

## **RESPONSES TO CALL FOR INPUT FOR THE 12<sup>TH</sup> SESSION OF THE UN OPEN-ENDED WORKING GROUP ON AGEING.**

### **Focus Area 1: Contribution of older persons to sustainable development.**

1. Nigeria has no specific definition as regards human rights of older person's participation and contribution to sustainable development. However, the Constitution of the Federal Republic of Nigeria 1999 as amended provides protections for all persons irrespective of age. This is to ensure that people of all ages including older persons enjoy their fundamental human rights as well as given equal opportunity to participate and make contributions in line with the 2030 Agenda of 'leave no one behind'. Therefore, such rights can be defined as the ability to create an age friendly society that promotes the enjoyment human rights of older persons and prohibits any form of discriminations. Promotes social inclusion of older persons, in terms of equality, security, independent that guarantees self fulfilment and dignified life.

2. Apart from the Constitution of the Federal Republic of Nigeria 1999 as amended which provides protections for the enjoyment of human rights of all persons, Nigeria also has signed, ratified and adheres to regional and international human rights treaties aimed at promoting the rights of older persons and their inclusion in the development agendas at all levels.

Nigeria equally has developed and adopted a number of policies and programs geared towards promoting the overall wellbeing of older persons, promote social inclusion and prohibits any form of discrimination against older persons. Some of these policies includes the National Policy on Ageing, National Human Rights Commission Act, 2010 as amended, National Senior Citizens Centre Act, 2017, The National Social Protection Policy, 2017 etc.

3. Government should ensure proper implementation of all the Conventions to which Nigeria is signatory to as well as existing national policies that promotes the rights of older persons' contribution to sustainable development. Ensure that older persons who are victims of human rights violations receives justices and offenders are punished accordingly.

4. Nigerian government has demonstrated good practices in advancing the progressive realization of the needs of older persons from the responses on questions 2&3 above. Nevertheless, government at all levels should do more especially in monitoring the level of compliance of the existing policies, ensure periodic reporting of the situation of older persons in Nigeria. The reports can be used as a guide for future planning in terms of development of policies and programs for older persons. Engage with relevant stakeholders to raise awareness to the society on the need to promote and protect human rights of older persons. Provide mechanisms or channels for effective reporting of human rights violations as well as effective remedies for victims.

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### **Focus Area 2: Economic Security**

1. Nigeria has no specific definition as regards right of older persons to economic security. Although these rights are provided for in the Constitution of the Federal Republic of Nigeria 1999 (as amended), section 17(3), (a) provides that the Government shall direct its policy towards ensuring that all citizens without discrimination on any group (including the older persons) have the opportunity for securing adequate means of livelihood. Also, Article 15 of the African Charter on Human and Peoples' Rights recognizes the right to work and stipulates that every individual shall have the right to work under equitable and satisfactory condition. Protocol to the African Charter on Human and Peoples' Rights on the rights of Older Persons in Africa, Article 7 (1) state parties shall develop policies and legislation that ensure that older persons who retire from their employment are provided with adequate pensions and other forms of social security. Therefore such rights can be defined as basic rights that must be enjoyed by all persons including older persons to promote the overall wellbeing, self-fulfillment and dignified life.
2. Apart from the Constitution of the Federal Republic of Nigeria 1999 as amended which provides protections for the enjoyment of human

rights of all persons, Nigeria also has signed, ratified and adheres to regional and international human rights treaties aimed at promoting the fundamental rights older persons with special regards to their Economic Security. Nigeria equally has developed and adopted a number of policies geared towards promoting the overall wellbeing of older persons, promote social inclusion and prohibits any form of discrimination against older persons that will hinder their rights to economic security. Some of these policies includes the National Policy on Ageing, National Human Rights Commission Act, 2010 as amended, National Senior Citizens Centre Act, 2017, The National Social Protection Policy, 2017 etc.

3. Please refer to question 1&2 above.

4. Nigerian government has shown best practices through their adherence to treaties and conventions to which Nigeria is signatory to as well as adoption of local policies and programs that promotes the enjoyment of rights of old persons. Such policies includes the National Policy on Ageing, National Human Rights Commission Act, 2010 as amended, National Senior Citizens Centre Act, 2017, The National Social Protection Policy, 2017 etc. However, there is need for proper implementation of the existing policies and makes amendment where there are gaps. Ensure periodic reporting of the human situations of older persons in Nigeria and provides remedies for victims and adequate punishment for offenders.

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### **Focus Area 1: Right to health and access to health services.**

1. Right to health is a fundamental human rights of all persons including older persons, because of its important to life, all human beings irrespective of age or without discrimination should have access to health services at all times. Section 16(2)(d) of the 1999 Constitution (as amended) provides that “the state shall direct its policy towards ensuring suitable and adequate shelter, 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.

Nigeria has developed and adopted a number of policies that guarantees the right of older persons to the enjoyment of the highest standard of physical and mental health, One of such is the National Policy on Aging which states that “access to health services is not a benevolent act but is a basic human right for any human being regardless of age which must include provisions for medications needed to control chronic disease that become more prevalent in older age such as diabetes, hypertension, cancer, arthritis and other diseases”.

Others includes the National Human Rights Commission Act, 2010 as amended which among other things promotes right to health of every one regardless of age, National Senior Citizens Centre Act, 2017 to cater for the needs older persons without discrimination, The National Social Protection Policy, 2017 and many health policies and programs targeted at promoting healthy living for older persons.

2. Please refer to question 1 above.

3. : Am not sure if there is any such data, however, Ministry of Health, National Senior Citizens Centre and NGOs might be able to provide such data.

4. Right to health is one of the key thematic areas of the Commission, therefore the Commission engages in advocacy visits, work with Ministry of health, Ministry of Justices, Ministries of Humanitarian Affairs, Disaster Management and Social Development, Ministry of Foreign Affairs, National Senior Citizens Centre as well as other relevant stakeholders to ensure that right to health of older persons is achieved in Nigeria.

5. Nigeria is a signatory to many human rights laws targeted at improving the right to health of older persons such as

- the African Charter on Human and People's rights-1981
- International Covenant on Civil and Political Rights -1996
- International Covenant on Economic, Social and Cultural Rights -1996
- The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) -1979 etc.

These instruments ensure that rights of older persons are recognized and respected and abolish all forms of discrimination based on age.

6. The challenges faced by older persons in their enjoyment of right to health is poor implementation of existing policies, there should be checks and balances, identify where there gaps and take necessary steps to address it.

7. Please refer to question 1&5 above.

8. Nigeria has adopted some laws, policies and programs based on principle of equality and non-discrimination that enables older persons make an informed consent, decisions and choices about their treatment and care. Please refer to questions 1&5 above.

9. Older persons who are victims of human rights violations as relates to right to health can lodge their complaints at National Human Rights Commission, Public Complaints Commission, Legal Aids Council, Courts, Civil Society Organizations or Labour Unions.

10. The mechanisms that are in place to ensure effective and meaningful participation of older persons living in different geographic areas of the country is to promote the principle of equality and non-discrimination.