



COMMENTS OF THE NATIONAL HUMAN RIGHTS COMMISSION ON THE PROPOSED BILL FOR AN ACT TO AMEND THE TRAFFICKING IN PERSONS (PROHIBITION) ENFORCEMENT AND ADMINISTRATION ACT, NO. 4 OF 2015 TO INCLUDE THE FEDERAL MINISTRY OF HUMANITARIAN AFFAIRS AND DISASTER MANAGEMENT AND SOCIAL DEVELOPMENT IN ITS GOVERNING BOARD, REVIEW THE MODE OF APPOINTING THE DIRECTOR GENERAL OF THE AGENCY, TO STRENGTHEN THE ACT BY REVIEWING THE OFFENCES AND PENALTY PROVISIONS; AND RELATED MATTERS (HB.2102)

GENERAL PRINCIPLE

1.0 Human Rights Impact Assessment Test

The National Human Rights Commission is the National Institution for the promotion, protection, monitoring and enforcement of human rights.

Section 6(k) of the National Human Rights Amendment Act 2010, empowers the commission to examine any legislation, administrative provisions and proposed bills or bye-laws for the purpose of ascertaining whether such enactment or proposed bills or bye-laws are consistent with human rights norms.

Accordingly, our proposal is that, for any bill to be passed into law by the NASS and any State House of Assembly, such a law must pass a Human Rights Assessment Test. This test ensures that the bill must improve the general enjoyment of human rights rather than generally lead to restrictions and lowering of the level of enjoyment of human rights. In the course of this intervention, we shall be examining the Bill generally to ascertain its compliance with human rights standard.

2.0 Comment on this bill

The Commission has gone through the proposed amendment and it supports the amendments.

2.1 The National Human Rights Commission however, strongly recommends that the Commission should form part of the membership of the board of NAPITP. Besides the strong collaboration of the Agency with the Commission, trafficking in persons is a human rights issue and hence the need to have the Commission on board.

