

## WHAT YOU NEED TO KNOW ABOUT THE CONTROL OF INFECTIOUS DISEASES BILL 2020

Concerning sections	What the bill says	How it affects YOU!
<b>Section 5</b>	Empowers the Director-General (DG) of the Nigerian Centre for Disease and Control (NCDC) to conduct public health surveillance programmes and epidemiological investigations of people, animals, or vectors to determine the existence or likelihood of an outbreak of an infectious disease	Nigeria Centre for Disease Control and Prevention (Establishment) Act, 2018 already authorises the NCDC to undertake reporting, detection, workforce development, preparedness, and emergency responses to disease outbreaks in compliance with the requirements of International Health Regulations
<b>Section 7</b>	Provides for post-mortem in certain cases at the pleasure of the DG	This has implications for religious practices that require the dead to be buried the same day of death. Need to prevent interference with body parts like organ harvest etc
<b>Section 8</b>	DG may during investigating into any outbreak or preventing a possible outbreak of an infectious disease require healthcare professionals to reveal or obtain information about patients notwithstanding any existent rule of contract	This means goodbye to doctor-patient confidentiality. Your medical records will no longer be private and confidential.
<b>Section 13(1)(2)</b>	Empowers the DG of NCDC to order any person or minor suspected to be a carrier of an infectious disease to be detained and isolated indefinitely at a hospital or undisclosed place	Parental consent extinguished by this provision. Also, the right to detain at undisclosed locations could be exploited for ulterior motives where there are no checks and balances.
<b>Section 15(1)(2)(3)a-d)</b>	The Minister of Health can declare any premises to be an isolation area.	Inconsistent with the rights to property, and the statutory prohibition against arbitrary seizures, protected under S. 43 and 44 of the Constitution
<b>Section 15 (3)</b>	The DG of NCDC can prohibit the movement into an isolated area, including authorizing the destruction of any known or suspicious source of infectious disease.	Inconsistent with the rights to property, and the statutory prohibition against arbitrary demolitions, protected under S. 43 and 44 of the Constitution
<b>Section 15(4)</b>	A health or police officer can 'take any action' to give effect to the orders under Section 15(3), including the powers to arrest without warrant any person who contravenes a movement order within an isolated area	For a country with a high record of abuse of power by state security agents, such omnibus clauses granting the police unfettered powers to make health judgments and apprehend persons suffering a disease will pave way for unrestrained repression of civil liberties See also <a href="http://www.closingspaces.org">www.closingspaces.org</a>
<b>Section 17</b>	Vests DG with the power to evict residents on the basis of overcrowding	Nigeria's housing deficit stands at 17-20 million housing units. Densely-populated slums and those living in face-me-I-face-you apartments at risk of forced eviction

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<b>Section 20 (1)</b>	<p>DG can prohibit any meeting or gathering that is 'likely to increase the spread of an infectious disease.</p> <p>Absolves the DG of NCDC of any liability that may be brought against him/her over discretionary actions taken in the implementation of provisions contained in the Bill.</p>	<p>With this immunity from prosecution, you cannot sue or get any legal remedy if any of your human rights are violated</p>
<b>Section 20(5)</b>	<p>Minister of Health can ultimately decide the fate of any person who is aggrieved by any restrictive orders on gathering and meetings placed by the Director-General</p>	<p>Usurps the role of the judiciary. Aggrieved will have no right to fair hearing</p>
<b>Section 24</b>	<p>Enforcement or police officers may apprehend and take any person suffering from an infectious disease whom the officer finds on any street, public, place, shop or public transportation to a hospital</p>	<p>How will police officers determine that a person is suffering from an infectious disease? By mere physical observation? Or based on sound medical diagnosis? So, you can be arrested for merely looking sick even if you are not.</p>
<b>Section 40(1)</b>	<p>Provides guidelines for the importation of animals or vectors of diseases</p>	<p>Nigeria Agricultural Quarantine Service Establishment Act, 2017 and Animal Disease Control Act covers animal and plant health and makes regulations regarding the administration of public health measures where animals infected with diseases are transported into Nigeria</p>
<b>Section 42</b>	<p>Prohibits bringing in human remains or bones into the country, but however permits ash from cremated bodies</p>	<p>Ostensibly outlaws the longstanding tradition of bringing corpses home for burial practiced across states</p>
<b>Sections 47 and 48</b>	<p>DG of NCDC can order the compulsory vaccination of members of the public to prevent or contain a 'suspected' outbreak of a disease</p>	<p>Represses the freedom of choice as well as the right to informed consent</p>
<b>Section 55 (1)</b>	<p>DG or any Health Officer has the power to 'without warrant' and 'use of force, enter, inspect and search any premises for the purpose of investigation into an outbreak or suspected outbreak of an infectious disease</p>	<p>Section 37 of the 1999 Nigerian Constitution guarantees citizens' privacy and protection from the invasion of their homes, correspondence, telephone, and telegraphic communications.</p>
<b>Section 55(e)</b>	<p>DG can compel any person to provide any book, document, correspondence, or information</p>	<p>Potentially threatens press freedom. See also <a href="http://www.closingspaces.org">www.closingspaces.org</a></p>
<b>Section 55 (3)a-2b</b>	<p>Persons aggrieved by seizure of properties after which government takes ownership of such property have only 48 hours to file complaints at a Magistrate. DG may dispose of the seized property in any manner he/she pleases.</p>	<p>Inconsistent with the rights to property, and the statutory prohibition against arbitrary seizures, protected under S. 43 and 44 of the Constitution</p>
<b>Section 80(3)</b>	<p>Minister of Health can make guidelines that penalize conduct</p>	<p>Usurps the role of the legislature</p>