



ORAL STATEMENT
United Nations Human Rights Council, 25th Session (3rd – 28th March 2014)
UPR: Nigeria
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In its UPR report, the Nigerian delegation attempted to justify denying equality for homosexuals on the grounds that *“all attempts to integrate sexual orientation into existing universally recognized human rights had so far failed”*¹ and that *‘national and cultural values’*² prevented it from accepting related recommendations.

However, no further ‘integration’ is necessary; anti-homosexuality legislation is simply unacceptable under existing international human rights law³. This has been reiterated by the Secretary General⁴, and by the High Commissioner who affirmed that *“the principle of universality admits no exception”*⁵.

Moreover, since when have national and cultural values been accepted by this Council as taking precedence over the universality of human rights? To cite popular support for anti-homosexuality legislation is irrelevant as it is the State’s role as human rights guarantor to protect equality *“without distinction of any kind”*⁶.

It is deplorable that Nigeria not only fails to address rampant homophobia, but also enshrines it in domestic law⁷.

Nigeria claimed that, *“there was no policy or practice of witch-hunting people on the basis of their sexual orientation”*⁸. That is semantics: the Chairman of Bauchi state Shariah Commission reportedly said that they are *“on the hunt”*⁹ for homosexuals, while the deputy head of the Hisbah in Kano state declared that they will *“wage serious war”*¹⁰ against them.

For more information regarding equality for homosexuals and its place in international human rights legislation, may we direct the Nigerian delegation to the OHCHR’s ‘Born Free and Equal’¹¹ guidebook.

We implore the Nigeria to honour its membership to this Council and to the latter’s founding principle by accepting and implementing UPR recommendations 138.1-138.10 such that equality may be enjoyed by all Nigerians, without discrimination.

¹ UPR Report A/HRC/25/6, Paragraph 16, p.4

² UPR Report A/HRC/25/6, Paragraph 69, p.9

³ For more information regarding this issue, please see ‘Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law’, a brochure released by OHCHR (2012)

<http://www.ohchr.org/Documents/Publications/BornFreeAndEqualLowRes.pdf>

⁴ Statement attributable to the Spokesperson for the Secretary-General on Nigeria, New York, 15 January 2014

<http://www.un.org/sg/statements/?nid=7399>

⁵ Address by United Nations High Commissioner for Human Rights Navi Pillay, Sixty-third Session of the General Assembly, New York, 18 December 2008.

⁶ Article 2.1, International Covenant on Civil and Political Rights <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

⁷ Same Sex Marriage (Prohibition Act), signed in to law 13th January 2014

⁸ UPR Report A/HRC/25/6, Paragraph 16, p.4

⁹ <http://www.cbsnews.com/news/dozens-arrested-for-being-gay-in-north-nigeria/>

¹⁰ <http://www.google.com/hostednews/afp/article/ALeqM5gTVLsiq1oK6jRLz0E5fqBhycSEpw?docId=263f9e4c-e963-4189-8e09-9753561cbd1d&hl=en>

¹¹ ‘Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law’, a brochure released by OHCHR (2012) <http://www.ohchr.org/Documents/Publications/BornFreeAndEqualLowRes.pdf>