

# NIGERIA

POPULATION IN 2016

**185.989.640**

SIZE

**923,768 KM<sup>2</sup>**

HDI RANKING 2016

**152/188**

INEQUALITY ADJUSTED HUMAN DEVELOPMENT INDEX 2016

**0,527**

GENDER INEQUALITY INDEX 2016

**0,847**

CIVIC SPACE (CIVICUS MONITOR 2017)

**OBSTRUCTED**

**HDI** - Human Development Index and its components, ranks countries by HDI value and details the values of the three HDI components: longevity, education and income.

**IHDI** - Inequality-adjusted Human Development Index - IHDI looks beyond the average achievements of a country in longevity, education and income to show how these achievements are distributed among its residents. An IHDI value can be interpreted as the level of human development when inequality is accounted for.

**GDI** - Gender Development Index, measures disparities on the HDI by gender. The table contains HDI values estimated separately for women and men; the ratio of which is the GDI value. The closer the ratio is to 1, the smaller the gap between women and men.

**Civic space** - The CIVICUS monitor assigns each country a rating on civic space based on constant analysis of multiple streams of data on civic space. The rating is open, narrowed, obstructed, repressed or closed. <https://monitor.civicus.org/Ratings>

## Introduction

The Federal Republic of Nigeria lies on the Gulf of Guinea and borders four countries in West Africa. Known as the 'Giant of Africa', having the largest economy on the continent, Nigeria is a multinational state with over 500 ethnic groups, languages and cultures. Since independence in 1960, Nigeria has alternated between military dictatorships and democratically elected civilian governments.

In 2015, Nigeria was the world's 20th largest economy. It has a mixed economy with an abundant supply of natural resources, well-developed financial, legal, communications and transport sectors, and the second largest stock exchange in Africa.

Oxfam in Abuja, the capital city, manages Voice in Nigeria. The Voice contextual analysis revealed varying degrees of marginalisation and discrimination against all five target groups, but identified people living with disabilities and women facing exploitation, abuse and/or violence as the most affected. Voice in Nigeria will focus on these two groups while observing the intersectionality and 'inclusiveness' of all the others.

Applications will be considered from organisations working in at least one of the following states: Lagos, Enugu, Port Harcourt, Federal Capital Territory, Bauchi State and Katsina.

## State of affairs

### People living with disabilities

In July 2016, the Nigerian Senate passed the *Discrimination against Persons with Disabilities (Prohibition) Bill*. This bill seeks to provide social protection for people living with disabilities and is a safeguard against any discrimination they may face. It also established a National Commission to ensure their right to: education, healthcare, social and economic participation, as outlined in the 1999 Constitution.

People living with disabilities are amongst the poorest and socially most excluded group, facing stigma and discrimination in all walks of life. The Voice contextual analysis revealed significant differences between regions of Nigeria. In the southern parts, disability is seen as being shameful. Parents often seek medical help and resort to traditional practices. When these efforts fail, children living with disabilities are hidden from public view, which prevents them from attending school. It is also common practice for children living with disabilities to be left with their grandparents in rural areas while their parents reside in a city.

Conversely, in the northern regions, people living with disabilities are accepted from birth with the belief that disability is a person's providence and thus not shameful. Respondents spoke of children living with disabilities being accepted by their family members and by the community. One participant living with a disability in Kano spoke about having never suffered any form of discrimination from her husband or in-laws in 10 years of marriage.

Most policy makers and the general public view people living with disabilities as those needing charity and welfare. Likewise, the media are not very knowledgeable and thus fuel dispelling myths and misconceptions held by the public. The lack of any social protection schemes exacerbates their marginalisation and exclusion.

Economically, over 70% of people living with disabilities are residing in extreme poverty. This is due to multiple levels and types of deprivation, namely, the lack of education, support from family and caregivers, spatial rights, employment opportunities and special services.

Many people living with disabilities recount experiences of being denied employment opportunities despite having the right qualifications and skills.

People living with disabilities in Nigeria also experience high levels of exclusion in political and public decision-making processes. The 'Leave No One Behind: Disabilities Votes Count Campaign' afforded policy makers an opportunity to appraise hindrances faced by persons living with disabilities during elections. This led to the inclusion of two people living with disabilities to be recruited as election observers in Edo and Ondo States.

### Lesbian, Gay, Bisexual, Transgender, Intersex (LGBTI) people

Like the majority of other African countries, Nigeria criminalises consensual same sex practices and relationships, especially among men. LGBTI persons live under the constant threat of harassment, violence or being arrested. On 7 January 2014, the President of Nigeria signed his assent to the Same-Sex Marriage Prohibition Act, which prohibits marriage between persons of the same sex and criminalises organisations and persons who, directly or indirectly, aid or abet such a union. The Act defines marriage to be a legal union between persons of the opposite sex in accordance with the marriage act, Islamic law, or customary law.

The Act however contravenes the spirit of the 1999 Constitution Chapter II section 17 (1), (2) (a-c) which states that social order is founded on the ideals of freedom and equality and that every citizen shall have equal rights, obligations and opportunities before the law, and shall uphold the sanctity of every person, enhance human dignity and ensure that all governmental actions shall be humane (The Telegraph, 2014).

