

REFERENCE: AA/Follow-up/Nigeria/54

19 March 2013

Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the sixth periodic report of Nigeria at the Committee's forty-first session, held in June – July 2008. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/NGA/CO/6). You may recall that in the concluding observations, the Committee requested Nigeria to provide, within two years, further information regarding the specific areas of concern identified by the Committee in paragraphs 315, 317, 319 and 337 of the concluding observations.

The Committee welcomes the follow-up report received on 26 September 2012, although it was received with a two-year delay, under the CEDAW follow-up procedure (CEDAW/C/NGA/CO/6/Add.1). At its fifty-fourth session, held in February 2013 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 315** of the Concluding Observations “to place high priority on completing the process of full domestication of the Convention and to intensify its efforts to ensure the passage of the draft bill on the domestication of the Convention, including through the holding of consultations with government officials, political leaders and members of the National Assembly, civil society organizations and other relevant stakeholders, with a view to raising awareness and broadening understanding of the Convention, as well as building support for the draft bill.”: The State party took some steps to ensure the passage of the draft bill on the domestication of the Convention by holding studies and consultations. The Committee considers that its recommendation has been **partially implemented**.

The Committee recommends that the State party provide, **in its next periodic report**, additional information on actions taken to continue the domestication of the Convention through activities aimed at raising awareness and broadening understanding of the Convention; continue the holding of consultations with government officials, political leaders and members of the National Assembly, civil society organizations and other relevant stakeholders; and ensure that the Gender and Equal Opportunities Bill covers all areas of the Convention and that it is adopted by all States.

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Regarding the recommendation made in **paragraph 317** of the Concluding Observations “to set a concrete timetable for amending all provisions in the Constitution and in federal and state legislation that discriminate against women”: While the State party indicated that some steps were taken towards the amendment of the federal and state legislation, the State party failed to provide information on the setting up of a concrete timetable for amending all provisions in the Constitution and in federal and state legislation that discriminate against women. The Committee considers that the recommendation has been **partially implemented**.

Regarding the recommendation “to accelerate and expand its efforts at legislative reform, including with respect to the laws identified in the study compiling all national, state and local laws, policies and practices relating to the status of women and children; and to repeal section 55 of the Penal Code of Northern Nigeria, section 55 of chapter 198 of the 1990 Labour Act of Nigeria and section 360 of the Criminal Code, and ensure that those responsible for the implementation of these laws and policies are made aware of their discriminatory contents”: While the State party indicated that the Nigerian Law Reform Commission took some steps towards the legislative reform, it failed to provide information on efforts made to repeal section 55 of the Penal Code of Northern Nigeria and section 55 of chapter 198 of the 1990 Labour Act of Nigeria and to ensure that those responsible for the implementation of these laws are made aware of the discriminatory contents of the laws that need to be repealed. The Committee considers that the recommendation has been **partially implemented**.

Regarding the recommendation “that awareness-raising and advocacy campaigns be developed and implemented, involving parliamentarians, civil society and the general public, including religious and traditional leaders, in order to enhance understanding of the provisions of the Convention and support for the principle of gender equality and the prohibition of discrimination.”: The State party took some steps through the carrying out by the Minister of Women Affairs of advocacy activities with stakeholders, including Executive Governors of States and policy makers. However, the State party failed to provide information on the development and implementation of proper campaigns, involving parliamentarians, civil society and the general public, including religious and traditional leaders, in order to enhance understanding of the provisions of the Convention and support for the principle of gender equality and the prohibition of discrimination. The Committee considers that the recommendation has been **partially implemented**.

Regarding the recommendation “to ensure that the Convention and related domestic legislation are made an integral part of legal education and the training of judicial officers, including judges, lawyers and prosecutors, so as to firmly establish in the country a legal culture supportive of women’s equality and non-discrimination”: The State party failed to provide information on this recommendation. The Committee considers that the recommendation has **not been implemented**.

