

Draft Joint Report
Nigeria EU local Human Rights dialogue
Abuja, 03 February 2012

Nigeria and the EU organised their third session of the informal local human rights dialogue on the 3rd of February 2012, ahead of the EU-Nigeria Ministerial meeting (08 February 2012). Below is a joint report on the meeting.

1. The EU was represented by the EU Delegation in Abuja and Nigeria by the Ministry of Foreign Affairs and the National Human Rights Commission (NHRC).
2. The sides welcomed the third local human rights dialogue. They reaffirmed their commitment to continuing and enhancing the dialogue in the future. They underlined the added value the dialogue represents in achieving mutual understanding and in identifying common priorities for the EU-Nigeria cooperation.
3. The two sides discussed their cooperation in multilateral fora, including the UN Human Rights Council and the UN General Assembly. They reviewed the measures taken by the Nigerian authorities to follow-up on the UPR-2009 and prepare for the next review in 2013. The two sides exchanged over the possibility that Nigeria considers responding favorably to invitation requests from UN Special Mechanism, a matter about which the Nigerian side showed openness. The Nigerian side also reaffirmed its commitment to domesticate and implement all the international Conventions it has ratified, underlining however some of the difficulties laying ahead of it in so doing.
4. The two sides also discussed matters of mutual interest in the framework of the Africa-EU Partnership on Democratic Governance and Human Rights. The Nigerian side reaffirmed its interest in engaging further in this process.
5. The Nigerian side gave a presentation of the priorities of the Nigerian Human Rights Commission and of the latest developments in the implementation of the Human rights Commission Act and the Human Rights Action Plan. The NHRC informed the EU side on its plans to review the current Action Plan and adopt a new one for the period 2014-2018, which will integrate concerns on intolerance, racial discrimination and xenophobia.
6. The two sides discussed a number of topics of mutual interest concerning the human rights situation in the country. On **death penalty**, the EU side reaffirmed its position in favour of abolition. The Nigerian side took good note of the European position and underlined some of the challenges, including legal restrictions and cultural and religious beliefs, that first needed to be addressed before a consensus could be found on this matter. The Nigerian side reaffirmed however its commitment to maintain a de facto moratorium on executions. The Nigerian side underlined that its abstention on the 2010 UN resolution at the General Assembly on a moratorium on death penalty was a positive development. It said however it could not, at this stage, commit itself to supporting the 2012 resolution. The two sides agreed that **extra-judicial killings and torture** were amongst the greatest human rights challenges

in the country. The Nigerian side reaffirmed its commitment to taking every possible measure to tackle this problem. It shared the view that the reform of the justice and security sectors and *fight against impunity* were essential conditions to achieve this objective. The Nigerian side gave an update on the work of the National Committee on Torture. On *detention conditions*, the Nigerian side acknowledged prisons were overcrowded, thus affecting detention conditions. The Nigerian side highlighted that measures were being taken to decongest detention facilities, including by accelerating the judiciary process, while identifying alternatives to detention. The Nigerian welcomed the EU's readiness to assist in tackling these problems. The two sides shared the view that fight against *discrimination and violence against women* needed to be enhanced. The EU side noted the efforts already undertaken by the authorities in this regard and expressed its readiness to support these efforts. The EU side also invited its Nigerian counterparts to increase efforts towards the domestication, at federal and state levels, of the International Covenant on the Elimination of All Forms of Discrimination against Women (CEDAW). The two sides also discussed the efforts undertaken by the Nigerian authorities to improve *child rights*, including in the field of access to education and fight against violence. Responding to the EU's call to ratify the two optional protocols to the Convention on the Rights of the Child (CRC), the Nigerian side informed it had already ratified the one on the sale of Children, Child Prostitution and Child Pornography and that efforts were being made to ratify the one on children in armed conflicts. The two sides shared the view that freedom of expression, association and assembly were generally respected in Nigeria. The EU side took note of the relative positive attitude of the Nigerian authorities towards *civil society organisations, human rights defenders and journalists*, while noting that incidents may at times occur. The two sides underscored the importance of fully implementing the *Freedom of Information Act* as a way to foster transparency and reforms in public administrations. The Nigerian side underlined that *freedom of religion or belief* was guaranteed in law and in practice. Both sides agreed on the need to work on issues of intolerance as a way to foster peace, unity and harmony. The EU side raised concern about the criminalisation of *LGBT persons* and underlined that, like any other human beings, they must be able to enjoy the full range of human rights. The EU side clarified it was not its intention to promote same sex marriages. It nevertheless expressed concerns about the risks the current same sex marriage bill represents on fundamental freedoms, including freedom of expression, association, assembly and private life. The Nigerian side expressed its commitment to protect human rights of all persons, including LGBT persons, in so far as this does not go against cultural values and does not infringe upon the right of the larger society to be protected from what it regards as obscenity. Finally, the two sides shared the view that *rule of law* was essential in any democratic society. The EU side underlined the need to ensure that fight against terrorism and violence is done in a way that is respectful of international human rights standards. Both sides agreed on the need to work at all levels, local, regional and international, to fight impunity and promote fundamental rights.

7. To conclude, the two sides agreed to maintain their dialogue and to further enhance it, by holding another session before the end of the year 2012. The Nigerian side also agreed to maintain the practice of inviting, when relevant, *representatives from other line ministers and from the Human Rights Commission* to future dialogues.