) Bill granting the media and the general public the right to request information on government business from government agencies or from private bodies performing public functions, but that in August 2008, the bill had not yet been approved by the Assembly.⁶⁸ CHRI reported that when the Bill reached the House of Representatives, after much delay, in June 2008, it failed for the seventh time during the third reading.⁶⁹ RSF deplored the lack of political will from the government to cooperate on the reform of the press law, for example, or to show more transparency and openness to proposals made by local or international NGOs whenever a

journalist is arrested. It recommended that the Government scrap the existing press law and adopt a new legislation adapted to democratic standards, eliminating prison terms for press offenses and providing a credible regulation tool for the media.⁷⁰

42. JS2 reported that citizens are still not allowed to freely associate and assemble, except if they work for the government, with cases in which peaceful meetings of opposition politicians or activists critical of the government are dispersed or participants are arrested.⁷¹ RSF also reported the federal government relying on the feared internal intelligence, the State Security Service (SSS), groups of political militants, uniformed corps in the country and governors' private militias to threaten press workers, from publications directors to news vendors. RSF has condemned the SSS as a "press freedom predator" since 2005.⁷²

43. NHRC indicated that elections in Nigeria are characterized by several irregularities. In monitoring the conduct of security personnel during the 2007 elections NHRC observed that the security arrangements were inadequate and the personnel ill equipped to prevent electoral offences and ensure orderly conduct of elections.⁷³ JS1 said that in an apparent response to the seriously flawed 2007 general elections, the incumbent administration set up an Electoral Reform Committee, but that there are concerns as to whether the government's commitment to electoral reforms will translate to concrete and meaningful change in the electoral system.⁷⁴

44. HRW reported that powerful ruling party politicians were very credibly implicated in mobilizing armed gangs responsible for election-related violence and orchestrating the brazen rigging of the elections, but no official investigation into these election-related abuses has been undertaken.⁷⁵ HRW also reported that Nigerian political leaders manipulated intercommunal tensions by actively sponsoring violence to advance their political positions, including by recruiting and arming criminal gangs that unleashed terror upon their opponents and ordinary citizens; those who stand accused of sponsoring political violence have never been held to account.⁷⁶

45. JS2⁷⁷ indicated that in the Federal cabinet as well as in those of the 36 states, there are only very few women, while out of 774 local government Chairpersons, less than 20 per cent are women.⁷⁸ Similar concerns were raised by the NHRC.⁷⁹

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

46. JS2 indicated that in spite of the country's wealth, the monthly minimum wage for Nigerian workers is only N 5,000 (about US\$34) for states and local government workers, and N 7,500 (about US\$50) for federal workers; that retirees' gratuities are retained for decades before they are paid, and in some cases, they are not paid until the retirees are deceased. JS2 reported several workers' unions to be in dispute with the Government over their demands for better working conditions. It further reported that social welfare facilities are nonexistent and therefore cannot cushion the effects of the poor remunerations and miserable living conditions in the country. JS2 indicated that the National Assembly recently increased the salaries of its members and those of the local government chairpersons and councillors, but not those of the peasant workers. JS2 also reported that workers in most companies in Nigeria, especially foreign companies, are casual workers who can be employed in the morning and sacked in the evening.⁸⁰

7. Right to social security and to an adequate standard of living

47. NHRC indicated that the elderly in Nigeria lack access to old age benefits, as there is a pandemic failure of the government to pay the retirement benefits to retirees due to the absence of legislation to protect their rights and the complete absence of data on the aged.⁸¹

48. NHRC reported that the Government has developed various programmes over the past four years on food security. However, these programmes have not benefited majority of Nigerians due to lack of access to credit facilities and information.⁸²

49. The Center for Reproductive Rights (CRR) reported that the division of health-care responsibilities among the three tiers of government - federal, state, and local - is a key structural issue that contributes to the high maternal mortality rates.⁸³ CRR also believed that user fees constitute serious barriers to obtaining quality maternal health care⁸⁴, and that the lack of adequate information and counselling on family planning is another major factor that contributes to the high rate of maternal mortality in Nigeria.⁸⁵