In short, LGBTI persons in Nigeria face many legal challenges. Some politicians, public officers and observers persist in their expressions of homo and transphobic intolerance. Notwithstanding declarations of collective democracy and minority rights concerns, political parties still exclude LGBTI rights, which are not considered in the immediate or long-term agenda. Parties are pragmatic; when Nigerians demand their leaders to be more accountable, LGBTI people and LGBTI related news is used to score political points, diverting attention from more pressing national issues like unemployment, insecurity and the lack of basic services.

Under the Nigerian National Birth and Registrations Act, it is almost impossible to change names on any grounds. Transgender persons hence have the greatest challenge in changing their gender markers.

Religious, political and cultural leaders hold very strong moral standpoints against LGBTI people and this informs the way people relate to them. There is a growing crusade against them. Indiscriminate arrests, harassment and human rights' violations, even from the security agencies that are supposed to protect them, are common. There are ample examples and evidence of rejection by family, neighbours and friends, which compounds social exclusion, stigma and discrimination. Many go as far as seeing homosexuality as a Western imposition that should be fought against like the crusade against colonisation. The mainstream media promotes this by equating paedophilia to homosexuality.

Lesbian, bisexual and other sexual minority women face the stigma of being women in a highly sexist, patriarchal, religious and conservative society and for possessing a sexual orientation and gender identity contrary to societal norms. When things get tough, Nigerians generally run to their families and churches for support, however, these two institutions are usually the bedrocks of stigma and homo and transphobia.

Nigerian institutions, including the private sector, punish any appearances or likeness associated with LGBTI. Persons who are 'openly LGBTI' struggle to find employment, are often dismissed once their sexuality is known and have limited support to turn to.

## Women facing exploitation, abuse and/or violence

Over the years, Nigeria has ratified numerous international charters and conventions in relation to gender based violence and the promotion and protection of women's and girls' rights. These include:

- The Universal Declaration on Human Rights, International Convention on Civil and Political Rights, Convention on Elimination of all Forms of Discrimination Against Women, Rome Statute of the International Criminal Court and the United Nations Declaration on Violence Against Women
- 2004 - The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (African Women's Protocol).
- There have also been several gender specific acts, bills and reforms at national and state level such as:
- 2003 – The Child Rights Act, prohibiting marriage under the age of 18. In the northern states, there has been fierce resistance to the Act, with many people portraying it as anti-Islamic.
- 2015 – The Violence Against Persons Prohibition Bill, prohibiting multiple forms of gender-based violence including economic abuse, female genital mutilation and depriving persons of their liberty.

While much needed legislation regarding the rights of children and women has been formalised, the systems for implementation remain weak or are non-existent.

Social humiliation is the most common type of abuse faced by women in Nigeria. Most stakeholders believe that marginalisation and violence against women and girls is driven by the preference of male children over female children.

These are further aggravated when a widow does not have a male child. She is then often forced to choose between re-marriage to a family member to ensure that her husband's name does not die out or to face eviction from her matrimonial home. Male relatives see the widow as part of the property they inherit from their late brother.

Female Genital Cutting, a gross violation and violence against girls/women, is highly prevalent and commonly practiced for cultural and aesthetic reasons. The desire for acceptance in society is a compelling reason; women/girls are forced to pass through the procedure as a 'rite of passage' that invites the community's stamp of approval. Also bound up with this is the belief that the practice checks premarital sexual experiences, preserves virginity and discourages promiscuity and other sexual misdemeanours by limiting the sexual stimulation of women and girls.

The northern region of Nigeria has one of the highest rates of child marriages in the world. Nearly half of all girls are married by the age of 15. Most girls are raped on their wedding night, an experience the majority take to the grave due to a culture of silence.

Women make up 70% of Nigeria's poor; they bear an unequal burden of Nigeria's poverty because of the systematic marginalisation they face in education, health care, employment and control of assets. Being poor often means that women have little protection from violence and no role in decision-making processes. Access to loans or credit facilities is hampered by requirements that are usually beyond a woman's capacity. Women living with disabilities encounter double challenges – compounded by ageism, illness, poor education, abuse and exploitation.

When a woman's role is relegated to the domestic sphere, it leaves little or no space for political participation. In Nigeria, this is changing at a slow pace due to a number of factors including: an emerging policy framework which reinforces the need for women's access and engagement; high level advocacy and mobilisation by the national gender machinery; on-going advocacy; enlightenment campaigns and training by civil society; and partnerships and collaborations between the national gender machinery, civil society and international organisations.

To sustain this momentum, a number of strategies have been put in place, for example, the National Gender Policy provides a 35% minimum threshold for women's participation in politics – in appointed or elective positions. A Nigerian Women's Trust Fund has been established to provide technical and other resources to female political aspirants. Women's political empowerment offices have also been set up in each of the country's six geopolitical zones for the purposes of on-going interface with and support to women politicians in the states and rural areas.

