

INSURGENCY OR MILITANCY VICTIM STIGMATISATION

(PROHIBITION) BILL, 2020

ARRANGEMENT OF CLAUSES

Clauses:

1. Protection of the Rights of Victims of Insurgency or Militancy
2. Prohibition against stigmatisation
3. Acts amounting to stigmatisation
4. Payment of entitlements
5. Penalty
6. Right of an individual to commence a civil suit
7. Minister Powers to make regulation
8. Interpretation
9. Citation



A BILL

FOR

AN ACT TO MAKE PROVISION FOR THE PROHIBITION OF STIGMATISATION OF PERSONS WHO ARE VICTIMS OF INSURGENCY OR MILITANCY FROM RE-INTEGRATION WITH THE COMMUNITY AND TO PROVIDE FOR THE PROSECUTION AND PUNISHMENT OF ANY PERSON OR GROUP OF PERSONS WHO STIGMATISE SUCH VICTIMS WITH THE VIEW TO UPHOLD AND PROTECT THEIR FUNDAMENTAL RIGHT TO DIGNITY AND FREE ASSOCIATION AS PROVIDED BY THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA; AND FOR RELATED MATTERS

Sponsored by Hon. Ben Rollands Igbakpa

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria-

- 1 1. Every person, community and institution shall-
- 2 (a) protect and uphold the right of dignity and free Association of
- 3 victims of insurgency or militancy; and
- 4 (b) ensure equal opportunity, and re-integration of victims of
- 5 insurgency or militancy into the community.
- 6 2. No person, community or institution shall stigmatise directly or
- 7 indirectly any person in the society on the basis of such person been a-
- 8 (a) victim of insurgency or militancy; and
- 9 (b) child born as a result of insurgency.
- 10 3. It is an offence to stigmatise any person on the basis of being a
- 11 victim of insurgency or militancy or a child born as a result of act of
- 12 insurgency or militancy by-
- 13 (a) nick naming such person with the view of degrading his honour
- 14 and personality in the community;
- 15 (b) failure to do anything or to take any steps to enable such person

Protection of the Rights of Victims of Insurgency or Militancy

Prohibition against stigmatisation

Acts amounting to stigmatisation

1 have smooth re-integration into the community;

2 (c) failure to remove, eliminate or ameliorate any obstacle that
3 unfairly deter such a person from enjoying equal opportunities;

4 (d) refusal or denial of access to communal places, worship areas,
5 residential spaces, social facilities and any other place of human endeavour;

6 (e) instigating any person to refuse to marry such person on the basis
7 of either born as a result of insurgency or been a victim of insurgency or
8 militancy; and

9 (f) doing any other thing that is intended to affect the dignity,
10 integration and any other rights of such person.

Payment of
entitlements

11 4. Notwithstanding the provision of any other Law, an employer of
12 any victim of insurgency or militancy shall absorb and pay all the entitlement
13 due to such person as if he has been in active service.

Penalty

14 5. Subject to the provisions of this bill, any person or institution, who
15 contravenes any of the provisions of this Bill commits an offence and is liable
16 on conviction to a fine of not less than-

17 (a) N500,000 for individual or imprisonment for a period of not less
18 than one year or both; and

19 (b) N2,000,000 for institution.

Right of an
individual to
commence a
civil suit or
criminal

20 6. Nothing in this Bill shall deprive the personal right of an individual
21 affected directly by a contravention of this bill to bring a civil action in court
22 against any person or institution

Minister powers
to make regulation

23 7.-(1) The Minister of Justice shall-

24 (a) ensure compliance with and enforce the provisions of this Bill;

25 (b) receive petition from aggrieved person;

26 (c) conduct an inquiry into any allegation of a contravention of this
27 Bill;

28 (d) make recommendations to an institution or individual pursuant to
29 an inquiry carried out; and

30 (e) Commence criminal proceedings against any violator in a court of

1 competent jurisdiction.

2 (2) The Minister of Justice may make regulations generally for the
3 purpose of giving effect to the provisions of this Bill.

4 8. In this Bill-

Interpretation

5 "institution" means an organisation establishment, foundation, society
6 devoted to the promotion of a particular cause or program especially one of a
7 public, educational or charitable;

8 "society" means the totality of Nigeria i.e. a group of people sharing the
9 same geographical or virtual territory subject to the same political authority;

10 "stigmatisation" includes acts provided in Clause 3 of this Bill;

11 "President" means President of the Federal Republic of Nigeria.

12 9. This Bill may be cited as Insurgency or Militancy Victim Citation
13 Stigmatisation (Prohibition) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to make provision for the prohibition of stigmatisation of persons who are victims of Insurgency or militancy from re-integration with the community and to provide for the prosecution and punishment of any person or group of persons who stigmatise such victims with the view to uphold and protect their Fundamental Right to Dignity and free Association as provided by the Constitution of the Federal Republic of Nigeria.