50. CRR reported that although Nigeria makes up 2 per cent of the world's population, it accounts for 10 per cent of its maternal deaths, with higher risk rates than the overall risk rates for women throughout sub-Saharan Africa. It also indicated that the risks of maternal death are even greater for Nigerian women in the northern region of the country, for rural women, low income women and women without formal education; the majority of these deaths being preventable.⁸⁶ NHRC expressed similar concerns.⁸⁷

51. CRR reported that a national study on the availability and quality of emergency obstetrics facilities had found that only 4.2 per cent of public facilities and 32.8 per cent of private facilities met the internationally agreed-upon standards for emergency obstetrics care. CRR indicated that the study also found that less than one third of the public secondary and tertiary health centres met the international standards for comprehensive emergency obstetric care.⁸⁸

52. CRR reported that Nigeria's abortion law remains very restrictive, despite unsafe abortions remaining frequent occurrences and resulting in the death of over 34,000 Nigerian women annually.⁸⁹

53. NHRC said efforts by government to provide shelter to citizens through the National Housing Policy and the sale of government houses to civil servants and the general public has barely scratched the surface in attending to the housing needs of citizens, and a recent massive and on-going demolition of houses across the country and forced evictions is a violation of the right to shelter.⁹⁰ JS2 also reported that the Government has embarked on a campaign of demolition of homes and shops, with many cases in which these demolitions are done without notice or information at all.⁹¹

54. JS2 believed that the widespread corruption in Nigeria, singled out as one of the world's most corrupt countries, is central to the violation of socio-economic rights, with emerging facts proving that over 80 per cent of the annual budgets of the three tiers of governments in Nigeria (Federal, State and Local) went into private pockets.⁹² HRW also reported Nigeria has earned well over US\$223 billion in oil revenues since the end of military rule in 1999, but millions of Nigerians still lack access to basic health and education services because so much of the money has been lost to corruption and mismanagement.⁹³

55. UNPO said leaks from oil pipelines and the building of roads and canals accompanied by deforestation have harshly disrupted the wetlands, causing the fishing industry to collapse and

the quality of drinking water and soil to drastically decline, decreasing agricultural yields considerably and threatening the livelihood of the Ogoni. UNPO also reported that burning wells are sometimes extinguished only after months, with gas flaring releasing toxins into the air and causing acid rain. UNPO recommended that the Nigerian government ensure appropriate environmental and social impact assessments for any future oil development, as well as establish independent oversight bodies to assess the safety operations in the petroleum industry. Furthermore, UNPO urged Nigeria to provide inter alia meaningful access to regulatory and decision-making bodies to communities likely to be affected by oil operations.⁹⁴

8. Right to education and to participate in the cultural life of the community

56. NHRC reported that with the introduction of the Universal Basic Education programme there has been improvement in enrolment of pupils in schools. However the ratio of 67 per cent is still low considering the MDG target of 100 per cent enrolment by the year 2015. The factors militating against enrolment of pupils into schools are lack of adequate funding, poverty, ignorance and harmful cultural practices.⁹⁵

57. UNPO welcomed the National Policy on Education which guarantees that the initial language in primary education must be the mother tongue of the child, although reporting that the implementation of this policy has been limited to few languages and has excluded minorities such as the Ogoni People.⁹⁶

9. Minorities and indigenous peoples

58. UNPO reported that through extensive exploitation of the Niger Delta's oil resources, oil companies and the Nigerian State have deprived the Ogoni of their right to make use of their own resources, with the average life expectancy in the Niger Delta at 43 compared to the national life expectancy of 47, despite its richness of natural resources. It also noted that the most recent National Population Census in 2006 did not include ethnicity and religion as variables, thus denying the recognition of the Ogoni People and other minorities.⁹⁷

