**Preliminary findings and recommendations of the United Nations Independent Expert on the enjoyment of all human rights by older persons, Dr. Claudia Mahler, at the end of her official visit to Nigeria**

Abuja, 9 September 2022

Ladies and Gentlemen,

In my capacity as United Nations Independent Expert on the enjoyment of all human rights by older persons, I conclude today my official visit to Nigeria that took place from 29 August to 9 September 2022, at the invitation of the Government.

I would like to express my sincere appreciation and gratitude to the Government of Nigeria for inviting me on this visit to assess the level of enjoyment of all human rights by older persons pursuant to international human rights law and standards, and the existing needs and challenges experienced by this group

During the 12 days I was in the country, I visited Abuja, Lagos, Ibadan and Makurdi. I met with Government officials at Federal and State level, as well as their agencies working on issues related to older persons[[1]](#footnote-1)as well as, UN officials, representatives of care homes, homes for older persons, geriatric doctors and heads of hospitals, academics, civil society organizations and older persons from different communities and backgrounds.

I would like to particularly thank the Ministry of Foreign Affairs and the Federal Ministry of Humanitarian Affairs, Disaster Management and Social Development, the National Senior Citizens Centre, the National Human Rights Commission, the Coalition of Societies for the Rights and of Older Persons in Nigeria (COSROPIN), the United Nations Country Team in Nigeria as well as the UN Office of the High Commissioner for Human Rights in Geneva for their considerable efforts in organizing this visit as well as for all the tremendous support I enjoyed that has ensured the success of my mission.

Before I share my remarks, I would like to underline that these are only preliminary and non-exhaustive findings and that a more comprehensive report, presenting my analysis under applicable human rights law and a series of recommendations to the State and relevant stakeholders, will be presented to the Human Rights Council in September 2023.

**Context**

With its approx. 206 million people, Nigeria is a remarkably diverse nation in terms of its people, culture, religion, languages, and geography. In 2021, the World Bank estimated the number of older persons (65 and above) to about 5,8 million.[[2]](#footnote-2) While the majority of Nigerians are young people, the number of older persons in the country is constantly growing and is projected to reach 25.3 million in 2050.[[3]](#footnote-3)

Despite being the strongest economy in Africa, economic inequality has reached extreme levels in Nigeria. Four to 10 Nigerians lived below the national poverty line in 2019. With the COVID-19 crisis considerably impacting the economic situation and families, the situation might have worsened over the past two years. Nigeria's sustained high population growth rate, due to its high birth rate and lower death rate, will continue to imply change in the age structure of the society that may have severe impacts for the economy and further deepen the inequalities between Nigerians. I am fully aware that some of the inequalities persist due to several internal challenges, and this does not mean that the existing disparities in income and land distribution are acceptable. **I therefore must insist that more can and needs to be done to fight old age poverty.**

The rising insecurity due to the activities of Boko Haram in the Northeast region and the rising violence from Fulani herdsmen in the Middle Belt, coupled with armed robbery, kidnapping as well as political, religious and communal crises, also constitute considerable challenges for the Government.

Being mindful of these current challenges, I would like to congratulate the Federal Government for its political determination and vision on how to improve the lives of older persons in Nigeria and protect their human rights throughout the past years. This commitment is demonstrated into several efforts that I will highlight in my statement.

**International and regional commitments**

I welcome the Government’s commitment to support the establishment of an international Convention for the human rights of older persons. I am also pleased to know that Nigeria has signed the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Older Persons and assured me that the ratification is already in process. Furthermore, I am glad that Nigeria is strongly considering to be the next member of the African group at the bureau of the UN Open-Ended Working Group on Ageing (OEWG-A), which has a mandate to strengthen the human rights of older persons, including in preparing an international legally binding instrument. These are all encouraging developments at the international and regional level to further the human rights of older persons.

**Legal, policy and institutional framework**

Nigeria’s strong commitment to be a pioneer in the African region for the global protection of older persons’ rights is also reflected in its legal, policy and institutional frameworks. The Constitution of Nigeria, adopted in 1999 and amended several times since then, mentions social and economic rights for all, including those of older age. Indeed, it statutes on the responsibility of the State to provide adequate social services and an improved quality of life for older persons which are stipulated under section 16 (2)(d).

