**ADVANCING RACIAL JUSTICE AND EQUALITY IN NIGERIA: SUBMISSION TO THE 2024 REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS PURSUANT TO HUMAN RIGHTS COUNCIL RESOLUTION 47/21**

**INTRODUCTION**

Overview of the National Human Rights Commission of Nigeria

The National Human Rights Commission of Nigeria (NHRC) is a pivotal institution in the vanguard of human rights promotion, protection, and enforcement within the Nigerian polity. Established by the National Human Rights Commission (NHRC) Act 1995, as amended, its mandate is expansive and critical, encompassing the safeguarding of human rights as enshrined in the Nigerian Constitution, the African Charter on Human and Peoples' Rights, and other international treaties to which Nigeria is a party.

At its core, the NHRC is driven by a profound commitment to dismantle all forms of discrimination and uphold the principles of equality, justice, and dignity for all individuals, with a keen focus on combating racial injustices and promoting equality. The Commission operates as an autonomous body, ensuring impartiality and adherence to international human rights standards. Its functions range from investigating allegations of human rights violations, providing recommendations and legal remedies, to engaging in human rights education and advocacy aimed at fostering a culture of respect and understanding across the diverse tapestry of Nigerian society.

With racial justice and equality at the forefront of its agenda, the NHRC actively works to address systemic racism, discrimination, and other practices that undermine the fundamental human rights of Africans and people of African descent. This includes efforts to illuminate and tackle the deep-seated prejudices and structural barriers that perpetuate inequality, ensuring that policies, laws, and practices are aligned with the goal of promoting inclusivity and equal opportunity for all, irrespective of race, ethnicity, or social background.

Objective of the Submission

The National Human Rights Commission of Nigeria approaches the United Nations High Commissioner for Human Rights’ call for inputs with a dual purpose. Firstly, to delineate the comprehensive measures Nigeria has adopted in its quest to combat racial discrimination and foster an environment of racial justice and equality. This encompasses detailing the legislative frameworks, policies, and actionable strategies implemented to confront and eradicate racial disparities within its borders.

Secondly, the NHRC aims to contribute to the global discourse on racial justice by sharing Nigeria’s unique experiences, challenges, and achievements in this arena. By offering insights into the successes and lessons learned through Nigeria's journey, the Commission seeks to aid in shaping a more inclusive and equitable global society, one where the dignity and rights of Africans and people of African descent are universally acknowledged and respected.

Through this submission, the National Human Rights Commission of Nigeria (NHRC) unequivocally reaffirms its steadfast commitment to the global crusade against racial discrimination. This pledge is not merely a statement of intent but a reflection of our ongoing efforts and actions to foster an environment where human rights are universally respected and protected. Our dedication extends beyond our national borders, aligning with international efforts to eradicate prejudices and disparities that affect individuals based on their race, thereby contributing to the broader discourse on human rights protection.

In advocating for the protection of human rights, the NHRC positions itself as a proactive entity, challenging the structures and ideologies that perpetuate racial injustice and inequality. We aim to be at the forefront of initiating and implementing strategies that not only address the symptoms of racial discrimination but also tackle its root causes, including historical injustices and systemic barriers. Our approach is holistic, encompassing education, legal reform, and policy advocacy, to ensure that the principles of equality and justice are ingrained in all aspects of society.

Furthermore, this submission serves as an affirmation of our commitment to advancing the cause of equality and justice for every individual. We believe that the fight against racial discrimination is intrinsically linked to the broader struggle for human rights. As such, our endeavours are guided by the conviction that true progress can only be achieved when every person, regardless of their racial or ethnic background, is afforded equal opportunities to thrive and contribute to the development of society.

**INTERSECTIONAL DISCRIMINATION ANALYSIS**

In Nigeria, as in many parts of the world, the African and Afro-descendant communities face multifaceted and intersecting forms of discrimination. These complexities are compounded by various factors including sex, gender, age, disability, and socioeconomic status, creating layers of disadvantage that hinder the full realization of human rights for affected individuals. This section provides a detailed examination of these intersecting forms of discrimination, drawing attention to the nuanced ways in which they manifest within Nigerian society.

**Gender and Sex-Based Discrimination**

Women and girls of African descent in Nigeria often encounter a dual burden of discrimination rooted in both their race and gender. This intersectionality exposes them to higher risks of violence, limited access to education and healthcare, and barriers in the workplace. For example, Afro-Nigerian women in rural areas face significant challenges in accessing reproductive health services, contributing to higher maternal mortality rates compared to their urban counterparts. Additionally, societal norms and stereotypes further exacerbate gender inequalities, limiting women's participation in public life and decision-making processes.