59. JS2 indicated that Nigerians have been demanding the convening of a Sovereign National Conference (SNC), the essence of which is to afford Nigerians the opportunity to sit together and re-discuss the Federation and see how the imbalances, disagreement and distortions in the Federation could be resolved for the emergence of a just, equitable, peaceful and stronger Nigeria. It reported a lot of injustice in Nigeria, e.g. imbalances in the number of states and local governments in the zones, right to ownership of land and resources, sharing of the national wealth, treatment of women, children, the minorities and the physically disabled and allotment of political and administrative offices, as for example, in the National Assembly, only three languages (Hausa, Igbo and Yoruba) are recognized, whereas Nigeria has over 250 languages.⁹⁸

10. Situation in or in relation to specific regions or territories

60. HRW reported that Nigeria's oil-rich Niger Delta has become increasingly militarized and insecure, with scores of ordinary Nigerians having been killed by armed gangs and security forces during the past year alone; many of these groups claiming to fight for greater local control of the region's oil wealth, while simultaneously engaging in various forms of violent criminal activity including kidnapping and oil bunkering (theft of crude oil). HRW noted that the clashes between these groups primarily represented a violent competition for access to illegal patronage doled out by public officials, with powerful politicians implicated in sponsoring armed gangs but never formally investigated for these allegations, much less brought to justice.⁹⁹ JS1 requested

the Government to take immediate steps to promote and protect the economic, social and cultural rights of citizens of the Niger Delta region, including: curbing corruption and the massive looting of public resources by State government officials in the Niger-Delta; accelerating the development of the region; and that all persons involved in criminal activities within the region should be investigated and if culpable, prosecuted; security agencies assigned to the region should play their roles as impartial peace keepers and not perpetrators of criminal activity and violators of the rights of citizens.¹⁰⁰

61. JS2 reported that the Federal Government's Internal Taskforce (ITF) in the region is reported to have "sacked" several villages without legitimate grounds, while trans-national oil corporations have continued to loot, pollute and desecrate the environment of the region. Citizens of the region have been harassed, detained and prosecuted by the government, with some ethnic rights activists having been christened "militants" by government and oil companies.¹⁰¹ UNPO also indicated that the Niger Delta Development Commission (NDDC), created in 2000 to address the physical development of the Niger Delta, has continually ignored the development needs of the Ogoni People, with the Ogoni grossly underrepresented in the Board of the Commission. UNPO therefore urged that the NDDC ensures the inclusion of the Ogoni People in its work, as it has contributed to poor living standards of the Ogoni People.¹⁰²

62. UNPO reported that the Nigerian Land Use Act divests the people of their rights of ownership and possession of land and its resources; and that the Petroleum Decree denies consultation and participation of the local Niger Delta population in the exploitation of the natural resources, placing this right only in the hands of foreign corporations in collaboration with the Nigerian federal government; both depriving the Ogoni and Niger Delta Peoples of their right to self-management and their natural resources.¹⁰³

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

N/A.

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

N/A.

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

N/A.

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council. Two asterisks denote a national human rights institution with "B" status).

Civil society

BF	The Becket Fund*, Washington D.C., USA
CHRI	Commonwealth Human Rights Initiative*, New Delhi, India
CRR	Center for Reproductive Rights*, New York, USA
CSW	Christian Solidarity Worldwide, Surrey, UK
HRW	Human Rights Watch*, Geneva, Switzerland

JS1	Joint submission presented by 6 organisations: Nigeria's CSO Coalition on the Universal Periodic Review, Abuja, Nigeria
JS2	Civil Liberties Organisation with the support of the International Federation for Human Rights (FIDH)*, Abuja, Nigeria
RSF	Reporters Without Borders*, Paris, France
UNPO	Unrepresented Nations and Peoples Organisation, The Hague, Netherlands.

National human rights institution

NHRC	National Human Rights Commission**, Abuja, Nigeria
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² NHRC, p.1.

³ JS1: Constitutional Rights Project; Access to Justice; Nigerian Bar Association; CLEEN Foundation; Institute for Human Rights and Humanitarian Law and BAOBAB for Women's Human Rights.

⁴ This term is also used by the Committee on the Elimination of Discrimination against Women in the context of the rejection of a draft bill on domestication of the Convention.

⁵ JS1, p.4.