## Age-discriminated vulnerable groups

Nigeria has the largest number of elderly people (those over 60 years) south of the Sahara. Since 2002, there have been policy frameworks at the regional level:

- African Union Policy Framework and Plan of Action on Aging (2003);
- National Policy on Care and Wellbeing of the Elderly (Draft 2003);
- National Policy on Aging (Draft 2006); and
- United Nations Economic Committee for Africa: The State of Older People in Africa (Draft 2007).

None have been developed for Nigeria specifically. The burden of care rests squarely on family members despite the provisions in the 1999 Constitution, Section 14, 2(b) which states: 'The security and welfare of its people shall be the primary purpose of the government' and Section 16, sub-section 2(d) promises 'that suitable and adequate shelter and suitable and adequate food, reasonable national minimum living wage, old age care and pensions and unemployment, sick benefits and welfare of the disabled are provided for all citizens.'

The only social policy in place is for retirees from formal employment as outlined in the Reformed Pension Scheme of 2004. Employees and employers in both public and private sectors contribute 7.5% of their salaries (military personnel contribute 2.5%) while the government contributes 12.5% to a State pension fund. This however has been abused due to widespread corruption in the system resulting in retirees facing untold hardships and delays getting their pensions (Iproject, 2016).

The need for a functional social policy is more urgent than ever in Nigeria because of the growing number of elderly people.

Younger family members are known to take advantage of the incapacities of the elderly in the family by taking over the lands of their parents. The high cost of litigation in these matters has increased the levels of poverty. In response, many elderly are turning to begging in the streets. There is no national social security; only Ekiti state has been known to give the elderly N5,000, or \$15 per month, as welfare. There are only a few government owned homes for old people and most are reliant on charity for their survival. Gender inequities continue in old age – poor older women feel more isolated and get labelled as witches. Older widows are also disinherited with impunity.

Nigeria passed the Child Rights Act in 2003 to protect children's rights but this has not led to any positive and visible changes in how children are treated. In Nigeria, the government has relinquished its responsibilities to protect children. Almost all the states that have passed the Child Rights Act are not implementing it. This situation is worse in the northern regions of Nigeria where there is a strong issue of child brides condoned by traditional and religious leaders.

Children make up a significant number of the poor and extremely poor. Those living in the poorest households are most likely to be engaged in child labour. They are also most likely to suffer serious deficiencies in nutrition, shelter, clothing and other basic needs. This adversely affects their mental wellbeing and physical development. They are also more likely to be out of school, compromising the rest of their lifetime choices. They are at greater risk of exploitation, violence and

abuse, including child labour and trafficking. In many instances, they resort to hawking in the streets and doing domestic work.

Socially, in some parts of Nigeria, children are branded as witches and made to pass through untold hardships and terrible practices. In recent years in North East Nigeria, there have been cases of schools being attacked and children abducted and killed by terrorist groups.

There is an ever-increasing surge of child abuse in Nigeria. In Lagos state alone, 192 sexual and child abuse cases were recorded in 2016. Of these, 89 were domestic violence cases, 62 defilement cases, 18 rape cases, six attempted rape, 10 child neglect and seven child abuse cases. Only 92 cases were heard in court (Daily Post, 2016).

### **Indigenous groups and ethnic minorities**

The Nigerian government does not specifically refer to any group as indigenous – rather it identifies all people as being part of ethnic groups. Indigenous people often identify themselves as minorities. The Ogonis and Ijaws in the Niger Delta, for example, have claimed self-identify as indigenous peoples. Over the years, these groups have been at the centre of every conflict about nationhood, fairness, justice and fair distribution of resources (specifically oil). They have also been deprived of their territorial, economic and political autonomy, and customary beliefs and values which once unified them and their communities.

The conclusion after hearing all participants in the Voice South – South Forum is that the resources at the disposal of the government and the oil companies weigh against the people. This has been documented to a great extent in the media and communities have tried to exert their rights by pursuing legal claims against companies such as Shell, both in the United Kingdom and in the Netherlands. Nationally, the people face overwhelming barriers in asserting their rights due to long-lasting legal processes in an overcrowded court system. This is coupled with an inadequate record of enforcement of court orders due to corruption, especially under military dictatorships. It is clear that the status quo needs to change if the nation desires an end to insurgencies. Government continues to act as a super power while the indigenous groups remain voiceless with little power.

### **Stakeholder analysis**

Civil society organisations are a prime catalyst for promoting inclusivity of marginalised citizens in Nigeria. They have the capacity to play this role on diverse levels and for different kinds of excluded groups. Most of these organisations use a bottom-up approach with these groups because of their linkages with community-based groups within their coalitions and networks.

They have learned to work with the media and government ministries, departments and agencies. With adequate funding and partnerships, they can engage on a larger, sustainable scale with policy formulation and advocacy. Cross-cutting potential allies are key federal and state ministries such as the Justice, Education, Health, Labour and Productivity, Planning Commission, and the Ministry of Women Affairs and Social Development. Others are legislators at the federal, state and local government levels.

Although civil society organisations have experienced relative freedom of assembly and association, in 2016 regulations pertaining to civil society registration and funding are trying to limit that space.