**Age Discrimination**

Age intersects with racial discrimination to uniquely affect both the young and the elderly within Afro-descendant communities. Young people often face stereotypes that link them to criminality or deviant behavior, leading to disproportionate scrutiny and action by law enforcement agencies. Conversely, the elderly may encounter neglect in policy-making, particularly in areas of healthcare and social support, reflecting a broader societal undervaluation of their contributions and rights.

**Discrimination Based on Disability**

Individuals with disabilities within the African and Afro-descendant populations face compounded stigma and barriers. The intersection of racial and disability discrimination manifests in limited access to inclusive education, employment opportunities, and public services. Cultural misconceptions and lack of awareness exacerbate social exclusion, often leaving persons with disabilities marginalized from community support structures and vulnerable to abuse and exploitation.

**Socioeconomic Status**

Socioeconomic status plays a critical role in the experience of discrimination, with poverty intersecting with race to deepen inequalities. Afro-descendant communities in Nigeria disproportionately experience poverty, affecting their access to quality education, housing, and employment. The cycle of poverty and discrimination reinforces structural barriers, limiting social mobility and perpetuating a legacy of inequality.

**ROOT CAUSES AND DRIVERS OF DISCRIMINATION**

**Historical Context**

The roots of racism and discrimination in Nigeria can be traced back to historical events that have shaped the socio-political landscape of the country. The legacy of colonialism, for instance, established a hierarchy based on race and ethnicity, embedding deep-seated racial prejudices into the fabric of Nigerian society. This period also saw the imposition of arbitrary boundaries and the creation of a centralized governance structure that marginalized certain ethnic groups, laying the groundwork for ongoing ethnic tensions and disparities.

Following independence, these historical injustices were perpetuated and, in some cases, exacerbated by post-colonial policies and practices. The struggle for power and resources often took on ethnic and racial dimensions, leading to cycles of violence, discrimination, and marginalization.

**Institutional Racism**

Institutional racism in Nigeria manifests in various forms across public and private sectors, including in the areas of law enforcement, education, employment, and healthcare. Discriminatory laws and policies, whether explicit or implicit, create barriers for individuals of certain racial or ethnic backgrounds, limiting their access to opportunities and resources.

For example, within the criminal justice system, biases against Afro-descendant populations can result in disproportionate rates of arrest, incarceration, and violence. Similarly, educational and employment opportunities are often influenced by ethnic affiliations and nepotism, reinforcing socio-economic disparities and hindering social mobility for marginalized groups.

**Structural Inequalities**

Structural inequalities, deeply ingrained in Nigeria's socio-economic systems, further perpetuate racial and ethnic discrimination. These inequalities are evident in the distribution of wealth, access to quality education, healthcare, and housing, and representation in political and decision-making bodies.

Socio-economic disparities between different regions and ethnic groups in Nigeria are significant, with certain areas experiencing higher levels of poverty, underdevelopment, and lack of basic services. These disparities are not only a consequence of historical and institutional racism but also serve to perpetuate a cycle of discrimination and marginalization.

**Cultural Stereotypes and Prejudices**

Cultural stereotypes and prejudices play a significant role in sustaining racial and ethnic discrimination in Nigeria. Stereotypical representations and generalizations about certain groups contribute to social stigma and discrimination, affecting individuals' self-esteem, social relations, and opportunities. Media portrayals and societal attitudes often reinforce negative stereotypes, further entrenching discrimination and hindering efforts towards inclusivity and equality.

**ACTIONS AND POLICIES FOR RACIAL JUSTICE AND EQUALITY**

In response to the complex challenges of racial discrimination, Nigeria has embarked on a series of legislative, policy, and programmatic measures aimed at fostering racial justice and equality. These initiatives span various key sectors, including health, education, employment, law enforcement, and the criminal justice system, reflecting a holistic approach to combating racial discrimination and advancing equality.

**Legislative Frameworks**

***The Nigerian Constitution*:** The cornerstone of Nigeria’s commitment to racial equality and justice, the Constitution provides for the prohibition of discrimination on the grounds of ethnicity, place of origin, sex, religion, or political affiliation. This foundational legal framework sets the stage for more specific laws and policies addressing racial discrimination.

***The National Human Rights Commission Act*:** This Act establishes the NHRC with a mandate to deal with all matters relating to the promotion and protection of human rights, including racial discrimination. The NHRC Act empowers the Commission to investigate allegations of human rights violations and seek legal redress for victims.

* **Examples:** the Commission had collaborated with a number of Organisations on programs against discrimination including its collaboration with Pillars of Hope Initiative (POHAI). Where a drama series condemning the Osu discriminatory Caste System was created and aired on a national television.
* The Commission also actively engages in sensitization and education programmers through, school visits, road walks, radio and television programs and meetings with stakeholders. The Commission also organized public hearings across the country to address issues of Sexual and Gender Based Violence (SGBV), widowhood and other discriminatory practices.