⁶ JS1. p.5.

⁷ NHRC, p.1.

⁸ NHRC, p.4.

⁹ JS1, p.4.

¹⁰ JS1, p.4.

¹¹ CHRI, p.4.

¹² NHRC, p.1.

¹³ UNPO, p.4.

¹⁴ CHRI, p.1.

¹⁵ NHRC, p.1.

¹⁶ CSW, p.2.

¹⁷ NHRC, p.4.

¹⁸ NHRC, p.1.

¹⁹ NHRC, p.1.

²⁰ CHRI, p.4.

²¹ UNPO, p.2.

²² CHRI, p.4.

²³ NHRC, p.1.

²⁴ NHRC, p.3

²⁵ HRW, p.2.

²⁶ CSW, p.2.

²⁷ CSW, p.3.

²⁸ JS2, p.1.

²⁹ HRW, p.4.

³⁰ NHRC, p.3

³¹ NHRC, p.2

³² JS1, p.5.

³³ JS2, p.2.

- ³⁴ HRW, p.3.
- ³⁵ JS1, p.5.
- ³⁶ JS2, p.1.
- ³⁷ HRW, p.3.
- ³⁸ JS2, p.1.
- ³⁹ RSF, p.2.
- ⁴⁰ HRW, p.2.
- ⁴¹ CSW, p.4.
- ⁴² NHRC, p.3
- ⁴³ JS1, p.1.
- ⁴⁴ NHRC, p.3
- ⁴⁵ NHRC, p.3
- ⁴⁶ NHRC, p.4.
- ⁴⁷ HRW, p.3.
- ⁴⁸ NHRC, p.2
- ⁴⁹ CHRI, p.2,3
- ⁵⁰ NHRC, p.3
- ⁵¹ JS1, p.2.
- ⁵² NHRC, p.3
- ⁵³ JS1, p.1,2.
- ⁵⁴ JS1, p.2.
- ⁵⁵ JS1, p.3.
- ⁵⁶ CHRI, p.2.
- ⁵⁷ JS2, p.2.
- ⁵⁸ HRW, p.1.
- ⁵⁹ HRW, p.4.
- ⁶⁰ BF, p.7.
- ⁶¹ CSW, p.2.
- ⁶² JS2, p.3.
- ⁶³ CHRI, p.1,2.
- ⁶⁴ CSW, p.2.
- ⁶⁵ CSW, p.5.
- ⁶⁶ CSW, p.5.
- ⁶⁷ CSW, p.5.
- ⁶⁸ RSF, p.2.
- ⁶⁹ CHRI, p.1.
- ⁷⁰ RSF, p.2.
- ⁷¹ JS2, p.3.
- ⁷² RSF, p.1.

⁷³ NHRC, p.5.

⁷⁴ JS1, p.4.

⁷⁵ HRW, p.1.

⁷⁶ HRW, p.2.

⁷⁷ JS2: Civil Liberties Organisation (CLO), with the support of the International Federation for Human Rights (FIDH).

⁷⁸ JS2, p.4.

⁷⁹ NHRC, p.3

⁸⁰ JS2, p.4.

⁸¹ NHRC, p.4.

⁸² NHRC, p.5.

⁸³ CRR, p.2,3.

⁸⁴ CRR, p.3,4.

⁸⁵ CRR, p.5.

⁸⁶ CRR, p.2.

⁸⁷ NHRC, p.3

⁸⁸ CRR, p.4.

⁸⁹ CRR, p.5.

⁹⁰ NHRC, p.5.

⁹¹ JS2, p.4.

⁹² JS2, p.3.

⁹³ HRW, p.1.

⁹⁴ UNPO, p.2.

⁹⁵ NHRC, p.5.

⁹⁶ UNPO, p.4

⁹⁷ UNPO, p.1.

⁹⁸ JS2, p.4.

⁹⁹ HRW, p.3.

¹⁰⁰ JS1, p.3.

¹⁰¹ JS2, p.1.

¹⁰² UNPO, p.3.

¹⁰³ UNPO, p.2.
