



1           (2) Membership of the Council shall consist of persons who shall  
2 serve to represent the following:

3           (a) a Chairperson who shall be a retired Justice of the Supreme Court,  
4 or Court of Appeal, or a retired Judge of a High Court or National Industrial  
5 Court or a Legal Practitioner with 20 years post qualification experience and  
6 requisite experience in human rights work or field;

7           (b) a representative each of the Federal Ministry of-

8           (i) Justice, who shall not be below the rank of a Director,

9           (ii) Foreign Affairs, who shall not be below the rank of a Director,

10          (iii) Internal Affairs, who shall be the Controller General of  
11 Corrections or his representative not below the rank of a Deputy Controller  
12 General of Corrections:

13          Provided that ex-officio members shall not have voting powers in the  
14 Council;

15          (c) 2 practicing representatives of registered human rights  
16 organizations in Nigeria with not less than 15 years' experience in human rights  
17 work;

18          (d) 2 legal practitioners who shall not have less than 15 years post-  
19 qualification experience to be appointed on the recommendation of the  
20 National Executive Committee of the Nigeria Bar Association, one from the  
21 Bar and the other from the Academia, both with special focus in the area of  
22 human rights;

23          (e) 2 practicing representatives of the print and electronic media, one  
24 to represent the public and the other to represent the private media, both with  
25 special focus on human rights;

26          (f) one representative of Vulnerable Groups community, with special  
27 focus on human rights;

28          (g) one representative of the Business sector to be nominated by the  
29 National Executive Committee of the Organized Private Sector in Nigeria;

30          (h) one practicing representative of the organized labor to be

1 nominated by the National Executive Committee of the Nigeria Labor  
2 Congress;

3 (i) 2 other persons who shall be women with not less 15 years  
4 active practicing experience in Non-Governmental Organizations on human  
5 rights work related to women; and

6 (j) the Executive Secretary of the Commission, who shall be  
7 nominated from the Commission or where none is a qualified Director with  
8 requisite experience, from other persons with similar competence and  
9 qualifications as may be determined by the Governing Council.

10 (3) The Chairperson and members of the Council shall each be-

11 (a) persons of proven integrity;

12 (b) non card carrying members of current registered political  
13 parties at least 5 years before nomination; and

14 (c) nominated by the President, subject to confirmation by the  
15 Senate:

16 Provided that the nomination and confirmation by the Senate shall  
17 be made after;

18 (i) Information about vacancies in the council, nominations and  
19 interview of candidates by the Commission are widely publicized by the  
20 Commission on their website;

21 (ii) Criteria for selection of nominated candidates by affected  
22 agencies is clearly stated by the Commission which shall prioritize diversity,  
23 inclusivity, and the representation of marginalized and under represented  
24 communities;

25 (iii) Any nominating agencies shall follow the criteria for selection  
26 prescribed above;

27 (iv) The result of the interview and nominations shall be forwarded  
28 through the Honorable Attorney General of the Federation and Minister of  
29 Justice for consideration and recommendation to the President Commander-  
30 in -Chief.

1 (4) Every member of the Council shall:

2 (a) be appointed by the President Commander-in-Chief of the Armed  
3 Forces after confirmation by the Senate;

4 (b) before starting his/her duties, make and subscribe to an oath before  
5 a Magistrate or High Court Judge, that he/she shall faithfully, impartially and to  
6 the best of his/her ability, discharge the duties devolving upon him under the  
7 Act, that he shall not divulge the proceedings, votes or opinions of the members  
8 of the Council or any other matter relevant to the functions of the Commission.

9 (5) Such oath shall be in accordance with the Oaths Act and, in this  
10 Act, "Oath" includes affirmation and declaration.

11 (6) The supplementary provisions set out in the Schedule to this Act  
12 shall have effect with respect to the proceedings of the Council and the other  
13 matters contained therein".

Tenure of  
office, etc.

14 **3.**(1) A member of the Council, other than the Executive Secretary,  
15 shall hold office for a term of four years and may be re-appointed for one  
16 further term of four years and no more.

17 (2) A member of council shall be on part time except for the Executive  
18 Secretary:

19 (3) A member of the Council may at any time resign his office in  
20 writing addressed to the President, and which resignation shall become  
21 effective on acceptance by the President.

22 (4) Members of the Council shall be paid

23 (a) such allowances as may be determined by the President, on the  
24 recommendation of the Revenue Mobilization, Allocation and Fiscal  
25 Commission;

26 (b) such other contingent incentives peculiar to their investigation and  
27 protection duties as may be necessary.

