



## DAVE OMOKARO FOUNDATION NIGERIA

### SUBMISSION ON SOCIAL PROTECTION AND SOCIAL SECURITY (Including Social Protection Floors)

Social Protection, including non-contributory and contributory old-age benefits are fundamental Human Rights of all Nigerians as enshrined in the Nigerian Constitution. There are constitutional and executive foundations for execution. **However, to date no specific legal framework that strengthens the rights of older persons to inclusion to universal pensions or inclusion in the national social investment programs on the basis of age.**

#### National legal framework

##### 1a. Constitutional

- The constitution of Nigeria: Section 16 of the 1999 Constitution, which provides that the state shall direct its policy towards ensuring “that ... old age care and pensions, and unemployment, sick benefits and welfare of the disabled are provided for all citizens”.

##### 1b. Legislative

###### Contributory Pension

- Contributory Pension Reform Act 2014 (PRA) establishes contributory pension scheme whereby employer and employees contribute minimum percentages of the employee’s salary to the scheme every month.

- **Non Contributory Pension**

###### No legal framework that specifically protect older persons

- Due to none existence of legal framework that compels inclusion, older persons are often excluded in intervention programmes stereotypes and discrimination,.

##### 1c. Executive

- National Social Protection Policy 2017
- Policy Measure 12: Contributory pensions available to all citizens 60years and above
- Policy Measure 14: Provide non-contributory pension among citizen above 60 years of age

#### Availability- Implementation Gaps

- Availability at National and sub-National levels
- Policy is implemented based on the prioritization of intended beneficiaries in the short term and progressively in the long run to accomplish the principle of universality.

#### 2. Question:

What steps have been taken to guarantee universal coverage, ensuring that every older person has access to social security and social protection schemes including non-contributory, contributory and survivor old-age persons, to ensure an adequate, standard of living in older age?

#### Answer:

- i. Data collection and disaggregation.
- ii. Review of the National Pension Act 2017 to include the private sector.
- iii. Provision of the Micro-pension plan to encourage the informal sector to contribute to a pension scheme.
- iv. Sub-national non-contributory pension Schemes to cover vulnerable older persons.
- v. Advocacy and capacity building

#### 3. Question:

What steps have been taken to ensure that every older person has access to social security and social protection schemes which guarantee them access to adequate and affordable health care and support services for independent living to older age?

#### Answer:

- i. Review of the National Pension Act 2017 to include the private sector.
- ii. Provision of the Micro-pension plan to encourage the informal sector to contribute to a pension scheme.
- iii. Sub-national non-contributory pension Schemes to cover vulnerable older persons.
- iv. Advocacy and capacity building/CSO and NGO engagement.
- v. Extension of the social security scheme to communities.

**However, there are implementation gaps**

- States have the flexibility to give priority to one or other interventions, not all of the intervention need to be addressed at the same time. States can implement additional measures and they desire normative/policy gaps; only Ekiti State of the Federation provides unconditional cash transfer to older persons on a sustainable basis
- To guarantee universal coverage, ensuring that every older person has access to social security and social protection schemes including non-contributory, contributory and survivor old-age pensions, to ensure an adequate, standard of living in older age

**Coalition of Societies for the Rights of Older Persons engage in**

- Advocacy and awareness creation
- Capacity building
- Research and data disaggregation
- The advocacy at national and sub-national level
- Sponsorship of bills to establish national social security and welfare board
- Influencing political support for the UN convention for the right of older persons

**Adequacy**

4. What steps have been taken to ensure the levels of social security and social protection payments are adequate for older persons to have access to an adequate standard of living, including adequate access to health care and social assistance?

**Answer:**

- Advocacy for universal coverage and inclusion in national social investment program and for legal frameworks that specifically protect the rights of older persons including a new UN convention on the rights of older persons

**Accessibility**

5. What steps have been taken to ensure older persons have adequate and accessible information on available social security and social protection schemes and how to claim their entitlements?

**Answers:**

- Awareness creation, mobilization and training of older activist to enhance advocacy skills
6. The design and implementation of normative and political framework related to social security and social protection benefits included an effective and meaningful participation of older persons?

**Equality and non-discrimination**

7. Which are the measures adopted to ensure equitable access by older persons to social security and social protection, paying special attention to groups in vulnerable situation?

**Answer**

- Campaigns against ageism
- Sponsorship of bills on social protection and inclusion

**Accountability**

8. What mechanisms are in place to ensure social security and social protection schemes are effective and accountable?

**Answer:**

- Effective coordination, participation of non-governmental organizations and human rights commission
9. What judicial and non-judicial mechanisms are in place for older persons to complain and seek redress for denial of their right to social security and social protection?

**Answer:**

- No legal framework on social protection that aligns state obligation and prohibitions