The Committee recommends that the State party provide, **in its next periodic report**, additional information on actions taken to fully implement the following recommendations:

- 1) Setting up a concrete timetable for amending all provisions in the Constitution that discriminate against women and taking further steps in the amendment of federal and state legislation that discriminate against women; however, the Committee appreciates the steps taken by the State party towards the amendment of federal and state legislation that discriminate against women;
- 2) Implementing the recommendations of the Nigerian Law Reform Commission (NLRC) which seek the domestication of the Convention; repealing section 55 of the Penal Code of Northern Nigeria, section 55 of chapter 198 of the 1990 Labour Act of Nigeria and section 360 of the Criminal Code; and
- 3) Developing and implementing campaigns, involving parliamentarians, civil society and the general public, including religious and traditional leaders, in order to enhance understanding of the provisions of the Convention and support for the principle of gender equality and the prohibition of discrimination;

The Committee also recommends that the State party pays special attention to the recommendation which has not been implemented and that it provide, **in its next periodic report**, additional information on measures taken to ensure that the Convention and related domestic legislation are made an integral part of legal education and the training of judicial officers, including judges, lawyers and prosecutors, so as to firmly establish in the country a legal culture supportive of women's equality and non-discrimination.

Regarding the recommendation made **in paragraph 319** of the Concluding Observations "to repeal without delay section 29, paragraph 4, of the Constitution": The State party indicated that the draft amendment was not addressed by the National Assembly. The Committee considers that the recommendation has **not been implemented**.

Regarding the recommendation "to ensure that those states that have not yet done so adopt the Child Rights Act without delay": The State party indicated that the efforts are on-going to encourage the remaining 12 States that have not passed the Child's Rights Law to do so. The Committee considers that the recommendation had been **partially implemented**.

Regarding the recommendation "to ensure the effective implementation of the Child Rights Act": While the State party provided some information on the implementation of the Child Rights Act and on measures taken for the rights of the child, it failed to indicate whether these measures have been taken after the issuance of the previous COBs. The Committee **did not receive sufficient information** to assess whether the recommendation had been implemented.

The Committee recommends that the State party provide, **in its next periodic report**, additional information on actions taken to:

- 1) Ensure that the states that have not yet done so adopt the Child Rights Act without delay;
- 2) Repeal without delay section 29, paragraph 4, of the Constitution; and
- 3) Ensure the effective implementation of the Child Rights Act.

Regarding the recommendation made **in paragraph 337** of the Concluding Observations "to address, as a matter of priority, the high maternal mortality rate, including the allocation of adequate resources to increase women's access to affordable health services, in particular prenatal, post-natal and obstetric services, as well as other medical and emergency assistance provided by trained personnel, in particular in rural areas": The State party mentioned various measures taken since the issuance of the Concluding Observations on maternal health interventions and the amount allocated to these measures. However, it failed to provide information on the impact of these measures and on the reduction of the maternal mortality rate. The Committee considers that the recommendation has been **partially implemented**.

Regarding the recommendation "to improve the availability and affordability of sexual and reproductive health services, including family planning information and services; and to adopt measures to increase knowledge of, and access to, affordable contraceptive methods, so that women and men can make informed choices about the number and spacing of children": The State party failed to indicate whether the National Midwives Service Scheme was designed after the issuance of the COBs and to provide information on the impact of this activity. The Committee **did not receive sufficient information** to assess whether the recommendation had been implemented.

Regarding the recommendation "to assess the impact of its abortion law on the maternal mortality rate and to give consideration to its reform or modification": The State party failed to provide information on this recommendation. The Committee considers that the recommendation has **not been implemented**.

Regarding the recommendation “to implement awareness-raising campaigns to enhance women’s knowledge of reproductive health issues and recommends that sex education be widely promoted and targeted at adolescent girls and boys”: The State party failed to provide information on this recommendation. The Committee considers that the recommendation has **not been implemented**.

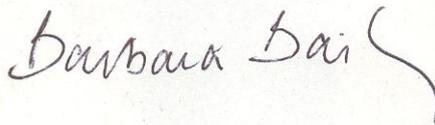
The Committee also recommends that the State party provides, **in its next periodic report**, additional information on measures taken to:

- 1) Continue to address, as a matter of priority, the high maternal mortality rate, including through the allocation of adequate resources to increase women’s access to affordable health services, in particular prenatal, post-natal and obstetric services, as well as other medical and emergency assistance provided by trained personnel, in particular in rural areas, and to assess the impact of the measures taken;
- 2) Improve the availability and affordability of sexual and reproductive health services, including family planning information and services and adopt measures to increase knowledge of, and access to, affordable contraceptive methods, so that women and men can make informed choices about the number and spacing of children;
- 3) Assess the impact of its abortion law on the maternal mortality rate and give consideration to its reform or modification; and
- 4) Implement awareness-raising campaigns to enhance women’s knowledge of reproductive health issues, widely promote sex education and target adolescent girls and boys.

The Committee looks forward to pursuing its constructive dialogue with the authorities of Nigeria on the implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



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Committee on the Elimination of Discrimination against Women