Cessation of  
Membership/  
Dismissal

28 **4.**(1) A Member of the Council may be removed from office by the  
29 President, Commander-in-Chief-of the Armed Forces after confirmation of  
30 request for removal from the President is supported by two thirds majority of

1 the Senate, if he/she-

2 (a) Becomes of unsound mind;

3 (b) Becomes bankrupt or makes a compromise with his creditors;

4 (c) Becomes a card carrying member of a current Political party;

5 (d) Is convicted of a felony of any offence involving dishonesty; or

6 (e) Is guilty of serious misconduct in relation to duty assigned to  
7 him/her;

8 (2) Where a vacancy occurs in the membership of the Council, it  
9 shall be filled by the appointment of a successor to hold office for the  
10 remainder of the term of office of his predecessor, so however that the  
11 successor shall represent the same interest and shall be appointed by the  
12 President.

13 PART II - FUNCTIONS AND POWERS

14 5.-(1) The Commission shall-

Functions of the  
Commission

15 (a) deal with all matters relating to the promotion and protection of  
16 human rights guaranteed by the Constitution- of the Federal Republic of  
17 Nigeria, the United Nations Charter and the Universal Declaration on  
18 Human Rights, the International Convention on Civil and Political Rights,  
19 the International Convention on the Elimination of all forms of Racial  
20 Discrimination, the International Convention on Economic, Social and  
21 Cultural Rights, the Convention on the Elimination of all forms of  
22 Discrimination Against Women, the Convention on the Rights of the Child,  
23 the African Charter on Human and Peoples' Rights and other International  
24 and Regional Instruments on human rights to which Nigeria is a party;

25 (b) monitor and investigate all alleged cases of human rights  
26 violation in Nigeria and make appropriate recommendations to relevant  
27 authorities for the prosecution and such other actions as it may deem  
28 expedient in each circumstance;

29 (c) assist victims of human rights violations and seek appropriate  
30 redress and remedies on their behalf;

1 (d) undertake studies on all matters pertaining to human rights and  
2 assist the Federal, State and Local Governments where it considers it  
3 appropriate to do so in the formulation of appropriate policies on the guarantee  
4 of human rights;

5 (e) publish and submit, from time to time, to the President, National  
6 Assembly, Judiciary, State and Local Governments, reports on the state of  
7 human rights promotion and protection in Nigeria;

8 (f) organize local and international seminars, workshops and  
9 conferences on human rights issues for public enlightenment;

10 (g) liaise and cooperate, in such manner as it considers appropriate,  
11 with local and international organizations on human rights for the purpose of  
12 advancing the promotion and protection of human rights;

13 (h) participate in such manner as it considers appropriate in all  
14 international activities relating to the promotion and protection of human  
15 rights;

16 (i) maintain a library, collect data and disseminate information and  
17 materials on human rights;

18 (j) receive and investigate complaints concerning violations of  
19 human rights and make appropriate determination as may be deemed necessary  
20 in each circumstance;

21 (k) examine any existing legislation, administrative provisions and  
22 proposed bills or bye laws for the purpose of ascertaining whether such  
23 enactments or proposed bills or bye-laws are consistent with human rights  
24 norms and issue a human rights impact assessment report after such  
25 examination which shall be relevant for the purpose of the compliance with  
26 human rights standards;

27 (l) prepare and publish, in such manner as the Commission considers  
28 appropriate, directives, advisory or guidelines for the avoidance of acts or  
29 practices with respect to the functions and powers of the Commission under  
30 this Act;

1 (m) promote an understanding of public discussions of human  
2 rights issues in Nigeria;

3 (n) undertake research, educational programmes, issue report  
4 concerning the enactment of legislation and such other programmes for the  
5 promotion and protection of human rights, co-ordinate any such programme  
6 on its own or on behalf of the Federal, State or Local Governments, when so  
7 requested by them on matters relating to human rights;

8 (o) on its own initiative or when requested by the Federal, State or  
9 Local Government, report on actions that should be taken by the Federal,  
10 State or Local Government to comply with the provisions of any relevant  
11 international human rights instruments;

12 (p) refer, any matter of human rights violation requiring  
13 prosecution to the Attorney-General of the Federation or of a State, as the  
14 case may be;

15 (q) where it considers it appropriate to do so act as a conciliator,  
16 mediator and arbitrator between parties to a complaint;

17 (r) where it considers it appropriate, with the leave of the court  
18 hearing the proceedings and subject to any condition imposed by the court,  
19 intervene in any proceeding that involves human rights issues; and

20 (s) Facilitate and encourage the ratification of, or accession to  
21 international human rights treaties and to encourage the effective  
22 implementation of the obligations arising thereof.