Furthermore, the main legal protection framework that is currently available remains under the National Senior Citizens Centre Act, which I welcome. The law provides for the establishment of an agency to further the human rights of older persons at federal level with the idea to develop similar centres in all 36 States.

I therefore welcome the establishment of the National Senior Citizens Center (NSCC), which started its work about a year ago, and which is currently the only distinct and first ever focal Federal Government Agency on ageing in Nigeria. The Centre’s mandate is principally to identify the needs of older persons and to cater for them in varied domains, including health, income security, training, education, capacity enhancement, counselling, sports, recreation, and development of data system on older persons. This will contribute to the realization of the dignity, security, independence, care and wellbeing of older persons. During my meetings with the NSCC, I was pleased to hear that a lot of different activities and innovative projects had been undertaken by the Centre, including partnerships with leading State agencies on primary health care, legal aid assistance, violence and abuse, and others. Furthermore, I welcome the establishment of desk officers acting as focal points on ageing within every Federal Ministry, to ensure that the needs and rights of older persons are mainstreamed in all branches of the Government.

I was reassured that the State offices of the NSCC will be soon set up in every State to guarantee equal implementation, as required by the Act. To facilitate their establishment, I also learnt that the NSCC created National Stakeholders consultative forums on Ageing in 36 States to date, with the aim to coordinate activities at state level and exchange progressive ideas on ageing and the rights of older persons. Such mechanisms also involve traditional leaders, essential actors in raising awareness about ageing issues. I had the pleasure to meet in persons the forums in Ibadan, Lagos and Makurdi and to connect with all of them online. **I welcome the creation of platforms that are much needed to further the rights of older persons at all levels of the State and the inclusion of civil society members in such platforms. I encourage the NSCC to strengthen the collaboration with already existing civil society networks, established in all States through grassroot organizations.**

I was also pleased to learn that a bill called “Older persons (Rights and Privileges)” was currently awaiting to be signed into law by President Buhari. When this bill is signed, it will offer the most comprehensive legal framework ever available for older persons in the country, addressing among others, the social and economic challenges triggered by ageing. However, I note that the bill defines older age starting from 65 years old. I also note that to enjoy all privileges and rights mentioned in the bill, a person must have in their possession a certificate stating their age, based on birth records. I was informed that the bill was currently under review to comply with Nigeria’s legal and policy frameworks to be the most comprehensive possible. **I therefore call on the Government to step up its effort to revise the bill to be aligned with the soon-to-be ratified African Protocol on Older Persons, as well as, to ensure that all older persons benefit from the advantages of the law, including older persons from conflict-affected regions in Nigeria who might have lost, or whose identification papers might have been destroyed. Once revised in compliance, I urge the President of Nigeria to sign this bill into law at the earliest.**

Another strong commitment from the Government to ensure better living for persons in older age is the elaboration and the adoption of a comprehensive National Policy on Ageing in 2021. This Policy was developed to address the special needs and harness opportunities of the increasing number of older persons in Nigeria. It covers intersecting spectrum of issues and opportunities for older persons living in urban and rural areas, older persons living with disabilities, older migrants, internally displaced older persons, poor older persons and older persons that remain active and continue to contribute to the progress of families, communities, and the larger society. **A dedicated policy on older persons is key to ensuring improved protection of their rights, and I call on all Government officials at all levels to deploy every effort possible to ensure that this policy is implemented.**

I was also pleased to learn that the Nigeria's National Development Plan for 2021 – 2025 mainstreams ageing issues and older persons’ needs throughout all sectors highlighted. This is commendable as it is the first time that ageing is taken into account in such plan.

I commend the Government for these progresses in the legal, policy and institutional framework to ensure the human rights of older persons, that demonstrate political will and commitment to advance older person’s well-being and situation. **I call upon it to pursue its efforts to ensure that such safeguards reach all parts of Nigeria and all older persons, indistinctive of their sex, gender, ethnicity, religion, disability, and their living and economic situations.**

Despite all these efforts, Nigeria continues to face several challenges to ensure the human rights of older persons, in different areas.

