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The existence of orphanages and care for orphans in Nigeria; The existence of orphanages in Lagos; The standard of care if any in Lagos and Nigeria

A *UN Committee on the Rights of the Child (CRC*) report which gives statistics regarding child care institutions states:

> "The findings indicated that in the 36 states and the FCT, the profile of the institutional child care centres showed in table 5.5 that orphanages accounted for 44 per cent, rehabilitation centres, 34 per cent and remand homes only 22 per cent. A total of 68 per cent are owned and run by various States and Local Governments spread across the country 38 per cent of which are situated in the urban areas, 26 per cent in the semi urban areas and the remaining 36 per cent in the rural areas. Table 5.7 shows that a total of 8,614 were residents in the centres studied. 61 per cent were boys, and 39 per cent girls. The centres in the "D" zonal field States topped the list with the greatest number of centres and those in the "A" zonal field States took the lead in terms of residents. The least numbers were reported from centres in the "C" zonal field states with the "B" zonal Field states at the bottom ladder in terms of numbers of residents" (UN Committee on the Rights of the Child (CRC) (5 January 2010) *Consideration of reports submitted by States parties under article 44 of the Convention : Convention on the Rights of the Child : 3rd and 4th periodic report of States parties due in 2008 : Nigeria, , CRC/C/NGA/3-4*)

A 2008 report from the *Danish Immigration Service* in a section titled 4. Provisions for orphans and abandoned children states:

> "Obiagwu (LEDAP) stated that if children were orphaned and were not looked after by their extended family, the state had a duty to look after them. In the case of unaccompanied children being returned to Nigeria, the social services department in each state would have the responsibility under the Child Rights Act to reunite them with their parents. However, according to members of the NGO Civil Liberties Organisation (CLO), there are no federal government departments or agencies in Nigeria that take responsibility for looking after orphans or abandoned children. They stated that the only organisations involved with deprived children were NGOs such as the Children's Organisation and Project Alert, which attempt to rehabilitate children.
> 4.4 The CLO officials stated further that there are some facilities for orphans or abandoned children provided by state governments, but these are few and far between, and do not even provide a basic minimum standard of care for the children they are responsible for. They mentioned that there are state-run centres in Enugu, Ogun, and Kaduna, where the state governments were not doing anything to help the children, and children were running away from the centres because of the poor conditions there. They stated that in Nigeria the federal government and state governments do not run a social service system of the type that exists in developed countries such as those in Europe. Orphaned or abandoned children are expected to be looked after by their relatives."

(Danish Immigration Service (28 October 2008) *Report of Joint British-Danish Fact-Finding Mission to Lagos and Abuja, Nigeria 9 - 27 September 2007 and 5 - 12 January 2008*

A report from the *UN Committee on the Rights of the Child* states:

> " The Committee welcomes the adoption of the National Plan of Action on Orphans and Vulnerable Children (2006-2010) and the National Guidelines and Standards of Practice on Orphans and Vulnerable Children, based on a rights-based approach and guided by the principle of the best interests of the child. The Committee is nevertheless concerned about the adequacy of programmes and the capacity of institutions to effectively implement these frameworks in view of the alarmingly high number of orphans and otherwise vulnerable children. It expresses particular concern about the situation of children orphaned by HIV/AIDS, children in street situations, including the alamajiri, and the placement of orphans in remand homes where, in some instances, they live together with adults and children in conflict with the law." (UN Committee on the Rights of the Child (21 June 2010) *Nigeria: "Consideration of Reports Submitted by States Parties under Article 44 of the Convention; Concluding observations: Nigeria [CRC/C/NGA/CO/3-4]"*)

A report from the *Child Rights Information Network* states:

> "The Committee asked if the national plan on orphans and vulnerable children was adequate to deal with the number of orphans and whether its impact had been assessed. It noted there were 7 million children (2003) deprived of a family environment and this had most likely exceeded 8 million. They sought more information on the monitoring of the 90 orphanages, noting that only a third of these were under state control and the rest by NGOs. It therefore asked if all these orphanages received guidance and were monitored. In addition, the Committee asked if there were alternatives such as fostering or adoption. It also expressed concern that orphans were being housed with adults and children in conflict with the law." (Child Rights Information Network (18 June 2010) *Nigeria: "State Party Examination of Nigeria's combined 3rd and 4th Periodic Report " , Author: NGO Group for the Convention on the Rights of the Child*)

An *IRIN* report states

> "In Kaduna, a social worker speaking on condition of anonymity reported numerous cases of abuse against orphans, to the point of torture. Whether they have the virus or not, they are sometimes accused of witchcraft and held responsible for the deaths of their HIV-positive parents or are caught in the middle of inheritance squabbles.
>
> The risk to these children can be so great that leaving them in their family or community would amount to a death sentence, said the social worker.
>
> But other than a handful of public orphanages, only a few charitable or religious organisations look after the "children of AIDS" in Nigeria. And more often than not, these

children have lived through very difficult family circumstances." *(IRIN (6 October 2005) Children orphaned by AIDS slipping through the cracks)*

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.