23 (t) Facilitate periodic evaluation of compliance with business and  
24 human rights principles by business concerns in Nigeria;

25 (u) Carry out all other functions as are necessary and expedient for  
26 the performance of its functions under the Act.

27 (2) Compliance with Business and Human Rights Principles-

28 (a) There shall be domiciled with the Commission a business and  
29 human rights compliance register to facilitate periodic evaluation of  
30 compliance with business and human rights principles by companies and

- 1 business concerns in Nigeria;
- 2 (b) An annual Business and Human Rights Compliance Certificate
- 3 (BHRCC) shall be issued by the Commission for relevant businesses and shall
- 4 be a compulsory requirement for businesses transactions in Nigeria for-
- 5 (i) the filing of Annual Returns with the Corporate Affairs
- 6 Commission (CAC);
- 7 (ii) application and approval of business loans with the Central Bank
- 8 of Nigeria (CBN), commercial and mortgage banks, operation of oil and gas
- 9 and solid mineral related businesses;
- 10 (iii) participation in contract bidding processes in Nigeria;
- 11 (iv) participation in any other business activities as may be
- 12 determined by the Commission from time to time by regulations.
- 13 (c) Human Rights Compliance assessment shall be an annual
- 14 requirement for companies (or as may be stipulated by the Commission), and
- 15 the Business and Human Rights Compliance Certificate shall be issued by the
- 16 Commission upon satisfactory completion of assessment;
- 17 (d) Subject to the payment of a prescribed fee and an application, the
- 18 Commission may visit and inspect/assess the business operations of the
- 19 applicant and the BHRCC shall be issued within 14 days of such application or
- 20 visit or completion of assessment;
- 21 (e) The Commission shall from time to time prescribe the appropriate
- 22 fee for the conduct of the processes outlined in this sub paragraph.
- 23 **6. -(1)** The Commission, shall have powers to--
- 24 (a) conduct its investigations and inquiries in such manner as it
- 25 considers appropriate;
- 26 (b) institute any civil action on any matter it deems fit in relation to the
- 27 exercise of its functions under this Act;
- 28 (c) appoint any person, whether or not such person is in the public
- 29 service, to act as an interpreter, in any matter brought before it and to translate
- 30 any such book, paper or writing produced to it;

1 (d) Have unhindered access to Custodial Centres, police cells and  
2 other places of deprivation of liberty;

3 (e) Examine any public premises, documents, equipment and  
4 assets allegedly involved in the violation of human rights in order to  
5 ascertain the conditions thereof and make recommendations to the  
6 appropriate authorities;

7 (f) make determination as to the damages or compensation payable  
8 in relation to any violation of human rights where it deems this necessary in  
9 the circumstances of the case;

10 (g) co-operate and consult with other agencies and organizations,  
11 governmental and non-governmental, as it may deem appropriate;

12 (h) ensure compliance with the National Action Plan for Promotion  
13 and Protection Of Human Rights in Nigeria;

14 (i) conduct business and human rights compliance assessment of  
15 businesses in Nigeria and ensure compliance with human rights and  
16 business related principles in this act, the National Action Plan on Business  
17 and Human Rights and other national, regional or international business and  
18 human related instruments to which Nigeria is a party.

19 (j) do such other things as are incidental, necessary, conducive or  
20 expedient for the performance of its functions and powers under this Act.

21 (2) Whenever it appears to the Executive Secretary upon  
22 information and after such inquiry as he/she shall think necessary, that there  
23 is reasonable cause to suspect that in any place there is evidence of the  
24 Commission of any offence relating to human rights under this Act, he/she  
25 may by written order direct an officer of the Commission to-

26 (a) enter upon any land or premises or by any agent or agents duly  
27 authorized in writing for any purpose which, in the opinion of the  
28 Commission is material to the functions of the Commission, and in  
29 particular, for the purpose of obtaining evidence or information or of  
30 inspecting or taking copies of any document required by, or which may be of