**Ageism and age discrimination**

Ageism and age discrimination remain widespread and structural in the Nigerian society. Through my discussions with older persons and stakeholders, the situation of older persons is largely ignored and overlooked, especially among young people but also in State and local Governments. In some discussions that I held, interlocutors often perpetuated negative stereotypes when discussing the role of older persons in the society, especially after they leave the labour force. Ageism is a concept that is often internalized, and age discrimination is often easily ignored and justified, which means it is seen as normal behaviour. To halt the spread of ageist stereotypes and misconceptions, awareness-raising campaigns are key to inform the population on the positive contributions of older persons to the society and on the fact that older persons are rights holders. I welcome the ongoing and planned campaigns of the NSCC to bring further light on the contribution of older persons to their society, including in providing micro-finance work schemes to revive ancestral and traditional skills known by older persons to produce crafts. They also created awareness-raising TV spots broadcasted primetime on national TV. The work of civil society organisations such as COSROPIN to combat ageist stereotypes is also considerable. I was informed that radio stations were created and run by older persons as well as other awareness-raising actions. Such positive initiatives will further highlight the need to respect older persons and their rights.

**Social protection and pensions**

Poverty in old age in Nigeria is often exacerbated due to the lack of appropriate social protection schemes, delaying the reception of benefits and pensions for retired older persons. Through my discussions with several interlocutors, I had the impression that once a person aged 60 and above retires, they become invisible to the system.

The Nigerian Government has obligations under international human rights, especially the International Covenant on Economic, Social and Cultural Rights which guarantees the right to social protection. The right to social security includes social insurance and pension schemes. I welcome the adoption of the revised National Social Protection Policy, which acknowledges the needs of older persons.

I was told Nigerian civil servants are entitled to a pension after their service at 60 years, which is the current retirement age. After the current pension system was implemented following the adoption of the 2014 National Pension Act, some pensioners are still entitled to retirement benefits under the old pension scheme. This is why, the Pension Transition Arrangement Directorate (PTAD) is handling and operating pension distribution for people under the former system. During my meeting with the PTAD and the National Salaries, Incomes and Wages Commission, I learned that in practice pensioners continue to wait for a very long time before they receive their benefits, sometimes years. I was also informed that older persons were known to queue for hours, even days to collect their allowances, some of them even died before receiving their pensions. There also seem to be an important difference in the management and distribution of pensions from one State to another and from one local government to another.

Persons working within the private sector have the possibility to contribute to their enterprise’s private pension scheme, if available. They usually materialise in the form of a lump sum for all employees retiring. Regarding older persons who worked in the informal sector and/or were self-employed, I learnt that the Federal government established a micro pension scheme, however the majority of informal workers are left behind, invisible to the system.

I was pleased to learn that the Government is currently working on a more inclusive and unified pension scheme for all people in Nigeria, which would give them access to a minimum allowance. The rights to social protection and social security are essential for the enjoyment of other human rights including the rights to food and adequate housing, without discrimination. Currently, we were informed that only 11 per cent of people aged 60 and above benefit from their pensions (source: ILO). **Therefore, I urge the Federal Government to step up its efforts to ensure the establishment of a strong, inclusive and steady social protection system, including the payment of pensions and allowances to all older persons entitled to them.**

**Access to health care services**

Specialised healthcare for older persons in Nigeria, in the form of geriatric care, remains scarce. When older persons are in need of healthcare, they are usually referred to the general hospital, which might not be accessible and properly equipped to provide appropriate healthcare to older patients. In Lagos, I was told older persons, including those without disabilities, may wait for hours before seeing a doctor and that they might face bureaucratic obstacles upon their arrival. I was also informed that most older persons have to pay for their medications, in contradiction to the established guidelines that it should be delivered for free to older persons. Such conditions generally discourage older persons from seeking appropriate health care. Due to the persistent stigma and discrimination against some older persons, based on their sexual orientation and gender identity, these older persons’ needs are not met, and medical treatments are often denied to them.