Policy Initiatives

***The National Action Plan for the Promotion and Protection of Human Rights*:** This comprehensive policy document outlines Nigeria’s strategy for enhancing human rights, including measures to combat racial and ethnic discrimination. It emphasizes the importance of education, awareness-raising, and the promotion of diversity and inclusion.

***The Anti-Torture Act (2017)*:** This Act explicitly prohibits torture and other cruel, inhuman, or degrading treatment or punishment, often deployed in racially motivated incidents. It provides a legal basis for the protection of individuals, including those of African descent, from acts of violence and discrimination by state actors, emphasizing accountability and the importance of human dignity.

***The Administration of Criminal Justice Act (2015)*:** Aimed at improving the efficiency of the criminal justice system, this Act includes provisions that seek to eliminate discriminatory practices in arrest, detention, and prosecution. It ensures that all individuals, regardless of their racial or ethnic background, are treated equitably within the criminal justice process.

***The Federal Character Commission (Establishment, etc.) Act (1996)*:** This Act establishes the Federal Character Commission, tasked with ensuring fair and equitable distribution of posts in the public service, as well as socio-economic amenities among the various federating units of the Federal Republic of Nigeria. While not directly addressing racial discrimination, it aims to promote national unity and foster a sense of belonging among all Nigerians, including minority groups, by preventing ethnic or regional domination.

***The Violence Against Persons (Prohibition) Act (2015)*:** This Act provides a legal framework for the prevention of all forms of violence against vulnerable populations, including racial or ethnic minorities. By addressing issues of violence that may have racial or ethnic undertones, it contributes to the broader efforts to protect human rights and ensure justice for all citizens.

***The HIV/AID (Anti-discrimination) Act 2004:*** prohibits the discrimination of employees on the basis of HIV/AIDS or related illness

**Reinforcement through International Commitments**

Additionally, Nigeria has ratified several international treaties and conventions that bolster its legal framework against racial discrimination, including:

* **The Universal Declaration of Human Rights (UDHR) and The International Covenant on Civil and Political Rights (ICCPR):**
* **The Convention on the Elimination of All Forms of Racial Discrimination Against Women (CEDAW), the International Convention on the Elimination of all Forms of Racial Discrimination, (ICERD), the International Convention of all Forms of Racial Discrimination, the International Covenant of Economic, Social and Cultural Rights (ICESCR) and the African Charter on Human and Peoples Rights (ACHPR)** By ratifying this convention, Nigeria commits to eliminating racial discrimination and promoting understanding among all races.

**Anti-Discrimination Policies:** Various sectors have adopted specific policies aimed at reducing discrimination and promoting equality. For example, the Ministry of Education has implemented policies to ensure equal access to education for all children, regardless of their ethnic background, promoting multicultural education and sensitivity.

Programmatic Measures

**Health Sector Initiatives:** Recognizing the disparities in health outcomes among different racial and ethnic groups, Nigeria has launched health programs aimed at improving access to quality healthcare for marginalized communities. This includes initiatives to reduce maternal and child mortality rates in rural and underserved areas, as well as campaigns to increase awareness and prevention of diseases disproportionately affecting Afro-descendant populations.

**Education and Awareness Campaigns:** The government, in collaboration with civil society organizations, has initiated a series of educational programs and campaigns designed to combat stereotypes, prejudices, and racial discrimination. These efforts aim to foster a culture of tolerance, respect for diversity, and understanding among Nigeria’s diverse population.

**Employment and Economic Empowerment Programs:** To address the socio-economic dimensions of racial discrimination, the government has introduced affirmative action programs and policies designed to ensure equitable employment opportunities and promote economic empowerment among historically marginalized groups.

**Reform in Law Enforcement and the Criminal Justice System:** Significant efforts have been made to reform practices and policies in law enforcement and the criminal justice system to address racial biases and prevent discrimination. This includes training programs for law enforcement personnel on mainstreaming human rights and non-discriminatory practices into their operations, as well as legal reforms to ensure fair treatment and justice for all citizens.

**PARTICIPATION AND ACCOUNTABILITY MEASURES**

**Enhancing Participation in Public Affairs**

In Nigeria, the active involvement of Africans and people of African descent in public affairs and decision-making processes is fundamental to achieving racial justice and equality. Recognizing this, various initiatives and measures have been put in place to ensure their meaningful participation:

***Federal Character Principle***

One of the cornerstone policies aimed at ensuring diversity and inclusivity in governance and public service is the **Federal Character Principle**, enshrined in the Nigerian Constitution. This principle mandates that governmental appointments and the provision of services reflect the diversity of the Nigerian populace, ensuring that no ethnic group or region is disproportionately represented or marginalized.