1 assistance to the Commission and for safeguarding any such document or  
2 property which in the opinion of the Commission ought to be safeguarded for  
3 any purpose of its investigations or proceedings; provided a court order is  
4 obtained in this respect;

5 (b) summon and interrogate any person, body or authority to appear  
6 before it for the purpose of investigation or a public inquiry aimed at the  
7 resolution of a complaint of human rights violation;

8 (c) issue a warrant to compel the attendance of any person who, after  
9 having been summoned to attend, fails, refuses or neglects to do so and does not  
10 excuse such failure, refusal or neglect to the satisfaction of the Commission;

11 (d) compel any person, body or authority who, in its opinion, has any  
12 information relating to any matter under its investigation to furnish it with any  
13 information or produce any document or other evidence which is in his or her  
14 custody and which relates to any matter being investigated; and

15 (e) compel the attendance of witnesses to produce evidence before it.

Conduct of Human  
Rights Due  
Diligence

16 (3) The Commission shall have the power to conduct or cause to be  
17 conducted, a Human Rights Due Diligence (HRDD) in relation to any public or  
18 private entity operating within Nigeria:

19 (a) Request information from public and private entities regarding  
20 their policies, practices, and procedures relating to human rights;

21 (b) Conduct investigations into any alleged human rights violations,  
22 including through on-site inspections and interviews with relevant  
23 stakeholders;

24 (c) Develop guidelines and standards for HRDD, including the  
25 development of due diligence frameworks, the establishment of grievance  
26 mechanisms, and the promotion of transparency, accountability and  
27 disclosure;

28 (d) Monitor and report on the human rights performance of public and  
29 private entities, including the publication of annual human rights compliance  
30 reports that will be submitted by companies;

1 (4) In exercising its functions and powers under this Act, the  
2 Commission shall, in line with the Paris Principles for the Establishment of  
3 National Human Rights Institutions, be independent and impartial, and not  
4 be subject to the direction or control of any other authority or person.

5 (5) It is an offence for any person, body or authority to-

6 (a) refuse to provide evidence, including documentary evidence to  
7 the Commission in response to a written request to do so;

8 (b) obstruct or do anything to prevent any member of the Council or  
9 an employee of the Commission from the lawful exercise of any of the  
10 functions conferred on the Commission by this Act;

11 (c) punish, intimidate, harass or discriminate against any person  
12 for co-operating with the Commission in the exercise of its functions under  
13 this Act; or

14 (d) refuse to comply with lawful directives, determination,  
15 decision or finding of the Commission,

16 (6) A person who commits an offence under subsection (5) of this  
17 section is liable on conviction to imprisonment for a term of 6 months or to a  
18 fine of N500, 000.00 or to both such imprisonment and fine."

19 (7) (i) The National Human Rights Commission ("NHRC")  
20 established under Section 1 of this Act, is designated as Nigeria's National  
21 Preventive Mechanism ("NPM") in accordance with Articles 3 and 17 of the  
22 Optional Protocol to the Convention Against Torture (OPCAT) and in line  
23 with Nigeria's obligations under Article 2 of the United Nations Convention  
24 Against Torture (UNCAT);

Designation of  
Nigeria's National  
Preventive  
Mechanism

25 (ii) The NHRC shall have a Specialized Department headed by a  
26 Director within the Commission to undertake responsibilities and  
27 obligations as Nigeria's National Preventive Mechanism under the OPCAT;

Institutionalization  
of National Preventive  
Mechanism

28 (iii) The NHRC shall, in line with applicable guidelines for the  
29 constitution and operations of an NPM take necessary measures to ensure  
30 the operational independence of the NPM;

1 (iv) The Federal Government through the NHRC shall ensure  
2 appropriate funding and resourcing of its activities, programs and projects in  
3 line with its international obligations under the Optional Protocol to the  
4 Convention Against Torture

Functions and  
Powers of the  
NPM

5 (iv) The NPM shall perform the functions and exercise the powers  
6 required to be performed or exercised by an NPM under the OPCAT.