I welcome the inclusion of older persons from all backgrounds in the newly approved National Health Insurance Authority Act, which provide for full health coverage for all Nigerians. I am hopeful that when effectively implemented, such legal safeguards will improve considerably the lives of millions of older persons. A National Integrated Care for Older People (ICOPE) Strategic Plan was also designed in line with the Health Sector Strategic Plan 2020-2024 and the UN Sustainable Development Goals. **Age-friendly healthcare services are much needed in the current context, and I urge the Federal Government, along with all State and local governments to fully implement at the earliest, the modalities of this new law and the ICOPE Strategic Plan and ensure immediate access to all necessary health services for older persons living in Nigeria, including those in the most vulnerable situations.**

Several interlocutors also mentioned the lack of enough budget, the absence of trained nurses in geriatrics, as well as the absence of standardised curriculum for such trainings. The NSCC recently signed a memorandum of understanding (MoU) with the National Primary Health Care Development Agency (NPHCDA) to ensure integrated care for older persons, mainstreaming geriatric care and home care services into primary healthcare system. I welcome this initiative and encourage the training of primary health care workers to geriatrics. I was also pleased to learn that some civil society organizations and private individuals are also establishing private nursing schools specialised on ageing issues to mitigate the lack of human resources. **It is essential that such initiatives be developed equally within urban and rural areas to ensure access to such services by all older persons, including non-nationals living in Nigeria.**

In addition of capacity building, I was informed of the increase in resource development and institutionalization of geriatric care in several parts of Nigeria. Indeed, I had the opportunity to visit the Sir Kesington Adebutu Geriatric Rehabilitation Centre in Ibadan and to hear more about the Chief Tony Anenih Geriatric Centre at the University College Hospital.

**Care and support system**

Ageing in dignity, is a core value of traditional Nigerian families. Through these values, Nigerians have a “duty of care” for their older relatives and to provide for them in older age. However, due to several socio-economic factors such as economic insecurity, youth unemployment, and increased urbanisation, the Nigerian traditional family system is eroding.

From my meetings, most older persons remain in their families and communities and rely on them for support and care. However, some older persons are left behind, most of the time alone in their home without anyone to provide them with support and care. For those who do not benefit from any family nor community support, they may end up losing their assets and even, living in the streets.

To combat loneliness and social exclusion, day care centres and recreational centres for older persons have been established in several parts of Abuja, Ibadan and Lagos. I visited the Peaceful Streams Foundation in Ibadan, Oyo State that created the Bodija Elderly Support Initiative, a day care centre for older persons aged 65 and above where they can interact with their peers in a conducive and relaxed environment. I also visited the Amazing Grace Old Peoples Home in Kado Estate in Abuja, which welcome older persons for day care, as well as act as a residential home.

**I strongly encourage the creation of such day care and recreative centres for older persons, in most cities and villages, which should be provided with appropriate budget and in coordination with CSOs, faith-based organisations and other relevant stakeholders who are aware of the realities with older persons in their communities. This good practice also offers an alternative solution for older persons who would like to age in place with a regular medical health check-up.**

One of the solutions to the erosion of the traditional family system for some stakeholders is the creation of private and state-owned residential care homes acting like shelters for older persons. In my discussions with several stakeholders, I learned that there are different categories of older persons living in those homes: those in need of long-term care support, due to health issues and disabilities aggravated with older age, such dementia and Alzheimer’s disease; those who have been abandoned by their families, because they may not want or not have the means care for them due to the current economic situation; and those living in extreme poverty and homelessness.

During my stay in Lagos, I visited the Lagos State old people home in Yaba, which is a residential home supervised by the State of Lagos. Almost 50 per cent of the older residents were homeless and without family before coming to the home. I also visited the Grace Nursing Care Center in Kurudu, Abuja, which is a private-owned establishment, recently certified as hospital.

**Violence and abuse**

There are serious concerns about violence and abuse of older persons, which is viewed as a taboo by most of Nigerian society. Older persons may suffer from financial abuse, especially from their relatives. Property grabbing is also common, especially for older women living in rural areas due to the legislation discriminating them to inherit their family property when their husband dies. I was pleased to learn that the Supreme Court recently clarified the right for all women to inherit their parent’s properties, on an equal footing to men in the case Ukeje & Anor v. Ukeje. **The effect of this judgment will be essential for older women and widowers, and I urge the Federal Government to ensure its implementation at all levels.**