* **Implementation:** The Federal Character Commission (FCC) oversees the implementation of this principle, monitoring and ensuring compliance across all levels of government. For example, in the composition of the federal cabinet, state representation is considered to ensure a balanced distribution of ministerial positions across the country.

***National Youth Service Corps (NYSC)***

The NYSC program is an initiative designed to promote national unity and foster inter-ethnic understanding among young Nigerians. Through this program, graduates are deployed to states other than their states of origin, where they contribute to community development and learn about cultures different from their own.

* **Impact:** This has significantly helped in breaking down ethnic prejudices and promoting a sense of national identity among participants, serving as a practical approach to inclusive governance by fostering understanding and collaboration among Nigeria's diverse ethnic groups.

***Inclusive Electoral Practices***

Efforts to ensure inclusivity in Nigeria's electoral process have been evident in the continuous reforms undertaken by the Independent National Electoral Commission (INEC). These reforms aim to enhance the participation of all segments of society, including marginalized and minority groups, in the electoral process.

* **Specific Measures:** INEC has introduced measures such as the use of biometric voter registration to minimize disenfranchisement, special accommodations for persons with disabilities at polling units, and the promotion of female and youth candidacy through advocacy and sensitization campaigns.

***Engaging Traditional and Community Leaders***

Recognizing the influence of traditional and community leaders in Nigeria’s socio-political landscape, the government has increasingly engaged these leaders in governance and decision-making processes. This engagement ensures that the voices of grassroots communities are heard and considered in policy formulation and implementation.

* **Examples:** Initiatives such as community town hall meetings, inclusion of traditional leaders in advisory capacities, and consultations on matters affecting local communities exemplify this approach. For instance, the National Council of Traditional Rulers of Nigeria (NCTRN) plays a significant role in peacebuilding, conflict resolution, and fostering national unity.

**Measures for Accountability and Redress**

Addressing the legacies of enslavement and colonialism and ensuring accountability for racial discrimination are crucial components of Nigeria’s commitment to racial justice and equality:

* **Truth and Reconciliation Commissions:** Inspired by models from other countries, Nigeria has explored the establishment of commissions to address historical injustices, including those stemming from enslavement and colonialism. These commissions aim to uncover the truth about past abuses, provide a platform for the voices of victims, and recommend measures for redress and reconciliation.
* **Legal and Institutional Reforms:** To ensure accountability for acts of racial discrimination, Nigeria has undertaken significant legal and institutional reforms. This includes strengthening the judicial system to effectively prosecute cases of racial discrimination and human rights abuses, ensuring that victims have access to justice and perpetrators are held accountable.
* **Reparations and Memorialization Efforts:** Recognizing the need for healing and restitution, the government, in collaboration with civil society and affected communities, has initiated discussions on reparations for historical injustices. This includes efforts to memorialize the struggles and contributions of Africans and people of African descent, fostering a collective memory and understanding of the past as a foundation for future reconciliation and healing.
* **Policy Reviews and Recommendations:** Regular reviews of policies and practices that may perpetuate racial disparities are conducted, with recommendations for reforms that promote racial equality and justice. These reviews are aimed at identifying and dismantling systemic barriers to participation and equality for Africans and people of African descent.

Furthermore, Nigeria has actively participated in the adoption of the Global Compact for Migration and is in the process of implementing the document with regard to the treatment and protection of Human Rights of Migrants. She is also in the process of revieving the migration policy to ensure all the objectives of the Global Compact for migration are implemented which is aimed at considering the rights of foreigners in Nigeria with an aim to bring it in conformity with human rights tenents.

**CONCLUSION**

This submission to the United Nations High Commissioner for Human Rights, prepared by the National Human Rights Commission of Nigeria (NHRC), has outlined Nigeria's comprehensive approach to addressing racial justice and equality. Through an in-depth exploration of intersectional discrimination, the root causes and drivers of racial disparities, and the legislative, policy, and programmatic measures undertaken, we have demonstrated Nigeria's steadfast commitment to overcoming the challenges of racial discrimination and fostering an inclusive society.

The National Human Rights Commission of Nigeria reaffirms its unwavering dedication to advancing racial justice and equality. As we continue to confront the challenges and embrace the opportunities ahead, our commitment to promoting human rights, dignity, and equality for all Nigerians remains resolute. Through collaboration with local, regional, and international partners, we are determined to forge a path toward a more just, equitable, and inclusive society, where the rights and freedoms of every individual are protected and celebrated.