7 (a) regular unannounced visits, inspection and examination of the  
8 treatment of persons deprived of their liberty in places of detention as defined  
9 under Article 4 of the OPCAT, with a view to strengthening their protection  
10 against torture and other inhuman or degrading treatment or punishment;

11 (b) having access to information relating to the treatment of persons  
12 deprived of their liberty as well as their conditions of detention;

13 (c) having opportunity to have private interviews with persons  
14 deprived of their liberty without witnesses, either personally or with a  
15 translator if deemed necessary;

16 (d) establishing direct relationship and communication with the  
17 United Nations Sub-Committee on Prevention of Torture in the discharge of  
18 their duties;

19 (e) submitting torture related proposals and observations to the  
20 appropriate authorities concerning existing or draft legislation; and

21 (f) making recommendations to the relevant authorities with the aim  
22 of-

23 (i) improving the treatment and conditions of the persons deprived of  
24 their liberty, and

25 (ii) Preventing torture and other inhuman or degrading treatment or  
26 punishment.

Conditions of  
Service of Personnel  
of the National  
Preventive  
Mechanism

27 (v) The Conditions of service of the staff of the National Preventive  
28 mechanism shall be the same as that of the staff of the National Human Rights  
29 Commission including their salaries, allowances and immunity from reprisals  
30 and litigations arising from their work;

1 (vi) Special considerations or provisions may be made relating to  
2 the peculiar circumstances and conditions of work of the staff of the  
3 National Preventive Mechanism as the need arises.

4 PART III - STAFF

5 8.-(1) There shall be for the Commission an Executive Secretary  
6 who shall be a qualified Director and confirmed staff of the Commission or  
7 as may be directed by Council and: Executive  
Secretary of the  
Commission

8 (a) a legal practitioner with not less than 20 years post qualification  
9 experience and requisite experience in human rights issues recommended  
10 after an advertised interview by the Commission;

11 (b) a person of proven integrity;

12 (c) non card carrying member of current registered political parties  
13 for at least 5 years before nomination;

14 (d) a person recommended to the President through the Honorable  
15 Attorney General of the Federation and Minister of Justice, by the  
16 Commission after a publicly advertised vacancy and interview by a  
17 transparently constituted panel under clearly set criteria by the Commission;

18 (e) appointed by the President after confirmation by the Senate.

19 (2) The Executive Secretary shall hold office as the Executive  
20 Officer and Chief Accounting Officer for a term of five years in the first  
21 instance on such terms and conditions as the President, may determine, and  
22 may be reappointed for one further term of five years and no more.

23 (3) Subject to such general directions as the Council may give, the  
24 Executive Secretary shall be responsible for the day-to-day administration  
25 of the Commission and the implementation of the decisions of the Council.

26 (4) The Executive Secretary shall perform the functions of keeping  
27 the record of proceedings and decisions of the Council and such other  
28 functions as the Council may, from time to time, direct.

29 9.-(1) The Council and the NPM shall have power to appoint Other staff of the  
Commission, etc.  
30 directly, and either on transfer or on secondment from any public service in

1 the Federation, such number of employees as may, in their opinion, be required  
2 to assist the Commission or the NPM in the discharge of any of their functions  
3 under this Act, and shall have power to pay to persons so employed such  
4 remuneration (including allowances) as the Council may, determine.

5 (2) The terms and conditions of service (including terms and  
6 conditions as to remuneration, allowances, pensions, gratuities and other  
7 benefits) of the persons employed by the Commission and NPM shall be as  
8 determined by the Council from time to time.

9 (3) The Council or the NPM may engage such consultants and  
10 advisers as it may require for the proper and efficient discharge of their  
11 functions.

Staff  
Regulations

12 **10.** The Commission may, subject to the provisions of this Act, make  
13 staff regulations relating generally to the conditions of service of the  
14 employees of the Commission and the NPM and without prejudice to the  
15 generality of the foregoing, such regulations may provide for-

16 (a) the appointment, promotion and disciplinary control (including  
17 dismissal) and other conditions of service of employees of the Commission and  
18 NPM;

19 (b) appeals by such employees against dismissal or other disciplinary  
20 measures; and

21 (c) Accounting and financial processes and guidelines for the  
22 commission and the NPM.

Condition of  
Service

23 **11.** The Council shall determine the conditions of service, including  
24 salaries, pensions and gratuities as are appropriate for its employees and the  
25 NPM.

Pension

26 **12.-(1)** It is hereby declared that service in the Commission and NPM  
27 is a scheduled service and shall be deemed to be pensionable under the  
28 Pensions Act and, accordingly, employees of the Commission and the NPM  
29 shall in respect of their service, be entitled to pensions, gratuities and other  
30 retirement benefits as are prescribed by the Council, and hereunder.

1 (2) Notwithstanding the provisions of subsection (1) of this  
2 section, nothing in this Act shall prevent the appointment of a person to any  
3 office on terms which preclude the grant of a pension or gratuity in respect of  
4 that office.