Older persons may also experience physical abuse, often from caregivers who might not be trained to attend their specific needs. Violence against older persons remains underreported, often dismissed as family or domestic issue that should be resolved at home. While the Violence Against Persons Act remains the main law in place to date to prevent and criminalise violence against older persons, I was surprised to learn that no distinct budget was allocated under this Act to effectively be implemented. **I urge the Federal Government to ensure that such funds be directed to prevent persons of all ages in Nigeria against all forms of violence.**

Older persons with cognitive impairments, especially dementia or Alzheimer’s disease, may also suffer from extreme acts of violence, when they are seen in communities as “wizards” and “witches”. Such witchcraft accusations result in harmful practices, including stoning and beating of older persons, sometimes leading to death. Older women are disproportionally affected by such harmful practices and gender-based violence, rooted in ageist, ableist and sexist stereotypes.

Several branches of the Government, including the Ministry of Women’s Affairs and the National Orientation Agency also regularly collaborate with faith-based organisations and traditional leaders, who have influence in their communities to raise awareness against harmful practices targeting older persons. Several civil society representatives also mentioned their work in awareness raising at grassroot level, through campaigns, led often by older persons themselves. **While commending such initiatives, I recommend all stakeholders working on ageing issues to further their cooperation and discuss alternative, culturally acceptable, non-violent ways to effectively address situations of witchcraft accusations and other related harmful practices.**

To respond to violence against older persons, I was pleased to learn that the NSCC launched a toll-free line to report abuse and violence against older persons, in partnership with the National Agency for the Prohibition of Trafficking. There is currently no specific legal framework tackling all forms of violence and abuse against older persons, unless the pending bill on the rights and privileges of older persons. **I reiterate my call for its adoption and fast implementation in this regard.**

**Data**

I was informed that one of the recurring requests in my meetings was the request for specific data about older persons in Nigeria to help stakeholders in their programming of activities. In 2019, the National Bureau of Statistics published some data about older persons, and I was also informed that the NSCC along with the National Population Commission is currently working on gathering data about older persons to be presented in a database. **It is essential that data be regularly published and be made publicly available to reflect the current situation of older persons and effectively address their issues through programming.**

I was pleased to learn that the National Population Commission is currently working in partnership with UNFPA to undertake a new census in 2023. Such exercise will bring accurate and clear data that will be very helpful for all stakeholders working on ageing issues. **Data should be disaggregated by age group within the population of 60 and above, to inform the needs of each age category. It should also integrate disaggregation of data by sex and disability.**

**Housing and living conditions**

During my official visit, I also paid attention to housing conditions of older persons in Nigeria. Due to the ongoing housing crisis, I was informed that more than 30 per cent of Nigerians face serious housing issues and that close to 80 per cent of them live in non-conventional housing. Overcrowding in urban areas remains a serious challenge: 30 per cent Nigerians do not have access to safe drinking water and almost 40 per cent of the population have no access to improved sanitation facilities. International standards recognise that the right to adequate housing is not only seen as having a roof over one’s head but as the right to live somewhere in security, peace and dignity.

I had the opportunity to visit the indigenous community of Mabushi, one of the oldest villages within Abuja. Over the past decades, highways were built all around the village, resulting in the deforestation of the surrounding forests which was the main source of income for the inhabitants. I was also informed that the village was then later fenced to prevent expansion. Older persons in the community informed me that access to safe drinking water remains the major issue in the village as most of them cannot afford it. Most residents have systems to gather rainwater that they then consume for their daily use (drinking, cooking, washing). The sewage evacuation system in the village being very precarious, most of the habitations constituting of a room shared by more than 10 people, are flooded during heavy rain episodes. The houses where older persons lived had open fires for cooking and heating, affecting the quality of air for the residents to breathe. None of the housing I visited where adapted to accommodate the needs of older persons, especially those with physical and mobility disabilities.