5 (3) In line with the provisions of the Pensions Reform Act, the  
6 Commission may make provision for additional pension benefits for its staff  
7 and the NPM.

8 PART IV - FINANCIAL PROVISIONS

9 **13.**-(1) The Commission and the NPM shall establish and maintain Funds of the  
10 a fund which shall be applied towards the discharge of their functions under Commission and  
11 this Act. the NPM

12 (2) The Funds of the Commission and the NPM shall be a charge on  
13 the Consolidated Revenue Fund of the Federation; and

14 (3) There shall be paid and credited to the fund of the Commission  
15 and the NPM established pursuant to subsection (1) of this section-

16 (a) such sums as may be provided by the Government of the  
17 Federation for the Commission and the NPM;

18 (b) any fees charged for services rendered by the Commission or  
19 the NPM; and

20 (c) all other sums accruing to the Commission or NPM by way of  
21 gifts, disposition of property, testamentary dispositions, endowments and  
22 contributions from philanthropic persons and organizations or otherwise  
23 however.

24 **14.**-(1) The Commission or the NPM may accept gifts of land, Power to accept  
25 money or other property on such terms and conditions, if any, as may be gifts  
26 specified by the person or organization making the gift.

27 (2) The Commission or the NPM shall not accept any gift if the  
28 conditions attached by the person or organization making the gift are  
29 inconsistent with the Independence or functions of the Commission or the  
30 NPM.

Borrowing powers  
and etc.

1                   **15.**-(1) The Commission or the NPM may borrow by way of loan or  
2 overdrafts from any source such specific amount as may be required by them  
3 for meeting their obligations and discharging their functions under this Act.

4                   (2)The Commission or the NPM may subject to this Act and the  
5 conditions of any trust created in respect of any property, invest all or any of  
6 their funds.

7                   (3)The Commission or the NPM may, from time to time, invest any of  
8 their surplus funds in securities prescribed by the Trustee Investments Act or  
9 such other securities.

10                  (4) Subject to the provisions of the Land Use Act, the Commission or  
11 the NPM may acquire, dispose or lease any land required for their purpose  
12 under this Act.

Human Rights  
Fund

13                  **16.**-(1) There is hereby established the Human Rights Fund (in this  
14 Act referred to as "the Fund") which shall be applied by the Commission  
15 towards-

16                  (a) the conduct of research and training on human rights issues; and  
17 other projects of the Commission;

18                  (b) the facilitation of human rights activities of the Commission in  
19 Collaboration with other human rights non-governmental organizations, Civil  
20 society organizations and other stakeholders;

21                  (c) the conduct of periodic Business and human rights compliance  
22 and assessment of businesses, legislation and bills, administrative actions and  
23 policies and other relevant matters;

24                  (d) implementation of national action plans on human rights and  
25 business and human rights;

26                  (e) supporting infrastructural development or other projects for the  
27 upliftment of the Commission and staff;

28                  (f) payment of compensation for human rights violations awarded by  
29 the Commission.

30                  (2) There shall be paid and credited to the Fund established pursuant

1 to subsection (1) of this section-

2 (a) such sums as may be provided by the Federal, State or Local  
3 Government for purposes of the Fund as maybe agreed with the  
4 Commission;

5 (b) such contributions from national and-multi-national, public  
6 and-private companies and institutions carrying on business in the financial,  
7 oil and gas and extractive industry in Nigeria amounting to .03% of their  
8 annual profit after tax of more than 10 Billion Naira;

9 (c) such other internally generated revenue in exercise of its  
10 functions and duties under this Act.

11 **17:-**(1) The Commission shall cause to be prepared, not later than  
12 30thSeptember in each year, an estimate of the expenditure and income of  
13 the Commission and the NPM during the next succeeding year and when  
14 prepared, they shall be submitted, to the National Assembly for approval.

Annual estimates,  
accounts and audit

15 (2) The Commission shall cause to be kept, proper accounts and  
16 proper records in relation thereto and when certified by the Commission  
17 such accounts shall be audited as provided in subsection (3) of this section.

18 (3) The accounts of the Commission shall be audited by auditors  
19 appointed from the list of auditors and in accordance with the guidelines  
20 issued by the Auditor-General for the Federation and the fees of the auditors  
21 and the expenses for the audit generally shall be paid from the funds of the  
22 Commission.

23 **18.** The Commission shall, not later than 6 months after the end of  
24 report each year; submit to the President and the National Assembly, a report  
25 on the activities of the Commission and its administration during the  
26 immediate preceding year and shall include in the report the audited account  
27 of the Commission and the NPM and the auditor's comments thereon.

Annual Report

28 **19.-**(1) Subject to the provisions of this Act, the provisions of the  
29 Public Officers Protection Act shall apply in relation to any suit instituted  
30 against any member of the Council, the Executive Secretary, the NPM or

Regulation:  
Limitation of suit  
against the  
Commission and  
NPM

1 any officer or employee of the Commission or the NPM.

2 (2) No suit shall lie or be instituted in any court against the  
3 Commission or the NPM, any member of the Council, the Executive Secretary  
4 or any officer or employee of the Commission or NPM for an act done in  
5 pursuance or execution of this Act or any other law or enactment, or of any  
6 public duty or authority or in respect of any alleged neglect or default in the  
7 execution of this Act or such law or enactment, duty or authority unless-

8 (a) it is commenced within 3-months next after the act, neglect or  
9 default complained of; or

10 (b) in the case of a continuation of damage or injury, within 6 months  
11 next after the ceasing thereof.

12 (3) No suit shall be commenced against the Commission or the NPM,  
13 any member of the Council, the Executive Secretary, officer or employee of the  
14 Commission or NPM, before the expiration of a period of one month after a  
15 written notice of intention to commence the suit shall have been served upon  
16 the Commission or NPM by the intending plaintiff or his agent.

17 (4) The notice referred to in subsection (3) of this section shall clearly  
18 state-

19 (a) the cause of action;

20 (b) the particulars of claim;

21 (c) the name and place of abode of the intending plaintiff; and

22 (d) the relief which he claims

Service of  
Document

23 **20.** A notice, summons or other document required or authorized to be  
24 served upon the Commission or NPM under the provisions of this Act or any  
25 other law or enactment may be Served by delivering it to the Executive  
26 Secretary or by sending it by registered post and addressed to the Executive  
27 Secretary at the principal office of the Commission.

Restriction of  
execution against  
property of the  
Commission or  
the NPM

28 **21.** Any sum of money which may by the judgment of any court be  
29 awarded against the Commission or the NPM shall be paid from the general

1 reserve fund of the Commission or the NPM subject to any direction given  
2 by the Court.

3 **22.** A member of the Council, the Executive Secretary, the NPM, Indemnity  
4 any officer or employee of the Commission or the NPM, shall be  
5 indemnified out of the assets of the Commission or NPM against any  
6 proceedings, whether civil or criminal, in which judgment is given in favour  
7 of another or in which he/she is acquitted, if any such proceeding is brought  
8 against him/her in his/her capacity as a member of the Council, the NPM, the  
9 Executive Secretary; officer or employee of the Commission or NPM -  
10 provided that he/she acted in good faith.

11 **23.-(1)** An award or recommendation, made by the Commission Recognition and  
12 shall be recognized as binding and subject to this section and this Act shall, enforcement of  
13 upon application in writing to the relevant high court, be enforced by the awards and  
14 Court. recommendations

15 (2) The Commission shall by a letter in writing, request the Chief Procedure for  
16 Registrar of a High Court to enroll an award of the Commission for the enrolment and  
17 purpose of recognition of the award or decision as a decision of the court enforcement of  
18 an Award

19 (3) The Commission shall attach certified true copies of the record  
20 of proceedings and the award of the Commission to the application.

21 (4) Where the Chief Registrar is satisfied that the award emanated  
22 from the Commission, relying on the authentication of the documents by the  
23 Commission, the Registrar shall upon approval of the Chief Judge, enroll  
24 the award in like manner as a judgment or order of the court.

25 (5) Such request for enrolment may be made within 30 days from  
26 the date the award was given subject to the discretion of the court.

27 (6) A party may enforce an award of the Commission as a judgment Procedure for  
28 or order of a high court after it has been recognized and enrolled in the Enforcement of  
29 manner outlined above. Award

30 (7) A party seeking to enforce an award of the Commission shall  
apply to the court by way of motion on notice relying on the award.

1 (8) Any person who is not a party to the proceedings leading to an  
2 award by the Commission is not entitled to apply for the recognition and  
3 enforcement of the award unless as may be permitted by law.