**I urge the Federal Government to provide appropriate housing and living conditions for the Mabushi communities, including older people, that are up to the international standards developed by human rights mechanisms, including from my mandate in my** [**2022 report to the General Assembly**](https://www.ohchr.org/en/documents/thematic-reports/a77239-older-persons-and-right-adequate-housing-note-secretary-general) **and from the Special Rapporteur on the right to adequate housing, after her visit to Nigeria in 2019. Under international human rights law, States are obliged to spend the maximum of available resources toward the progressive realization of economic, social and cultural rights including the right to housing. This is not an exception for older persons.**

During my visit to Benue State, I focused my attention on older persons affected by the ongoing crisis between Muslim Fulani herdsmen and mostly Christian non-Fulani farmers, resulting in violent attacks and killings. Out of this crisis, more than 2 million people have been internally displaced in Benue State over the past five years and currently live in 28 official and informal camps around Makurdi. The experiences of older persons in the face of these security concerns, however, remain largely invisible and underreported.

I visited the IDP camp of ABEGANA where several older persons shared with me their stories and provided me with information about their living conditions in the camp. One of them told me that she was sharing a small space with more than 17 other relatives, including infants and children. Another one informed me that due to the heavy rains of the month, all mattresses on the floor had gotten wet during the night, freezing her to the bones and attracting thousands of mosquitoes in the high peak season of malaria. Older persons living in this camp are a relatively small proportion (410 out of 8,000 IDPs) but they all suffer from the same crisis: the lack of food. Other older persons, who were farmers, also reported that since they have been displaced, they could not perform any activities and remained in the camp without any way to fight loneliness and alleviate them from their current hardships. **While I would like to acknowledge the inexhaustible efforts provided by SEMA and the Benue State Government to provide for the population living in the IDP camps, I call on them to pay further attention to the special needs of older persons, especially in integrating the guidance contained in the 2021 National Policy on Ageing into their humanitarian responses.**

I was informed that due to the ongoing violent attacks, older persons and their families are not able to return to their lands. **Therefore, alternative solutions to the camps should be explored to ensure the resettlement of these people in the host communities and provide them with shelter and land, to afford their living. I further call on the Federal Government to assist the State Government of Benue, in partnership with all relevant stakeholders defending the rights of the displaced, to deploy every effort in addressing the situation of older IDPs, which remain under their responsibilities.**

**Concluding remarks**

As I have mentioned at the beginning of my statement, my remarks today are of a preliminary nature and do certainly not cover all issues in a comprehensive manner. I will further analyse the information received in connection with my visit and elaborate on my findings in my report to the Human Rights Council presented in September 2023.

**To conclude, I urge the Federal Government to deliver on its promises. All the progress undertaken on legal and policy level must translate into concrete and effective implementation at grassroot level.**

**I would like to reaffirm my commitment to continue the dialogue with the Government of Nigeria and that I look forward to working with the Government in a spirit of cooperation on ensuring that all older persons can fully enjoy their human rights.**

Thank you for your attention.

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1. Federal Minister of Humanitarian Affairs, Disaster Management and Social Development, Federal Minister of Women’s Affairs, Minister of State on Health, representatives from the Ministry of Foreign Affairs, the Federal Ministry of Finance, Budget and Planning, the Ministry of Communication and Digital Economy, Federal Ministry of Women’s Affairs, Federal Ministry on Health, the National Senior Citizens Centre, the Pension Transitional Arrangement Directorate, National Union of Pensioners, the Legal Aid council, National Agency for the Prohibition of Trafficking in Persons, the National Orientation Agency, the National Salaries, Incomes and Wages Commission, the National Primary Health Care Development Agency, National Emergency Management Agency, National Commission for Refugees, Migrants and Internally Displaced Persons, National Commission for Persons with Disabilities, the National Human Rights Commission, and the focal points on ageing in all ministries, departments and agencies at the Federal level. I also held meetings with authorities at the State level, including the Acting Governor of Ibadan, the Permanent Secretary for Women’s Affairs and Social Inclusion of Oyo State, the Permanent Secretary of Lagos State on SDGs, Benue State Emergency Management Agency, Nigeria Union of Pensioners. [↑](#footnote-ref-1)
2. See <https://data.worldbank.org/indicator/SP.POP.65UP.TO?locations=NG> [↑](#footnote-ref-2)
3. See at: <https://www.aasciences.africa/news/addressing-long-term-care-nigerias-aging-population#:~:text=About%205%25%20of%20the%20200,health%20and%20social%20support%20needs> [↑](#footnote-ref-3)