4 (9) Unless the court otherwise determines, an application shall be  
5 made not later than 30 days after the decision by the Commission is  
6 communicated to the person making the application

7 (10). In this section,

8 "court" means the Federal High Court or the High Court Of the Federal Capital  
9 Territory, Abuja or High Court of a State;

10 "Commission" means the National Human Rights Commission established  
11 under the

12 National Human Rights Commission Act as amended;

13 "NPM" means National Preventive Mechanism established under this act  
14 pursuant to the international obligation of Nigeria under the optional Protocol  
15 to the Convention Against Torture(CAT);

16 "award" means a determination of the Commission whether in the form of a  
17 decision, recommendation or an award of compensation or damages;

18 "Recognition" means taking judicial notice of an award of the Commission as a  
19 decision of the High court

Regulations 20 **24.** The Commission may make such regulations as it deems  
21 necessary or expedient to give effect to the provisions of this Act.

Citation 22 **25.** This Bill may be cited as the National Human Rights Commission  
23 Bill, 2025.

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SCHEDULE

*[Section 2(6)]*

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC.

*Proceeding of the Council*

1.-(1) Subject to this Act and Section 27 of Interpretation Act, the Council may make standing orders regulating its proceedings or those of any of its committees.

(2) The quorum of the Council shall be 6 members, excluding the ex-officio members but including the Chairman or, in his absence, the person elected under Paragraph 2(2) of this Schedule to preside and 5 other members, and the quorum of any Committee of the Council shall be determined by the Council"; and

2.-(1) The Council shall meet at least once bi-monthly in each calendar year and subject thereto, the Council shall meet whenever it is summoned by the Chairperson, and if the Chairperson is required to do so, by notice given to him by not less than four other members, he shall summon a meeting of the Council to be held within fourteen days from the date on which the notice is given.

(2) At any meeting of the Council, the Chairperson shall preside but if he is absent, the members present at the meeting shall elect one of their members to preside at the meeting.

(3) Where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt him to the Council for such period as it thinks fit, but a person who is in attendance by virtue of this subparagraph shall not be entitled to vote at any meeting of the Council and shall not count towards a quorum.

(4) The decision of the Council shall be by simple majority.

*Committees*

3.-(1) The Council may appoint one or more committees to carry

1 out, on behalf of the Council, such of its functions as the Council may  
2 determine.

3 (2) A committee appointed under sub-paragraph (1) of this paragraph  
4 shall consist of such number of persons (not necessarily members of the  
5 Council) as may be determined by the Council, and a person other than a  
6 member of the Council, shall hold office on the committee in accordance with  
7 the terms of the appointment.

8 (3) A decision of a committee of the Council shall be of no effect until  
9 it is confirmed by the Council.

10 *Miscellaneous*

11 4.-(1) The fixing of the seal of the Commission shall be authenticated  
12 by the signature of the Executive Secretary or any person specifically  
13 authorized to act for that purpose by the Commission.

14 (2) Any contract or instruments which, if made or executed by a  
15 person, not being a body corporate, would not be required to be under seal may  
16 be made or executed on behalf of the Commission by the Executive Secretary  
17 or any person specifically authorized to act for that purpose by the  
18 Commission.

19 (3) Any document purporting to be a document duly executed under  
20 the seal of the Commission shall be received in evidence and shall, unless and  
21 until the contrary is proved, be presumed to be so executed.

22 5. The validity of any proceedings of the Council or of a committee  
23 thereof shall not be adversely affected by any vacancy in the membership of the  
24 Council or committee, or by any defect in the appointment of a member of the  
25 Council or committee, or by reason that a person not entitled to do so took part  
26 in the proceedings of the Council or committee.

27 6. Any member of the Council or of a committee of the Council who  
28 has a personal interest in any matter, contract, or arrangement entered into or

1 proposed to be considered by the Councilor committee, shall disclose his  
2 interest to the Commission or committee and shall not vote on any question  
3 relating to the matter, contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to repeal the National Human Rights Commission Act Cap. N46 Laws Of the of Nigeria, 2004 and National Human Rights Amendment Act, 2010 and to Enact the National Human Rights Commission Act, 2025 to harmonize National Human Rights Commission Act, 1995 and National Human Rights Commission (Amendment Act) 2010, and to provide for among other things; the Repeal and Re-Enactment of the Establishment Act and amend the Act to strengthen the day to day powers of the Commission to conduct investigations and sustain contributions to the Human Rights Funds for Human Rights activities in the Country in line with the Paris Principles